

RE: 2077 Garibaldi Way rezoning application

Dear Mayor Crompton and Councillors:

This proposal is acknowledged as having been revised however significant concerns remain for our community on Aspen Ridge. It is expected that any substantial changes would have the most impact on immediate and close-by property owners. The voice of Aspen Ridge should be heard and listened to. It happens often that, when the number of concerns narrows down and has less impact on the wider general public, we forget that the changes will have lasting consequences to nearby property use and enjoyment.

As a permanent resident of Aspen Ridge, I encourage the planning staff under guidance of elected municipal council will find acceptable solutions to all affected parties.

The two meetings initiated by the developer and his team to gather the input from a very limited number of Nordic residents were welcomed. It has to be said that the discussions are still ongoing and important details of the proposed re-zoning have not been fully addressed. These two meetings disregarded important input and consultation neighbouring property owners.

AREAS OF ONGOING CONCERN TO NEIGHBOURS:

- 1. PRIVACY OF SURROUNDING PROPERTIES** was adversely affected since the property was clear cut. The access to and through the Aspen Ridge property became easier despite and in spite of assurances from the Developer that it would not. Immediately Aspen Ridge residents noticed increased people traffic over our privately and strata-owned land. That hasn't changed, will not change and exacerbated trespassing over the Aspen Ridge property is still used as a short cut from Garibaldi Way to Whistler Creek and vice versa. Aspen Drive is a private road and it should be used exclusively by strata owners and their visitors. The Aspen Drive roadway is maintained, 100% paid for and looked after by Aspen Ridge strata owners. The general public must not be encouraged to use it regularly as a defacto feature of their new development. No Aspen Ridge strata owners are happy with the increased people traffic for purpose of shorter or more convenient access, dog walking or biking. The future owners of the 2077 Garibaldi Way will be in exactly the same position and will not like trespassing to occur on their private or common areas. We are expecting commitment from the developer for construction and establishment of the natural tree shrubbery Green Buffer zone as a barrier to curtail any trespassing to the private property of Aspen Ridge.
- 2. THE GREEN BUFFER ZONE** on the property lines bordering Aspen Ridge is increasingly disappearing. Trees that were left on the edges of the subject property are dying and will have to be replaced in order to have any significant green buffer as noted and promised numerous times by the developer. Just recently, there were a number of trees removed as they were leaning toward homes on Aspen Drive and also on the east side toward town homes on Garibaldi Way. None of the removed trees have been replaced. Looking at proposed plans there will be even more trees removed where additional parking is proposed. We clearly need the developer's commitment to create a substantial green buffer

between the neighbouring properties and not just on the highway side. Appendix D - Administrative report to council, May 5, 2020:

“The development will have natural elevation and vegetation buffers to protect the current enjoyment of those properties.”

3. ADDITIONAL INCREASE IN SITE ELEVATION is Extremely concerning and Unacceptable. From the beginning of 2077 re-zoning proposals, the developer assured that the buildings would be lower in natural elevation compared to surrounding properties. Neighbouring properties’ natural views, sun exposure and noise intensity would not be affected at all. The recent proposal indicates that the ground level of 2077 Garibaldi Way (see the blue line on the plan sketch attached) will be raised to the level of Aspen Drive properties. There will be no advantage in the natural elevation providing additional buffer to neighbouring properties.

Inconsistent and contrary Developer’s submissions: Raising the site ground level by another couple of meters will place the 3rd floor and the roof of the Building C above the 2nd floor of the Aspen Drive triplex that only has two floors and not three as quoted. Their views and sun exposure will be severely changed and obstructed. Likewise, the views of the duplex on Aspen Drive will also be compromised. This is Unacceptable.

Appendix D - Administrative report to council, May 5, 2020:

“The property is significantly lower and relatively isolated from adjacent properties. The lower elevation in relation to neighboring properties means that any new buildings on this site would be constructed at a lower elevation relative to the neighbors, with limited on views or solar access.”

Appendix B – Administrative report to council, May 5, 2020:

HEIGHT Maximum Height: 7.6 m PERMITTED (RS-E1) 10.7m PROPOSED (RM)

4. PROPOSED DESIGN of the new buildings does not complement the design of existing properties. Almost all of the buildings have sloped roofs and visual impact makes the buildings look smaller. Impact of the proposed flat roof with a maximum allowable height will be overpowering and will look larger than any of the homes around.

Page 6 - Administrative report to council, May 5, 2020:

- **All Buildings are 3 storey (10.6 m) with flat roofs**

Page 6 - Administrative report to council, May 5, 2020: **“Roof design must establish effective snow management and have a sloped appearance....Building material, colors and façade modulation shall be consistent with the mountain character.”**

5. Impact of increase in vehicle traffic:

The traffic study shows that “the wait time for the South bound turn movement is currently performing below a desirable level of service! It is unacceptable to proceed with this rezoning without making any changes to Highway access. The Developer quoted from council’s package: “the proposed development is expected to have a very insignificant impact”! This is with planning for 40 vehicles in the new plan, which as in any current or previous plan has always been

underestimated. It is more likely that there would be at minimum of 60 vehicles, since every 3 bedroom unit is likely to be shared by 2 people (at minimum) some cohabiting, others sharing living costs for affordability. No matter the combination, there will be far more congestion than our planners envision. All of this additional traffic is being crammed into a small cul de sac, where already there are daily 5 vehicles parked in it! Picture enclosed!

1. When did council approve access across their land to this property?
2. If this proposal is above board and so "needed" why would the owners not have needed to post signs notifying the public of a rezoning application? Picture enclosed, no signage visible! Please note the dates of the pictures are June 10th. and June 22nd. No rezoning application signs noticeable!
3. Would the owners of the property please disclose to ALL neighbours when the discussions were held, how many approved and how many disagreed, as we know of nobody that has been contacted!

Without significant changes to access to Hwy 99 Southbound and Northbound, the developers being transparent about their process of traffic study and neighborhood consent application cannot be approved by any council member. Nor can council condone so few parking spots for so many beds when there is significant evidence elsewhere such as in Cheakamus Crossing regarding how significantly it was underestimated for parking and bed units.

I acknowledge that the revised proposal RZ1144 for Rezoning 2077 Garibaldi presented to Council on May 5, 2020 is an improvement to earlier submissions. Lower density is more compatible with the surrounding neighbourhood. Owner-occupied units instead of strictly rental units also better reflects neighbouring use of the properties.

Serious concerns remain: The current status of the developer proposal does not effectively address concerns regarding privacy, access and maintenance of a promised green buffer zone. The proposed design of the development does not meet the promised lower elevation of construction, nor does it complement the design of buildings in the neighborhood. Continuing discussion with strict transparency from the Developer is needed to ensure that the input of neighboring tax paying residents is recognized and considered. Previous commitments by the developer must be met again following strict discipline and transparency.



Carl Mark

2225 Aspen Drive, Whistler, June 28, 2020

Name and signature

Whistler address and date