



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 20, 2020
FROM: Resort Experience
SUBJECT: RZ001094 – 8104 MCKEEVERS PLACE – CL2 ZONE TEXT AMENDMENT

REPORT: 20-102
FILE: RZ001094

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council consider giving first and second readings to “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020”; and

That Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020”.

REFERENCES

Location: 8104 McKeevers Place
Legal Description: PID 017-288-665; LOT 2 DISTRICT LOT 7300 PLAN LMP99
Applicant: Kevin Wood, Martin Bart
Current Zoning: CL2 Zone (Commercial Local Two)
Appendix “A” – Location Map
Appendix “B” – Site Photos
Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020 (not attached)

PURPOSE OF REPORT

This Report presents “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020” for Council consideration of first and second reading, and requests that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020”.

The proposed Zoning Amendment Bylaw is to amend the CL2 Zone, which is the specific zone for the subject site, 8104 McKeevers Place. The subject site contains Alpine Café and Catering, the Alpine Meadows Market, and an auxiliary dwelling.

The proposed bylaw would amend the CL2 Zone by adding “restaurant” to the Permitted Uses, and altering the density requirements for permitted uses at the site to increase restaurant/café space which would be fully offset by reduced convenience, while still ensuring that a portion of the permitted density be retained for convenience retail of everyday items for the benefit of the neighbourhood. The overall density would not change as a result of this amendment.

DISCUSSION

Background

As shown in Appendix “A”, the subject property is located at 8104 McKeevers Place in Alpine Meadows. The parcel contains a Café and Catering business, a convenience grocery shop, and an auxiliary residential dwelling unit. The site is constrained by an existing Valley Trail Right of Way along the East side of the property.

The existing building on the site was originally built in 1986 and contained retail on the main floor and a 2 bedroom suite on the second floor. In 2002 the site was renovated (BP000259) to create a café and market on the main floor.

The CL2 Zone is a site specific zone that applies to 8104 McKeevers Place only. The existing CL2 Zone permits a bakery shop and delicatessen and the existing Alpine Café was authorized under these uses. The 2020 pandemic brought specific business challenges. Due to COVID restrictions, the café requires additional floor area to accommodate patron seating while incorporating social distancing measures. It is proposed that the café would expand into the existing convenience store space while still maintaining a convenience component to serve the local community. The proposed Zoning Bylaw amendment seeks to amend the CL2 zone by adding “restaurant” to the permitted uses, as the expanded café would be considered a restaurant. Additionally, staff have included wording to restrict part of the GFA (25 m²) to continue to be available for convenience retail of everyday items.

The current proposal responds to present market demands by increasing the GFA available for restaurant/café uses, while reducing the GFA for the grocery shop. This application does not seek to increase the overall density of the site. No changes to the remainder of the CL2 Zone are proposed.

Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020

Permitted Use Amendments

“Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020” seeks to add ‘Restaurant’ to the permitted uses of the CL2 (Commercial Local Two) Zone. This use is supported as it is consistent with the CL2 zone’s purpose of providing for small scale commercial establishments adjacent to residential areas.

Density Amendments

Staff recommend amending the wording of Section 4 of the CL2 Zone to state “*The maximum permitted gross floor area for commercial use is 250 square metres of which 25 square metres is restricted for convenience retail of everyday items.*”

The requirement to include at least 25 square metres of the GFA for convenience retail of everyday items is intended to ensure that residents of the area are still able to access essential grocery items without travelling to other areas such as Rainbow or Nesters. The applicant has confirmed to staff that they are agreeable to this restriction being included in the Zoning Amendment.

Car Parking and Loading

The Building Department has confirmed that the existing GFA of the building is 242 square metres for the main level, and 91 square metres for the auxiliary dwelling.

The applicable parking and loading space requirement per Part 6 of “Zoning and Parking Bylaw 303, 2015”, is 16 car parking spaces and 1 loading space. This is the same amount of parking and loading as are currently required under the existing development scheme; therefore the requirement has not changed. The applicant has demonstrated that more than 16 parking spaces and 1 loading bay can be

provided on the site, while avoiding the areas constrained by the Valley Trail Right of Way along the eastern side of the property.

It is noted that a Parking and Loading Plan is required to be provided as part of any future Development Permit or Building Permit application as per the requirements of Part 6 of “Zoning and Parking Bylaw 303, 2015”.

POLICY CONSIDERATIONS

Official Community Plan Bylaw No. 2199, 2018

The proposed rezoning is consistent with the policies of the Official Community Plan (OCP). The subject lands are designated as Convenience Commercial in Schedule A of the OCP. Convenience Commercial lands are defined as:

“Lands designated for neighbourhood-oriented convenience commercial development at a scale with uses that meet the day-to-day convenience oriented goods and services needs of the neighbourhood. Uses include retail, restaurant, office and personal service functions. Convenience commercial centres at Nesters Square and Rainbow are scaled for an expanded market area beyond the immediate neighbourhood. Conveniently located neighbourhood convenience commercial at Cheakamus Crossing and Alpine Market serve their respective neighbourhoods. Convenience Commercial may also allow for residential uses.”

The proposed rezoning remains consistent with the current Convenience Commercial designation.

The policies contained in Chapter 5 - Land Use and Development, Commercial and Light Industrial, provide further guidance for this designation and the development of these lands. The overarching goal, Goal 5.6, is to:

Maintain a hierarchy of complementary commercial and light industrial centres each positioned with its own distinct role, character and mix of uses tailored to reinforce Whistler’s mountain resort community character, meet the needs of the community and support the local tourism economy.

The inclusion of Restaurant as a permitted use, and addition of wording to restrict part of the GFA to be available for convenience retail of everyday items, is consistent with Goal 5.6.

Any future development of the site is subject to Development Permit approval requirements and consistency with guidelines for the following OCP Development Permit Area designations:

- Aquifer Protection
- Commercial Industrial - Form and Character
- Multi-family Residential - Form and Character
- Wildfire Protection

The existing development is generally consistent with the OCP guidelines for the above mentioned Development Permit Area designations.

Legal Encumbrances

BE14130 is a Statutory Right of Way for the Valley Trail. Although the Valley Trail is currently located in the Road Right of Way for Highway 99, the area identified in the Statutory Right of Way will be retained and not obstructed, thereby allowing the Municipality to use the identified area for any future upgrades or relocation of the Valley Trail. Part of the area identified in the Statutory Right of Way has been paved over by the owner to form part of the existing surface parking at the site. However, as identified in the

Discussion section of this report, staff have confirmed that the car parking requirements for the proposed rezoning can be met without impeding on the Statutory Right of Way.

Green Building Policy

No new buildings or renovations are proposed as part of this zoning amendment. Any future renovations would require a separate Building Permit application. Depending on the proposed scope of works, a Development Permit application may also be required.

BUDGET CONSIDERATIONS

The proposed rezoning application is subject to rezoning application fees and cost recovery for staff processing and associated direct costs.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing RZ001094 is posted on the property.

The proposed zoning amendment is subject to a Public Hearing adhering to statutory public notice requirements, prior to Council consideration of third reading; therefore, this Report recommends that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020”.

SUMMARY

“Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020” would add “Restaurant” as a permitted use in the CL2 Zone, and also includes language restricting part of the GFA to be available for convenience retail of everyday items.

This Report recommends that Council give first and second readings to “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020” and that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8104 McKeevers Place) No. 2292, 2020”.

Respectfully submitted,

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PLANNING ANALYST

for
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DIRECTOR OF PLANNING

for
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INTERIM GENERAL MANAGER OF RESORT EXPERIENCE