

November 24, 2020

To: Mayor and Councillors
Resort Municipality of Whistler

Dear Mr. Mayor and Councillors:

Re: Submissions from the NITA Lake Estates Strata
On Rezoning Proposal No. RZ001157
5298 Alta Lake Road

I am writing to express the continuing concerns over the rezoning proposal RZ1157 for 5298 Alta Lake Road. I do feel guilty writing this letter on a day that Covid numbers have reached an all time high and there is uncertainty facing Whistler residents and businesses as new restrictions are put in place. However, as a revised bylaw is before council with a public hearing scheduled, it is clear that the RMOW is moving ahead with business as usual and it is necessary to once again raise these concerns.

With the necessary revisions to the bylaw, I had hoped council would take the time to consider all of the facts and information regarding this development. There are still many unanswered questions with regard to the environmental report, the inadequate traffic report, the possibility of using the original access to minimize disruption to existing neighbourhoods and the huge increase in density for this project with little in return for Whistler. I am sure everyone understands the pressures on council to deliver affordable employee housing but this development in its current form is simply a bad deal for Whistler.

The RMOW Planning Department had concerns from the beginning. In an email dated February 21, 2019 from the RMOW Planning Department to The Bethel Land Corporation (attached to this letter), the staff identifies several concerns with the development, two of which are **“Staff have concerns regarding the increased amount of market value tourist accommodation development (from 1900m² to 4,400m² development (from) through the conversion of hotel support facilities and note that the increase in proposed employee housing is significantly less (from 800m² to 1110m².)”** as well as **“the staff appreciate that the overall area of proposed development may be decreased.. . staff are very concerned that the revised development scheme will not be able to maintain the existing treed nature of the site and the concentration of development would require extensive clearing.”** This is concerning as the market accommodation is now at 4220m² which is a 123% increase from the original recommendation of the planning department with only a 38% increase in the employee housing. **Our concerns from the beginning have been the same as those identified by the Planning Department.** It was only after a senior RMOW staff member stepped in and waived these fundamental issues, that the recommendations of the Planning Department were disregarded, the questioning and dialogue stopped, and this proposal continued to pass through various levels of Council readings unheeded. This is very curious and concerning! It is no wonder that many feel “the fix” was in.

Why is this a Bad Deal for Whistler?

- This is one of the first proposals under the Guidelines for Private Developers and even though council is desperate for additional employee housing, the principles of the guidelines have to be applied, in particular the allowance of just *“limited amounts of new unrestricted market accommodation to support project viability”*. Whistler Municipality is not receiving enough employee housing in exchange for this

change in zoning for the developer. The ratio of market housing to EH housing is 2:1 which does not seem to reflect these principles.

- Inadequate community benefits in exchange for the rezoning and increase in density. The developer was already obligated under the current zoning to extend the valley trail, provide 800 m² of employee housing and refurbish the Hillman cabin and barn. The developer says it is donating park land, but to be clear, new regulations do not allow building on the riparian zones and setbacks where the park will be “donated”/ located. To be clear, the development under the current TA17 zoning could not be built today, and the developer knows this. The developer says it is donating a land parcel for future housing, but this parcel is steep and a difficult to build on. The developer is simply donating land that cannot be built upon or will not be profitable to build on. However, the developer is re-building the bridge across Gebhart Creek to municipal standards (the new bridge would be required anyway to extend the valley trail). It is not clear why this has not been investigated further as the bridge and road will dissect the parkland into two, thereby decreasing its value as a park? Poor planning! The developer is only providing a marginal increase in employee housing of 38%.
- **The density for this proposed development is out of character for the neighbourhood and lakeside. It is simply too much.** Given the riparian setbacks, the developer has been forced to locate the entire development at the south end of the site, which has reduced the buildable land to a much smaller footprint of 19,214m² (4.7acres) from the original footprint of 39,000 m². **Despite the smaller buildable area, the developer has negotiated an increase in density to 6320 m² which is not appropriate for the site.** One of the striking differences to the original / current zoning is the increase in density of almost three times, representing **a 275% overall increase in density**. The RMOW from the beginning always had concerns about the proposed density. What changed?
- There will need to be substantial clear-cutting of at least 5 acres of this very sensitive lakeside area to make room for this large development on the smaller footprint. This will result in destroyed views around Nita Lake with the required clear cutting needed for the development and to meet Firesmart regulations. **Of concern is one of the comments in the ADP report that recommends opening up some views to the lake from the market townhomes. If followed, the clear-cutting and views from the east side will be worse.**
- Increased traffic – at least 72 cars traveling through the current Nita Lake neighbourhood, adding to the already maxed out entrance to highway 99 and traffic south of the village. The traffic study did not address the actual traffic on Nita Lake Drive and the safety concerns identified by the residents in the neighbourhood. At the request of the Nita Lake Estates, a traffic consultant was asked to review the road and the several safety concerns raised by owners. The initial review identified several issues with further review recommended. Also, with the recent request of the Tyrol Lodge to have access to the road and through Nita Lake Dive, the traffic concerns will multiply. In speaking with the Tyrol Lodge, they have plans to expand and obviously need road access to do this. This expansion has not been calculated with the traffic study either. However, with the current 54 beds and advertise the rental of the entire “cabin” there is the potential for 54 cars if access is approved.
- There should be further studies done to ensure that the traffic is considered in a peak time, not shoulder season and the very real traffic concerns along Nita Lake Drive need to be reviewed taking into account both the busy winter and summer seasons and whether Nita Lake Drive can handle the extra traffic. Of course, the obvious solution is to use the existing road and access off Alta Lake Road for this development which would also serve the Tyrol Lodge. The owners of Nita Lake Estates received an

estimate from an Independent Civil Contractor of 1.2 to 1.3 million to provide the required work for the access from Alta Lake Road to the north end of 5298 Alta Lake Road property. Given the developer would have considerable expense to do the work to the south entrance, the actual cost from the north end would likely be negligible if any. Can Council please recommend that this access be reviewed before moving this bylaw further along? We would be happy to provide you the quote.

- The recommendations of the Environmental Report have not been fully reviewed and discussed. As per the report, **there are strict environmental reviews and recommendations to be carried out before any approvals can be given to a new proposal. This development has NOT addressed these guidelines or recommendations for further study of many of the AT RISK SPECIES identified in the (IER).** The health of our Whistler wildlife and ecosystems is at risk in development projects such as this one, as is the future of tourism, but also the health and well-being of future generations

It seems that Council is trying to bail out a developer for a bad land purchase as he can now only build on half of the property. The developer assumed the risk when purchasing the property in terms of the limits to what could be built. The developer needs rezoning. It is not up to the council to protect this purchase and provide even greater density on a smaller parcel to maximize profits for the developer for only marginal employee housing if it is not the right development for the health and the long-term sustainability and benefits to our community and our environment.

The citizens of Whistler deserve to have their elected Council Members negotiate the best deal for Whistler through the rezoning process, protect our precious assets – the natural beauty of the Lake and views of the lake - and in particular hold any lakeside developments to the highest standards. **Once developed this natural, wilderness setting will be lost forever. It is up to us and Council to be responsible stewards of this land, as have generations before us, so that future generations can come to Whistler and appreciate and value what we all now are so grateful to have. Once it is gone it is gone forever.**

Please take the time to review, debate and consider all of the facts, and get the necessary answers before proceeding with this project. There is still time to Get it Right!

Sincerely,

Cheryl Green
5205 Jordan Lane

Attachments:

RMOW Feb 21, 2019 response to Empire Club

Correspondence between RMOW and Empire Club April 2 - June 3, 2020

February 21, 2019

Caroline Lamont,

Bethel Land Corporation

Via email:

RE: RZ1157: 5298 Alta Lake Road

Dear Caroline,

Thank you for your submission of Rezoning Application RZ1157 for the property at 5298 Alta Lake Road. Staff have considered this proposal relative to existing zoning, the previously supported development concept, existing site conditions, current community needs, and tests for rezoning and community benefit requirements.

Under the proposal approved previously under RA309 ("London Mountain Lodge"), which created the existing TA17 zoning, the approved development concept was for a low impact development scheme intended to create an enclave of "old Whistler", with a series of small cabins tucked into the treed hillside with a meandering laneway leading to a small (old world) lodge. The intention was always to maintain the existing natural setting. This scheme found support as a method to develop the lands while maintaining views to the site from across the valley.

Staff review indicates that RZ1157 proposes:

- An increase of 2500 m² for tourist accommodation from 1,900 m² to 4,400 m².
- An increase of 310 m² for employee housing, and
- An overall increase in the density on the site of 1236 m² (13,304 sq. ft.)

Given the increase in density and change in form and programming of development, there are some concerns regarding the sensitivity of the site views from across the lake. This is a highly visible parcel that forms part of the treed hillside along the west side of the lake. Staff are very concerned about views to the property from the lake itself, the VT on the opposite side of the lake, Nita Lake Lodge, and the private properties adjacent to the lake. The current experience is one of a near-wilderness type of setting.

Staff have concerns regarding the increased amount of market value tourist accommodation development (from 1,900 m² to 4,400 m²) through the conversion of hotel support facilities, and note that the increase in proposed employee housing is significantly less (from 800 m² to 1110 m²).

This parcel is limited to 64 BU's for tourist accommodation uses per covenant BT125121. Your math indicates that the BU allocation for the TA component would rise to 88. Whistler's current Official Community Plan requires a significant community benefit when creating additional bed units.

While staff appreciate that the overall area of proposed development may be decreased somewhat by the concept Under RZ1157 as shown on A-1.3 (Murdoch and Company 18/10/02), staff are very concerned that the revised development scheme will not be able to maintain the existing treed nature of the site and the concentration of development would require extensive

clearing. Staff are concerned that the amount of proposed development may be too great for the site and that concentrating this increased density as indicated will largely denude the development portion of the site, making it highly visible with reduced experiential values to the public and resort.

Staff are very concerned about the considerable manipulation of grade proposed in this concept. The proposal doesn't seem to respond to the existing grades, but rather intends to build up the terrain (in some cases this change is greater than 5 metres), making the development more visible from other parts of the valley. Staff also note that the Resort Municipality is already in receipt of letters expressing concerns from members of the community.

Review of the title documents indicates that certain conditions in covenant BT215121 need to be realized prior to any development as noted in sections 2.1 and 2.2 ("Prerequisites") of that document as shown below:

Prerequisites for Construction on the Lands

- 2.1 *No building or structure shall be constructed or placed on the Lands, no building permit or development permit need be issued by the Municipality with respect to the Lands, no trees shall be removed from the Lands and the Lands shall not be excavated or altered until the Owner has provided the following to the Municipality to the satisfaction of the Manager of Planning, acting reasonably:*
- a) Plans and specifications for a transit bus pullout and transit bus shelter to be located on Alta Lake Road in accordance with the Municipality's standard transit bus shelter for residential areas*
 - b) Plans and specifications for trail construction and lighting to municipal trail standards for all public trails within the Lands as required by the Manager of Planning and an off-site trail to connect the south boundary of the Lands through the adjacent BC Rail right of way to Lake Placid Road in Whistler Creek*
 - c) Plans and specifications for any off-site infrastructure works needed to satisfy building permit requirements*
 - d) Security for the completion of all the works referred to in Sections 2.1(a) through 2.1(c) in the form of a letter of credit acceptable to and in an amount acceptable to the Municipality*
 - a) Confirmation of registration of an access easement or right of way over the property legally described as Lot I, District Lot 4749, Plan 15154, Group 1, New Westminster District (Parcel*

Identifier: 007-720-556) from Alta Lake Road to the Lands

- b) A heritage report providing recommendations for the rehabilitation of the existing historical cabin and barn*
- c) A covenant in favour of the Municipality under Section 219 of the Land Title Act, registered against title to the Lands in priority to any financial charges, which covenant shall:*
 - i. Establish appropriate floor areas for all non-accommodation uses that may be developed and used on the Lands*
 - ii. Restrict the combined density of all tourist accommodation units that may be developed and used on the Lands to an amount that translates to no more than 64 Bed Units***
 - iii. Require environmental monitoring during construction of all improvements and all site works on the Lands*
 - iv. Require the installation and maintenance of oil/water separators in conjunction with the construction and use of any building on the Lands*
 - v. Require installation of automatic fire sprinklers in all buildings and structures that may be developed and used on the Lands*
 - vi. Provide access by way of easement to the non-accommodation lodge facilities for the owners and occupants of the cabins that may be developed and used on the Lands*

Prerequisites for Occupancy Permit

- 2.2 The Municipality need not issue an occupancy permit for any building or structure constructed or placed on the Lands until the Owner has completed the following to the satisfaction of the Manager of Planning:*

- a) Substantially completed construction of a minimum of five cabins on the Lands for use as Employee Housing plus two artist-in-residence cabins on the Lands*
- b) Substantially completed rehabilitation of the existing historical cabin and barn in accordance with the heritage report referenced in Section 2.1(f)*
- c) Registered a covenant in favour of the Municipality under Section 219 of the Land Title Act, in registrable form, in priority to any financial charges, in respect of the existing historical cabin and barn and of one cabin that may be constructed on the Lands, which covenant shall restrict the use of these buildings for community purposes and set out an artist-in-residence program jointly managed by the Municipality (or the Whistler Community Arts Council) and the Owner*
- d) Registered statutory rights of way in favour of the Municipality under Section 218 of the Land*

	Existing TA17 Zone	RZ1157 Proposal
Tourist Accommodation Gross Floor Area	1400 m2 contained in cabins* plus 500 m2 contained in a boutique hotel. Total GFA: 1900 m2	22 3-B/R (plus garage) TA units @ 200 m2 ea. Contained in 5 buildings. Total GFA: 4400 m2 One 6-plex at 1200 GFA Four 4-plexes at 800 GFA
Hotel support facilities	1,600 m2	Hotel Use deleted.
Gross Floor Area for Employee Housing contained in "cabins"*	800 m2	10 3-B/R (plus garage) employee restricted townhomes @ 111 m2 contained in two 5-plexes at 555 m2 each Total GFA: 1110 m2
Max GFA for arts facility	250 m2	250 m2
Ancillary uses		76 m2
Total max GFA for parcel	4,600 m2	5,836 m2

*"Cabin" is defined as containing a maximum of 120 m2 GFA.

In terms of technical review of the proposal, Municipal Staff can provide the following comments, which would need to be addressed for a rezoning to be considered:

1. Please be advised that proposals for significant new development are required to quantify future GHG emissions and energy consumption impacts (including transportation-based) and incorporate measures to minimize and/or mitigate projected increases, as per CECAP.
2. The RMOW will require STEPCODE 3.
3. **Staff support the IER.** A RAR assessment, Geotechnical Report and Preliminary Field Reconnaissance would be required to proceed. **A RAR assessment for Gebhart Creek would also be required.**
4. Development proposals require a storm-water management plan balancing pre and post storm-water runoff.
5. The proposed 5m spacing between buildings could impact construction requirements and unprotected openings between buildings; particularly if you choose to reduce to less than 5m.
6. The tandem parking indicated is contrary to the Zoning Bylaw, which only allows for tandem parking in the case of dwelling units requiring three or more spaces.
7. There are some concerns regarding provision of adequate snow dump areas.
8. There are some concerns regarding the size and location of the recycling building as it seems to be quite far from the rest of the development.
9. **The proposal shows considerable retaining. Any walls should be minimized in height, be sloped rock stack, and include multiple terraces sufficiently sized to accommodate mature native or near native coniferous trees and deciduous understory.**
10. **Trees in this zone as well as at the bottom of the walls should be in some type of protective covenant to ensure their long term well-being and grow to a mature height.**
11. The building architecture, materials, colours and lighting should also seek to blend with the natural landscape and minimize visual disruption.
12. Please clarify the indicated 15m riparian setback from the 30m CN ROW.
13. Please clarify the 30m railway setback toward the lake beyond the 30m CN ROW.
14. **The long term intent for the Valley Trail (VT) is for it to circle Nita Lake (it is included in the draft 2018 OCP).**
 - a. **As part of any rezoning proposal on these lands the RMOW will require the VT be constructed to the northernmost property line with Tyrol Lodge. Staff prefer a lower trail as noted in item 15.**
 - b. **A 2.5m wide strata trail could connect the Valley Trail to the proposed development's strata road. All should be illuminated to encourage pedestrian use.**
15. **RMOW preference is to maintain VT alignment nearer the Railway ROW, this may require bridging of the wetland or compensation works if crossing at grade, alignment should continue thru designated "remainder" space terminating at adjacent property line to the north.**
16. **The proposed VT in the western portion of the development is better served as a strata pathway that connects to the Nita Lake Estates strata pathways (misidentified as existing**

Valley trail in the top left of sheet A-1.0). Strata pathways require public access as is established for Jordan Lane Estates.

17. VT grades not to exceed 5% and to meet new design guidelines.

18. Please clarify what is proposed to be done with the northern parcel with the two existing buildings. If this is to become publically accessible lands then the developer should be responsible for fire smarting the lands.
19. Please clarify how the two existing buildings on the north portion are to be accessed if this rezoning were to proceed.
20. The proposed Remainder Parcel requires further clarity. Do you intend for this green space on the north side of the property become public or remain private property?
21. A site servicing schematic for water, sanitary and storm will be required along with cross sections showing adequate cover.
22. As discussed in the Binnie Servicing report (Oct 4/18) the sanitary and water demand for the other amenities will need to be taken into consideration.
23. A full study to ensure that the current infrastructure meets the demand of the new development will also be required.
24. Have you explored a road connection to Tyrol Lodge?
25. Attention should be paid to CN rail's permitting requirements for the sanitary crossing.
26. A traffic study should also take place to prescribe if/what road improvements are required with increased volume.
27. At the north end of the property there is potential to update the bridge.
28. In addition to the already proposed VT loop the VT could also be extended to through to 5302 Alta Lake Road (Tyrol Lodge).
29. What will the site specific zoning for the Hillman Cabin and Barn or would be included in TA17?
30. What are the bylaws around draining hot tubs and pools? Plumbing code
31. Please submit a preliminary subdivision plan to run concurrently

Thank you for your time on this project.

Roman Licko

PLANNER

Resort Municipality of Whistler

April 2, 2019

Caroline Lamont,

Bethel Land Corporation

Via email:

RE: RZ1157: 5298 Alta Lake Road

Dear Caroline,

Thank you for your submission of Rezoning Application RZ1157 for the property at 5298 Alta Lake Road. Staff have considered this proposal relative to existing zoning, the previously supported development concept, existing site conditions, current community needs, and tests for rezoning and community benefit requirements.

Under the proposal approved previously under RA309 ("London Mountain Lodge"), which created the existing TA17 zoning, the approved development concept was for a low impact development scheme intended to create an enclave of "old Whistler", with a series of small cabins tucked into the treed hillside with a meandering laneway leading to a small (old world) lodge. The intention was always to maintain the existing natural setting. This scheme found support as a site sensitive development.

Proposed Development Concept

Staff review indicates that RZ1157 proposes:

- An increase of 2,500 m² for tourist accommodation dwelling units from 1,900 m² to 4,400 m² (230%)
- An increase of 310 m² for employee housing from 800 m² to 1,110 m² (38%), and
- An overall increase in the density on the site of 1,236 m² from 4,600 m² to 5,836 m² (27%).

Given the increase in density and change in form and programming of development, there are concerns regarding the sensitivity of the site, views from across the lake and impacts on the natural character of the site. This is a highly visible parcel that forms part of the treed hillside along the west side of the lake. Staff are very concerned about views to the property from the Valley Trail and recreational corridor on the opposite side of the lake, Nita Lake Lodge, the private properties adjacent to the lake and from the lake itself. The current experience is one of a near-wilderness type of setting.

While staff appreciate that the overall area of proposed new development may be decreased somewhat by the concept Under RZ1157 as shown on A-1.3 (Murdoch and Company 18/10/02), staff are very concerned that the revised development scheme will not be able to maintain the existing treed nature of the site and the concentration of development would require extensive clearing and land alteration. Staff are concerned that the amount of proposed development is too



great for the site. Concentrating this increased density as indicated will largely denude the development portion of the site with unacceptable impacts.

Staff is also very concerned about the considerable manipulation of grade proposed in this concept. The proposal doesn't sensitively respond to the existing grades, but rather intends to build up the terrain (in some cases this change is greater than 5 metres), making the development more impactful.

The impacts on the site are primarily attributable to the change in form of development and additional density, 75% of which is attributable to an increase in market tourist accommodation.

Community Benefit Contribution

The subject site is limited to 64 bed units for tourist accommodation uses per covenant BT125121 where the allocation calculated for the proposed development is 88. The Official Community Plan requires a significant community benefit when creating additional bed units. Staff have concerns regarding the increased amount of market value tourist accommodation development (from 1,900 m² to 4,400 m²) through the conversion of hotel support facilities and additional density, relative to the proposed increase in employee housing which is significantly disproportionately less (from 800 m² to 1110 m²).

Staff is not supportive of the development as proposed. Staff is of the opinion that there needs to be a better balance between an appropriate level of density and impact on the site, and with respect to the relative value of the rezoning between the developer and community benefit.

Other more detailed comments have been identified for the proposed development, many of which are contained within the existing covenant registered on the title of the property. These comments are premature given the higher level concerns identified above.

Thank you for your rezoning submittal. We appreciate your consideration of staff's comments.

Roman Licko

PLANNER

Resort Municipality of Whistler

From: [Caroline Lamont](#)
To: [Jan Jansen](#); [Jake Belobaba](#); [Roman Licko](#)
Cc: [Michael Hutchison](#)
Subject: HILLMAN PROPERTY, Whistler
Date: Monday, April 15, 2019 10:33:51 AM

The following is a summary of the our discussions with the RMOW on April 11th regarding the Hillman rezoning application.

In Attendance:

RMOW: Jan Jansen, Jake Belobaba, Roman Licko
Empire Club: Michael Hutchison, Caroline Lamont

Density - There was some discussion about staff not applying the hotel service GFA in their letter which resulted in the market density proposed to seem much higher than it actually was. Jan indicated that he thought the density proposed was reasonable - Michael indicated that the additional market units (675 m2 of density) could become employee units.

Community Amenities - Jan indicated that the RMOW would need a proforma to ensure that the development was reasonable.

- Resident Housing - Michael indicated that he could provide rent and sale prices in accordance with WHA requirements.
- The RMOW sees value in the park as a public amenity, but was okay with bringing the Valley Trail through the park site to allow for lesser grades and site impacts. The park dedication should include the riparian setback areas as identified around the creek/lake and the small pond near the rail line.
- The undeveloped portion of the site on the west side of the road, just at the entrance should be dedicated as a future housing site in the revised plan.

Site Impacts - The primary concern was with the retaining walls and design of the townhome units. The reworked townhome design should minimize site disruption and ensure tree buffers to the proposed development. Note there was concern with the development exposing the major transmission lines just west of the site, there was discussion that we purposely preserve large trees to buffer as well do some planting. As well it appears that there is a lot of filling on the site, rather than a more balanced cut and fill.

Neighbourhood Concerns - Roman is checking again about the letters, we indicated that redacted letters were okay. We are not concerned about who sent the letters but how their contents impacted the staff comments.

FireSmart - This is important.

Next Steps:

1. Empire Club (EC) rework the design, focusing on the items above
2. EC prepare proforma on community amenities, affordable housing and market development
3. RMOW get copies of letters

QUESTION: Would it be possible to get a copy of the format that the RMOW needs the proforma to be?

Please let us know if you note any errors or omissions in this summary. Thanks,

C

Caroline Lamont | Land Development Manager | Cornerstone Developments | 604-898-1901 |
clamont@bethelcorp.ca

Roman Licko

From: Roman Licko
Sent: Tuesday, April 16, 2019 4:11 PM
To: Jake Belobaba
Cc: Jan Jansen
Subject: Draft letter regarding RZ1157 - 5298 Alta Lake Road
Attachments: April 16 draft letter to Caroline Lamont.docx

Good Afternoon Jake,

Please find my preliminary draft of RMOW staff's new letter to the RZ1157 applicant team. Per our discussions, this letter speaks to:

- Changes in uses
- Increased density
- Building siting, grading, and development footprint
- Pro forma/ financial implications
- Community amenities (land acquisition)
- Public correspondence
- FireSmart
- Development Covenant BT215121 (registered under the previous development concept).

Please review and provide comment as to anything that may be unclear or has been overlooked.

Thank you so much,

R.

Roman Licko

PLANNER
Planning & Development

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
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E-MAIL: ricko@whistler.ca

WEBSITE: www.whistler.ca

Whistler was the proud Host Mountain Resort for the 2010 Olympic and Paralympic Winter Games

April 16, 2019

Caroline Lamont,

Bethel Land Corporation

Via email

Draft follow up with Caroline Lamont RE: RZ1157

Dear Caroline,

Thank you for coming in to meet with staff last week to discuss the rezoning application for 5298 Alta Lake Road. This letter is intended to summarize that discussion and clarify some of staff's comments.

Private Sector Employee Housing Guidelines:

As you know, Council ratified revised Guidelines for Private Sector Employee Housing applications at their ~~March 26th~~ meeting. The revised Guidelines are attached to this letter for your convenience. This project will be reviewed against these guidelines.

Proposed Changes to Zoning:

The table below summarizes existing and proposed uses:

Existing TA17	Proposed RZ1157
employee housing contained in cabins;	employee housing contained in townhomes;
tourist accommodation contained in cabins;	tourist accommodation contained in townhomes;
hotel;	indoor and outdoor recreation;
indoor and outdoor recreation;	arts facility;
arts facility;	park and playground; and
park and playground; and	auxiliary buildings and auxiliary uses to the above
auxiliary buildings and auxiliary uses to the above	employee housing contained in townhomes;

Building Siting and Development Footprint:

As discussed in the meeting, staff have some concerns with the extent of the development proposed under RZ1157. Staff would like to see a reduced development footprint that increases the treed buffers to neighbouring properties.

Additionally, staff have concerns regarding the extent of site manipulation. Cross sections associated with the proposal show a considerable amount of fill would be required (as much as five metres in some cases). Staff recommend a more balanced approach to the cut/ fill ratio. Further staff recommend that the buildings be set as low as possible relative to the grades to minimize impacts, reduce the extent of retaining, and preserve views to the site from other parts of the valley.

As you noted in your recent email, consideration should be given to maintaining/ improving the tree buffer to the overhead power lines.

Density:

RZ1157 proposes:

- An increase of 900 m² for tourist accommodation (from 3,500 m² to 4,400 m²).
- An increase of 310 m² for employee housing, (from 800 m² to 1110 m²) and
- An overall increase in the density on the site of 1236 m² (from 4,600 m² to 5,836 m²)

Staff would like to review a revised development concept that responds to comments (above) regarding siting and footprint. Once this is received/ reviewed, staff will be a better position to comment on the proposed increase in density.

Pro forma:

Per revised Guidelines for Private Sector Employee Housing applications, receipt of a detailed Pro forma outlining the financial implications would improve staff's understanding regarding the requirements for a successful project. Also this may help to clarify the rental to purchase ratio for the proposed employee housing component. Per your recent email, you indicate a willingness to utilize the proposed increase in market unit density for creation of additional employee units. Unfortunately, the RMOW does not have a Pro forma template.

Community Amenities - WHA/ RMOW Land Acquisition:

Staff are interested in further exploring your suggestion regarding acquisition of the lands at the upper portion of the site adjacent to the existing employee housing townhomes at 5151 Nita Lake Drive.

Staff are interested in further exploring your suggestion regarding acquisition of the lands on the lower portion of the site as parkland. The park dedication should include the riparian setback areas associated with the creek and lake and the small pond at the lower portion of the site.

Correspondence Regarding RZ1157:

As you know, correspondence has been received regarding RZ1157. Legal advice has indicated that this cannot be released without permission. Staff continue to correspond with the letter writers to permit release of redacted letters.

FireSmart:

A FireSmart assessment will be required as part of the ongoing review regarding development of this site.

Development Covenant BT215121:

This document was registered on the lands the Depner rezoning application and provides for a series of requirements to be satisfied prior to development of the site. This document will need to be revisited and addressed through this proposal.

Thank you,

Roman Licko

Planner

Resort Municipality of Whistler.

**RESORT MUNICIPALITY OF WHISTLER**

4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V8E 0X5 YF 1 866 932 5535
whistler.ca FAX 604 935 8109

April 18, 2019

Caroline Lamont,

Bethel Land Corporation

Via email

RE: RZ1157 – 5298 Alta Lake Road

Dear Caroline,

Thank you for coming in to meet with staff last week to discuss the rezoning application for the above noted property. This letter is intended to summarize that discussion and staff's most recent review of the file.

Private Sector Employee Housing Guidelines:

As you know, Council ratified revised Guidelines for Private Sector Employee Housing applications at their March 26th meeting. The revised Guidelines are attached to this letter for your convenience and will be considered as a part of staff's review of this project.

Proposed Changes to Zoning:

The table below compares existing uses permitted in the TA17 Zone to uses proposed in the application:

Existing TA17	Proposed RZ1157
Employee housing contained in cabins;	Employee housing contained in townhomes;
Tourist accommodation contained in cabins;	Tourist accommodation contained in townhomes;
Hotel;	Indoor and outdoor recreation;
Indoor and outdoor recreation;	Arts facility, associated with potential park area;
Arts facility;	Park and playground; and
Park and playground; and	Auxiliary buildings and auxiliary uses to the above
Auxiliary buildings and auxiliary uses to the above	

Building Siting and Development Footprint:

As discussed in the meeting, staff have some concerns regarding the proposed extent of development. Staff would like the applicant to explore means by which the current scheme's site impacts could be reduced while maintaining the proposed density. If adequate adjustments cannot be achieved a reduction in density will need to be considered.



Similarly, staff have concerns with the extent of site disturbance proposed under RZ1157. Staff would like to see a reduced development footprint that increases the vegetation cover and provides for a more extensive treed buffer to the neighbouring property to the south. As noted in your recent email, particular consideration should be given to maintaining/ improving the tree buffer adjacent to the Hydro ROW. The current plan does not accurately identify the extent of retention within the riparian buffer.

Additionally, staff have concerns regarding the extent of site manipulation and the elevated nature of the proposed buildings. Cross sections associated with the proposal show a considerable amount of fill would be required (as much as five metres in some cases) resulting in tall retaining areas. Staff recommend that the buildings be set as low as possible relative to the grades to minimize impacts, reduce the extent of retaining, and preserve views to the site from other parts of the valley.

Density:

RZ1157 proposes:

- An increase of 900 m² for tourist accommodation (from 3,500 m² to 4,400 m²)
- An increase of 310 m² for employee housing, (from 800 m² to 1110 m²) and
- An overall increase in the density on the site of 1,236 m² (from 4,600 m² to 5,836 m²)

Prior to reviewing the proposed density changes, staff would like to review a revised development concept that responds to comments (above) regarding siting and footprint. Once this is reviewed, staff will be in a position to comment on the appropriateness of the proposed increase in density.

Pro forma:

As noted in your recent email and in our meeting on April 11th, we acknowledge that you have indicated a willingness to utilize the proposed increase in market unit density for creation of additional employee units and to provide significant portions of the site to the RMOW for parkland and housing. Please submit a detailed project pro forma prepared in accordance with the RMOW's revised Guidelines for Private Sector Employee Housing applications. This will help staff to understand the economic rationale, and more fully inform the rental to purchase ratio for the proposed employee housing component and associated purchase /rental options presented. Unfortunately, the RMOW does not have a Pro forma template.

Community Amenities - WHA/ RMOW Land Acquisition:

Staff are interested in further exploring your suggestion regarding transferring ownership of the lands at the upper portion of the site adjacent to the existing employee housing townhomes at 5151 Nita Lake Drive for employee housing and the lands on the lower portion of the site for parkland. The parkland dedication could include the riparian setback areas associated with the creek and lake and the small pond at the lower portion of the site.



Correspondence Regarding RZ1157:

As you know, correspondence has been received regarding RZ1157. Legal advice has indicated that this cannot be released without permission. Staff continue to correspond with the letter writers to permit release of redacted letters. They have indicated some willingness to meet with you to discuss concerns; therefore, staff have given them your contact information and suggested they contact you directly. Staff have also requested that they permit the RMOW to provide their contact information to you.

FireSmart:

Incorporating FireSmart principles into the proposed design will be required as part of the ongoing review of the proposed development and will provide an early understanding of a fuel management prescription that would help inform the effectiveness of proposed tree buffers.

We encourage you to review FireSmart Canada guidelines as linked below:

- <https://www.firesmartcanada.ca/>

Development Covenant BT215121:

This document was registered on the lands through the Depner rezoning application and provides for a series of requirements to be satisfied prior to development of the site. This document will need to be revisited and addressed through this proposal.

In closing, we felt our meeting was productive and there was a general receptiveness to the comments as captured in this letter. Please let me know if you have any questions and we look forward to receiving revised plans and requested information.

Thank you,

Roman Licko

Planner

Resort Municipality of Whistler.

Cc: Jan Jansen, General Manager of Resort Experience

Jake Belobaba, Senior Planner

Roman Licko

From: Caroline Lamont <clamont@bethelcorp.ca>
Sent: Monday, June 03, 2019 12:31 PM
To: Jake Belobaba; Roman Licko
Cc: Jan Jansen; Michael Hutchison; David Fujimagari; Jon Dietrich
Subject: Hillman Property Updated Information
Attachments: 2019 06 03 Revised Submission Hillman Complete.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Attached please find a cover letter, updated plans and pro forma for the Hillman property. We look forward to reviewing this information with you, at your earliest convenience.

Thanks,

C

Caroline Lamont | Land Development Manager | Bethel Land Corporation | 604-898-1901 | clamont@bethelcorp.ca

Empire Club Developments

June 3, 2019

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, B.C.
V8E 0X5

Subject: RZ1157 - 5298 Alta Lake Road


Attention: Roman Licko, Planner
Jake Belobaba, Senior Planner

Further to our April 11th meeting at your offices, please accept this correspondence as a preliminary response to municipal staff's initial direction. This submission presents two options for consideration, as it is understood that the municipality's site density is dependent on site impacts as well as the pro forma.

S.21(1)(c)(i)



S.21(1)(c)(i)



- **Townhome Design** – The option has reworked the design of the units to reduce cut and fills and possible visual impacts,
- **Updated Site Sections and Visual Impact Analysis** – The site sections have been updated to more accurately reflect the height of vegetation in the buffer areas. An updated visual impact analysis will be provided pending additional feedback from staff on the preferred approach to the two options provided.
- S.21(1)(c)(i)



- **Park Dedication** - The application includes a park dedication for the lands north of the townhomes (which includes the Hillman house) as well as the riparian areas and setback from rail line. In 1999, the property owner dedicated an additional 0.5 acres on the east side of the railway tracks to the municipality as riparian park. Note the RMOW will need to approve the Valley Trail constructed within the riparian setback.
- **Housing Site** – The application includes the dedication WHA site transfer at the entry to the development (uphill side).
- **Neighbourhood Setbacks** – The option has moved the units outside a 7.6 m setback to Nita Lake Estates consistent with the current zoning. Of note, the adjacent RM-50 zoned property has a 7.6 m setback, while similarly the RedSky project in Baxter has 7.6 m setbacks and thus the proposed + 7.6 m property setback is consistent for the RMOW's multifamily zoning.

The owner of Strata Lot 13 has constructed unapproved landscape improvements on our property.

- **Road Design** – The site includes a significantly reworked road design, which will include the relocation of the water line to help reduce site impacts of the new road/units. The detailed engineered road design will follow in a subsequent submission.
- **Adjacent Property Buffering** – The revised site plan has set aside a buffer setback area to the adjacent major transmission line.

Option #2 - The second option proposes 22 market units, but with a reduction in the GFA of each of the units, whereby the total market GFA is consistent with the 3800 m² of GFA permitted in the current TA17 zoning. No increase in employee restricted units from the current zoning which permits 7 units and 800 m² of GFA.

OPTION #2 – EXIST ING MARKET DENSITY AND RESIDENT RATIO	# UNITS	# BED UNITS	TOTAL GFA (PER UNIT GFA)	TOTAL UNIT FOOTPRINT (PER UNIT)	EXISTING ZONING GFA
Market Townhomes	22	88	3800 m ² (172m ²)	1980 m ² (90 m ²)	3800 m ²
Employee Townhomes	7	28	800 m ² (114 m ²)	800 m ² (114 m ²)*	800 m ²
	29	116	4542 m²	2780 m²	4600 m²

*it was understood the cabins were single storey.

The overall site development ratio is 3800m² to 700 m² which is for every one square metre of market GFA granted, there would be 0.21 of employee restricted square metre of GFA (1:0.21). The site plan for Option #2 has not been included, but can be understood by looking at Option #1 and lighting up the market townhome footprint slightly and removing 8 of the employee units and the WHA site. If the municipality prefers this option, the new site plan can be prepared.

- **Townhome Design** – The option will also provide a reworked the design of the units to reduce cut and fills and possible visual impacts,
- **Site Development Pro forma** - A pro forma for this option has not been included as new market density is being requested.
- **Park Dedication** – This option also includes a park dedication for the lands north of the townhomes (which includes the Hillman house) as well as the riparian areas and setback from rail line. In 1999, the property owner dedicated an additional 0.5 acres on the east side of the railway tracks to the municipality as riparian park. Note the RMOW will need to approve the Valley Trail constructed within the riparian setback.
- **Housing Site** – The option does not include the dedication WHA site.
- **Neighbourhood Setbacks** – The option will require a 7.6 m side yard setback to Nita Lake Estates. The owner of Strata Lot 13 has constructed unapproved landscape improvements on our property, as shown on the site plan.

The two options and supplemental information included in this submission are for staff's review and comment. Please let us know if you have any questions or require any additional information.

Sincerely,



Caroline Lamont
Land Development Manager

copies:

Jan Jansen, RMOW General Manager of Resort Experience

Attachments:

Cover Page (Development Statistics)
Proposed Parcel Areas
Overall Site Plan
Site Sections (2 pages)
Survey of Strata 13 Encroachment
Confidential Pro forma