



**PRESENTED:** February 18, 2020                      **REPORT:** 20-019  
**FROM:** Resort Experience                          **FILE:** RZ1157  
**SUBJECT:** RZ1157 – 5298 ALTA LAKE ROAD REZONING –EMPLOYEE/ MARKET HOUSING

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

**That** Council authorize staff to prepare a zoning amendment bylaw for RZ1157 to create a new site specific zone for the lands at 5298 Alta Lake Road that would provide for a mix of employee restricted and market housing on the lands as described in Report 20-019; and

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (“RMOW”) to secure development on the lands consistent with the terms described in this report and development permit plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW to regulate purchase rates and to define qualified employees;
3. Registration of a green building covenant consistent with *Council Policy G-23: Green Building Policy*;
4. Submission of a waste and recycling plan consistent with “Solid Waste Bylaw No. 2139, 2017;
5. Receipt of confirmation that a snow shed report consistent with *Council Policy G-16: Snow Shed Policy* has been prepared by a certified engineer for the benefit of the project design team; and
6. Modification of existing covenant BT215121 currently registered on title to reflect the revised development scheme;
7. Further refinement of terms and conditions at time of first and second readings of the proposed zoning amendment bylaw; and further

Location:	5298 Alta Lake Road
Legal Description:	Lot B (Reference Plan 2643) except part dedicated road on Plan BCP7865 District Lot 2246
Owners:	Empire Club Development Corp. Incorporation No. C1141513

Appendix “A” – Location Map

Appendix “B” - Application Materials for RZ1157

Appendix “C” - Correspondence

## PURPOSE OF REPORT

The purpose of this Report is to provide Council with an update on the status of Rezoning Application RZ1157, to report on the Public Open House meetings held for RZ1157, and to request Council’s authorization to proceed with preparation of a zoning amendment bylaw to create a new site specific zone reflecting the RZ1157 proposal as described in Report 20-019.

## DISCUSSION

### Background

As shown in Appendix “A” and described in Administrative Report 19-118, the subject property is a historic Whistler parcel on the west side of Alta Lake which houses the historic “Toad Hall” cabin also referenced as the “Hillman House/ Cabin”. The lands are currently zoned TA17 (Tourist Accommodation Seventeen), which provides for a mix of tourist accommodation and employee housing uses contained in a boutique hotel and a series of cabins. The existing TA17 zoning was adopted by Council in 2002 under Rezoning Application RA309. For a more complete description of RA309 and the TA17 zone, please refer to Administrative Report 19-118.

The existing TA17 zone can be summarized as shown:

	Existing TA17 Zone
<b>Tourist Accommodation</b>	<b>2,100 m2</b> (Hotel) (7 rooms utilizing <b>500 m2</b> ) <b>1,400 m2</b> (contained in up to <b>25</b> cabins)  <b>Total GFA: 3500 m2</b>
<b>Employee Housing</b>	<b>800 m2</b> (contained in up to 7 cabins)
<b>Max GFA for arts facility</b>	<b>250 m2</b>
<b>Total max GFA For parcel</b>	<b>4,600 m2</b> (Includes Hillman cabin estimated at 200 m2)
<b>Floor Space Ratio</b>	<b>FSR: 0.12</b>

### Rezoning Application RZ1157 – September 2019

Council was first introduced to Rezoning Application RZ1157 by way of Administrative Report 19-118, presented at Council’s September 17, 2019 Regular Meeting. The application was for a mix of employee and market housing, along with a considerable amenity contribution, considered generally consistent with Council’s Private Sector Housing Initiative Guidelines.

A comparison of the original RZ1157 proposal with the existing TA17 zoning is provided in the table:

	Existing TA17 Zone	RZ1157 - May 2019	Comment
Tourist Accommodation	<b>2,100 m2</b> (Hotel) (7 rooms utilizing 500 m2) <b>1,400 m2</b> (contained in 25 cabins) <hr/> <b>Total GFA: 3500 m2</b>	Hotel use deleted.	<b>Increase of 900 m2</b>
		22 3-B/R (plus garage) TA townhomes @ 200 m2 Contained in 5 buildings (4 four-plexes & 1 six-plex) <hr/> <b>Total GFA: 4400 m2</b>	
Employee Housing	<b>800 m2</b> (contained in up to 7 cabins)	15 units (plus garage) @ 106 m2 Contained in 3 five-plexes. (sale/ rental mix to be determined) <hr/> <b>Total GFA: 1590 m2</b>	<b>Increase of 800 m2</b>
Max GFA for arts facility	<b>250 m2</b>	Hillman Cabin and barn to be included in park dedication and removed from the development site.	
Ancillary uses		<b>40 m2</b>	<b>Allows for amenity building</b>
Total max GFA For parcel	<b>4,600 m2</b> (Includes Hillman cabin estimated at 200 m2)	<b>6,030 m2</b> (Does not include Hillman Cabin estimated at 200 m2)	<b>Increase of 1430 m2</b>
Floor Space Ratio	<b>FSR: 0.12</b>	<b>FSR: 0.15 before dedications</b> <b>FSR: 0.31 after dedications</b>	
Proposed Amenities		<b>1. Park dedication:</b> - Hillman cabin site and riparian areas. - 15, 074 m2 (1.5 Ha) <b>2. Housing site:</b> - Propose to dedicate area at site entrance to WHA for future housing. - 4885 m2 (0.49 Ha)	<b>September proposal offered to dedicate nearly 2 Ha of this 3.96 Ha site as noted.</b>

At the September meeting Council authorized further review and processing of Rezoning Application RZ1157. Further, Council authorized staff to schedule a public information meeting to obtain neighbourhood input on the proposed zoning changes. Two meetings were held on October 24, 2019 – one at the Whistler Conference Centre, and one at the Athlete's Centre in Cheakamus crossing. Both meetings were well attended, and are discussed in greater detail in the **Community Engagement** portion of this report.

### Current Application

The September proposal indicated 22 new market tourist accommodation units and 15 employee restricted units distributed in a fairly condensed cluster on the site. At that time the applicant intended to maintain eight of the 15 employee units for their control with the balance of units (7) available for WHA waitlist. After considerable negotiation, the revised proposal is for 11 market tourist accommodation units, 11 market residential units, and 21 employee units; the applicant would maintain control of only one employee unit to house caretaker (required to meet WHA eligibility requirements) for the TA component.

A comparison of the September 2019 and February 2020 proposals is shown in the table:

	<b>RZ1157 – September 2019</b>	<b>RZ1157 – February 2020</b>
<b>Market Tourist Accommodation</b>	<b>22</b> 3-B/R (plus garage) TA townhomes @ 200 m2	<b>11</b> 3-B/R (plus garage) TA townhomes @ 191 m2
<b>Market Residential</b>	None	<b>11</b> 3 – B/R (plus garage) market residential townhomes @ 191 m2
<b>Total Market GFA</b>	<b>4400 m2</b>	<b>4190 m2</b> (reduced by 210 m2)
<b>Employee Housing</b>	<b>15</b> units* (plus garage) @ 106 m2 *(applicant proposed to maintain eight units for on-site staff)	<b>21</b> units ** ( plus garages) 12 2 – B/R @ 58 to 65 m2 9 3 –B/R @ 141 m2 **(applicant proposed to maintain one unit for on-site staff)
<b>Total Employee GFA</b>	<b>1590 m2</b>	<b>1991 m2</b> (increased by 401 m2)
<b>Total max GFA For parent parcel</b>	<b>6,030 m2</b> (Does not include Hillman Cabin estimated at 200 m2)	<b>6221 m2</b> (Does not include Hillman Cabin estimated at 200 m2)
<b>Floor Space Ratio</b>	<b>FSR: 0.15 before dedications</b> <b>FSR: 0.31 after dedications</b>	<b>FSR: 0.16 before dedications</b> <b>FSR: 0.32 after dedications</b>
<b>Proposed Land Acquisition</b>	<ol style="list-style-type: none"> <li><b>Park dedication:</b> <ul style="list-style-type: none"> <li>Hillman cabin site and riparian areas.</li> <li>15, 074 m2 (1.5 Ha)</li> </ul> </li> <li><b>Future Housing site:</b> <ul style="list-style-type: none"> <li>Propose to dedicate area at site entrance to WHA for future housing. 4,885 m2 (0.49 Ha)</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li><b>Park Dedication:</b> <ul style="list-style-type: none"> <li>Hillman cabin site and riparian areas</li> <li>14,405 m2 (1.44 Ha)</li> </ul> </li> <li><b>Future Housing Site:</b> <ul style="list-style-type: none"> <li>Propose to dedicate area at site entrance to WHA for future housing.</li> <li>5,381 m2 (0.538 Ha)</li> </ul> </li> </ol>



Total Dedications	19959 m <sup>2</sup> = 1.99 Ha (51% of parent parcel)	19786 m <sup>2</sup> = 1.98 Ha (51% of parent parcel)
<b>Public Recreation Infrastructure</b>	Construction of Valley Trail to project townhomes	Construction of illuminated Valley Trail to lands beyond, enabling the future West Side Connector.
	New bridge not included	New bridge to VT standards
	Move existing Hillman Cabin	Move and restore building to ensure no further RMOW investment required
	Barn not contemplated	Restore existing barn as above
	Parkland dedication	Design and develop park to RMOW requirements

### **Increase in Employee Units/ GFA**

Per the table, the number of employee units increases from 15 to 21 (gain of six units), and the number of units to remain in control of the developer is reduced from eight to one (for an eligible employee/ caretaker). The gross floor area of employee units is raised from 1590 m<sup>2</sup> to 2001 m<sup>2</sup>, an increase of 411 m<sup>2</sup>. Staff note that the revised scheme provides for a mix of 12 two bedroom units and nine three bedroom units, resulting in greater diversity in the unit mix.

Staff recognize that intent for the employee units/ cabins under the original “Depner” – RA309 proposal that led to the creation of the TA17 Zone, was housing for project staff, management, and an artist in residence program. Therefore, the units were not intended for the WHA waitlist. This means that the revised proposal under RZ1157 is a net gain of 20 WHA controlled units. These units will be for sale through the WHA waitlist at approximately \$425 / square foot. Staff note that this project has received a favourable third party proforma review.

### **Reduction of TA Units/ Market GFA**

Similarly, while the number of market units remains at 22, the applicant has agreed to reduce the number of tourist accommodation units from 22 to 11, with the remaining 11 becoming market residential (expressly not TA). The gross floor area of the market units is reduced from 4400 m<sup>2</sup> to 4202 m<sup>2</sup>, a decrease of nearly 200 m<sup>2</sup> which has enabled improvements to building sighting adjacent to the south property line.

### **South Setback**

The reduction in the gross floor area of the market housing / tourist accommodation component of the proposal results in a significant increase in the building setback from the south side property line, adjacent to Nita Lake Estates. This distance had been shown as 7.6 metres in September and has now increased to 20 metres, for a net gain of 12.4 metres. This larger setback is in response to concerns voiced by the neighbours to the south regarding the proximity of the proposed built form. Staff note that a typical setback for multi-residential and / or tourist accommodation zones is usually 7.6 metres.

## **Acquisition of Lands**

The revised RZ1157 would result in RMOW control of the riparian and natural treed buffer zones as municipal lands. The Acquisition of lands can be broken down as noted:

- RMOW Riparian and Park Lands: 1.44 Ha
- WHA Lands for future development of housing: 0.54 Ha
- Total dedication: 1.98 Ha or 51 per cent of the parent parcel

In the event the WHA chooses not to develop the future WHA parcel for employee housing, monetizing the value of the site after a potential rezoning is an option on the condition those funds be set aside to specifically fund employee housing in another location.

The revised proposal includes additional public recreational infrastructure including:

## **Park Design and Development**

The applicant team has agreed to design and construct a neighbourhood park to RMOW standards. Development of the park will include replacement of the bridge over Gebhart Creek with a new bridge to RMOW Valley Trail standards capable of carrying heavy equipment and emergency vehicles.

## **Restoration of Historic Buildings**

The applicant team has agreed to relocate the historic Hillman cabin to the new park lands and further to upgrade the house to a standard that ensures no new RMOW investment is required in the near term. Similarly, the applicant team has agreed to restore the existing barn at its current location to a similar standard, ensuring no new RMOW investment.

## **Valley Trail**

The applicant team has agreed to provide a paved Valley Trail from the south parcel line to the north, thereby providing access to lands beyond for future trail expansion. This trail will be constructed to Valley Trail standards including illumination.

To ensure the responsible management of the TA market units the applicant will commit to a centralized management model inclusive of on-site support services.

## **Amenity Building and Check-In Facility**

The applicant team has confirmed that they will construct an amenity building with a site office for checking-in short term guests associated with the TA zoned units. This will satisfy a central rental management scheme requirement that will be ensured by way of covenant.

## **WHISTLER 2020 ANALYSIS**

Please see Administrative Report No. 18-040 for an analysis of the Private Sector Employee Housing Initiative against Whistler 2020 strategies. Staff do not consider that Rezoning Application RZ1157 moves our community away from any of the adopted Whistler2020 Descriptions of Success.

## **OTHER POLICY CONSIDERATIONS**

### **Current Official Community Plan (OCP) - Bylaw No 1021, 1993**

Whistler's existing OCP was amended to include the Subject Lands by way of Official Community Plan Amendment Bylaw (London Mountain Lodge) No. 1498, 2000. This designated the lands as Development Permit Area 18 – London Mountain Lodge. DP Area 18 designates the lands for form and character of development, protection of the natural environment, and protection of development from hazardous conditions.

The RZ1157 proposal is considered consistent with Whistler's current OCP as described in greater detail in Administrative Report 19-118 and does not require an amendment to proceed. Conformance to Schedule Q - Development Permit Guidelines - will be assured through the Statutory Development Permit Process.

### **Pending Official Community Plan - Bylaw No 2199, 2018**

As described in Administrative Report 19-118, staff consider that the RZ1157 proposal is consistent with Whistler's pending OCP and does not require and does not require an amendment to proceed.

### **Private Sector Employee Housing Guidelines**

The RZ1157 proposal is generally considered consistent with Council's Private Sector Employee Housing Initiative. Please see Appendix "C" in Administrative Report 19-118 for an analysis comparing the original RZ1157 proposal to Council's PSEH Guidelines.

### **Covenant BT215121**

In 2002, Depner Developments and the Resort Municipality signed a covenant restricting development on the lands and prohibiting any works until a series of commitments as fulfilled. This covenant is registered on title as BT215121. Please see Administrative Report 19-118 for a complete analysis of the RZ1157 proposal with respect to Covenant BT215121. Staff note that this agreement will need to be revisited and revised as part of the RZ1157 process to reflect current requirements and priorities.

### **Bed Unit Allocation**

In September 2019, Council requested additional clarity regarding the bed unit allocation associated with these lands in order to draw a more direct comparison between the existing and proposed concepts. As noted in the September administrative report the lands are restricted to 64 market bed units by way of covenant BT215121. Also, as noted, the employee units were not included in the 64 as these units were not being inventoried at the time.

The table below provides a comparison that includes values assigned to the employee cabins under the TA17 zone in order for Council to make a more clear comparison.

	<b>Covenant BT215121 and TA17 Zone</b>	<b>RZ1157 Proposal</b>	<b>Increase</b>
<b>Market BU</b>	64 BU per covenant (this is the governing value)  96 BU per zoning (Covenant governs)	22 x 4 BU = 88 BU	24 BU
<b>Employee BU</b>	7 x 4 BU = 28 BU	9 x 4 BU = 36 BU <u>12 x 3 BU = 36 BU</u> EBU Subtotal: 72 BU	44 BU
<b>Total</b>	92 BU	160 BU	68 BU

The table indicates a potential increase of 68 bed units in comparison to the original concept. Staff note that the increase employee bed units represents 65 per cent of the total increase.

Please see Administrative Report 19-118 for further description regarding bed unit allocation on the lands.

## **BUDGET CONSIDERATIONS**

All costs associated with staff time for the rezoning application, public meetings, notices, and legal fees will be paid by the applicant. Fees will be required to be paid in full as a condition of adoption of the proposed zoning amendment bylaw.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

A sign describing the details of rezoning application RZ1157 is posted on the property. RZ1157 is identified in the applications register posted on the municipal website.

In accordance with the Private Sector Employee Housing guidelines, Council authorized a public information meeting to receive comment from the public. Two such information meetings (“Open Houses”) were held on October 24, 2019 – one at the Whistler Conference Centre, and one at the Athlete’s Centre in Cheakamus crossing. Both meetings were well attended. Neighbours expressed concerns regarding the increase in density, the tourist accommodation use, loss of forestation, traffic impacts, and views from across the lake.

Staff note that the proposed density on the site is considered in keeping with the OCP and Council’s Private Sector Employee Housing Initiative, enabling rezonings for additional density to facilitate housing. Staff further note that the Tourist Accommodation component has been reduced from 22 units to 11. Forestation and tree buffers will be protected through the rezoning and development permit processes providing for screening. The applicant team has provided a traffic impact study that is undergoing staff review. Staff note that Nita Lake Drive access is a public municipal road built to municipal standards.

Correspondence received from the public will become part of the rezoning application file for Council consideration.

Any proposed zoning amendment is subject to a public hearing adhering to statutory public notice requirements, prior to Council consideration of third reading.

## **SUMMARY**

This Report presents a revised application to rezone the lands at 5298 Alta Lake Road for Council’s consideration. The revised application proposes a mix of employee and market housing and is considered to be consistent with applicable RMOW policies.

The revised application proposes to reduce the built area of the market units, cut the number of tourist accommodation units by half, increase the built area and number of employee units, provide extensive dedications for park land and riparian tree buffers, restore two existing historic buildings on the site, construct an illuminated Valley Trail and a new bridge to RMOW standards to lands beyond, and significantly increase the setback to the existing neighbourhood to the South.

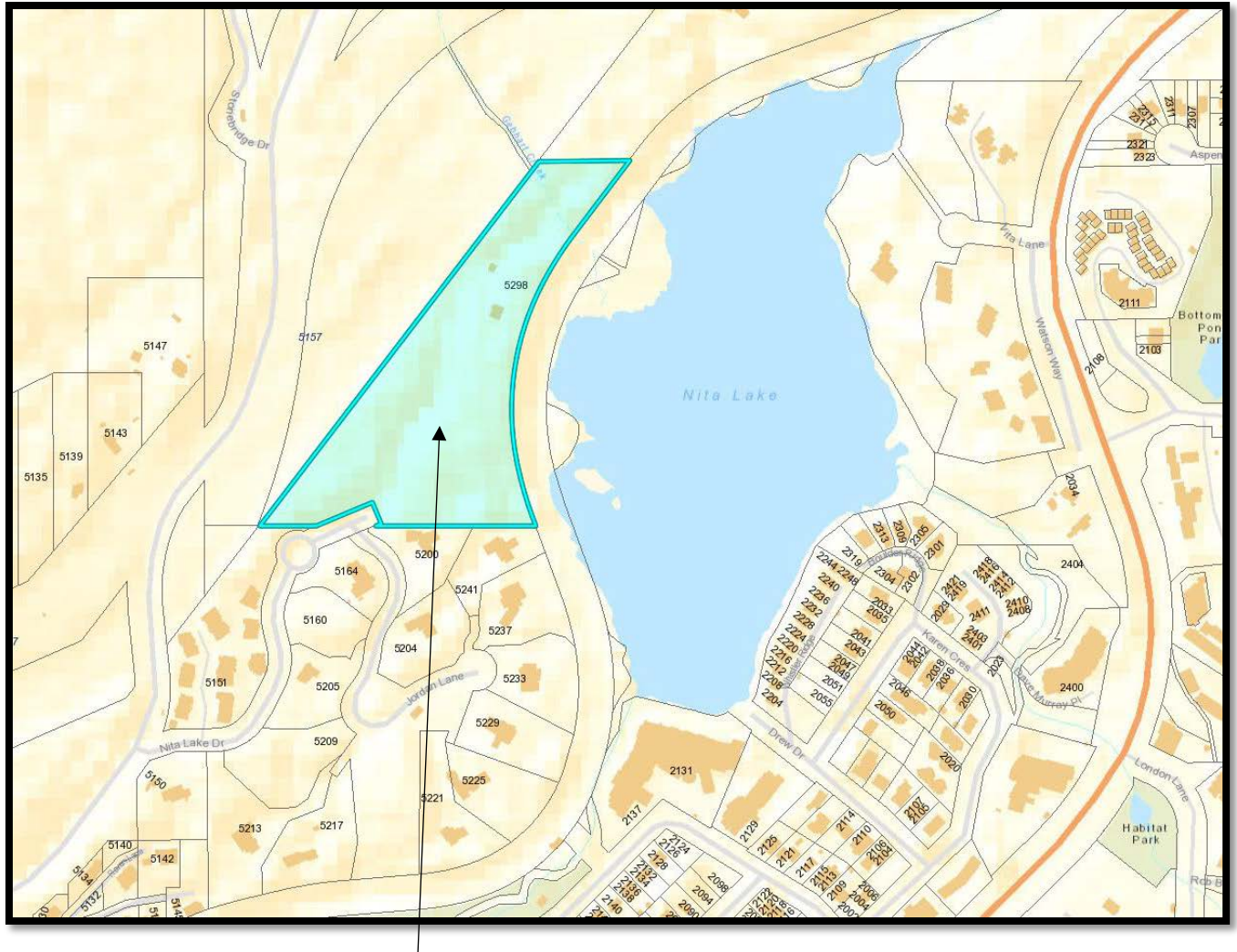
Staff consider that the applicant has made significant revisions to the initial proposal that increases the community benefit of the project and suitably addresses concerns expressed by the public.

This Report further describes the outcomes of the public information meetings held for Rezoning Application RZ1157 and requests that Council give permission to proceed with drafting of a zoning amendment bylaw consistent with this application, subject to certain terms and conditions as described herein.

Respectfully submitted,

Roman Licko  
ACTING SENIOR PLANNER – DEVELOPMENT  
for  
Jan Jansen  
GENERAL MANAGER OF RESORT EXPERIENCE

**Appendix “A” – RZ1157 – Location Plan**



Subject Lands – 5298 Alta Lake Road





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Issued For:	Date:
RMOW EMPLOYEE HOUSING REVIEW	MAY 30/18
RMOW EMPLOYEE HOUSING REVIEW	MAY 5/19
RMOW EMPLOYEE HOUSING REVIEW	JULY 5/19
PUBLIC OPEN HOUSE	OCT. 24/19
TREE INVENTORY	NOV. 13/19
REVIEW	NOV. 26/19
REVIEW - Revised Site Plan	FEB. 05/20

No:	Revision:	Date:
1		



**OVERALL SITE PLAN**

**The Hillman Site (RZ 1157)**

5298 Alpha Lake Road, Whistler, BC

**MURDOCH+COMPANY**

Architecture + Planning Ltd.  
 #106-4310 Main St.  
 P.O. Box 1394  
 Whistler, B.C. V0N 1B0  
 T. 905-6992  
 e-mail: murdoch@telus.net

Sealed By:

Drawn By:	Scale:
BM/JL	1:500 METRIC
Project No:	Sheet No:
1404	A-1.0

**From:** [Roman Licko](#)  
**To:** [Denise Taveira](#)  
**Cc:** [Karen Olineck](#)  
**Subject:** FW: RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge  
**Date:** Thursday, October 24, 2019 11:59:31 AM

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Hi Denise,

Please upload this to RZ1157,

Thank you so much

Roman Licko  
**RESORT MUNICIPALITY OF WHISTLER**  
TEL: 604-935-8173

**From:** Bruce Gunn [REDACTED]  
**Sent:** Thursday, October 24, 2019 11:24 AM  
**To:** Jan Jansen <JJansen@whistler.ca>; Roman Licko <rlicko@whistler.ca>  
**Subject:** RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge

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TO: Jan Jansen, General Manager of Resort Experience, Whistler BC

Cc: Roman Licko, Acting Senior Development Planner, RMOW, Whistler, BC

From: Bruce Gunn, Vice President, Tyrol Ski and Mountain Club

Regarding: RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge

Date October 24, 2019

Dear Mr. Jansen

On Oct 17, 2019, I met with Mr. Licko of the RMOW and reviewed the proposed development, RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing and how it relates to the Tyrol Lodge property at 5302 Alta Lake Road, owned by the Tyrol Ski and Mountain Club. This proposed development has significant direct impact on our adjacent property, primarily related to the issue of access to our property. As you may know, we do not have direct, year round road access to the Tyrol Lodge. In the summer, we can drive to the Tyrol Lodge from Alta Lake Road by crossing BC Hydro land but in winter this road is too steep and we have to park at the top & walk down. This is difficult, especially to older members and families with children. It would be much better if we could access it in winter via the adjacent 5298 Alta Lake Road property. On drawing A-1.0 that was submitted for the rezoning, there is a note "bridge and road to lands beyond." The existing bridge is currently in a state of disrepair and will likely require replacement. We are requesting that the bridge and roadway, as well as access to start of our property, be provided as part of the development in the zoning approval of 5298 Alta Lake Road. In exchange for this, we are prepared to offer to



the RMOW the following:

- access across our property for extension of the Valley Trail so that it can be developed to complete the loop all the way around Nita Lake as intended by RMOW
- land for use as a park by the RMOW to increase the size of the park proposed on the adjacent property
- land for future staff housing.

### **Benefits to RMOW**

We recognize that this is a significant ask but we also see that the proposed zoning change gives a tremendous benefit to the developer in terms of increased value to the development. In exchange, it seems it is not unreasonable that similar benefits be provided to RMOW. If what we propose is agreed upon, the RMOW will be provided with the following benefits:

- the possibility of completing the Valley Trail all the way around Nita Lake
- a larger park overlooking Nita Lake
- a building site overlooking Nita Lake, ideal for future staff housing
- access for fire fighting to the area adjacent to Tyrol Lodge
- historical compliment to the restoration of the Hillman Cabin

### **Fire Fighting Access**


Currently, the 5 acre Tyrol Lodge property and the adjacent area does not have year round access for fire fighting. This is far from an ideal situation. If we have learned anything from the 2016 Fort McMurray wildfire, we know that a small fire in an area that is inaccessible can spread in a very short time, destroying much of a community and causing hundreds of millions of dollars in damage, including destruction of the environment which will require generations to recover. It was a miracle that there was no direct loss of life in the Fort McMurray fire and that the fire department was able to save as much of the town as it did but it is clear the a municipal fire department can quickly become completely overpowered. Access for fire fighting should be a very high priority. There is an opportunity here to provide access for fire fighting to the 5 acre Tyrol Lodge property and the surrounding area in a way that also delivers other significant benefits to the RMOW, as indicated above.

### **Historical Significance**

The Tyrol Lodge was built by volunteers members in 1966. In the early days of Whistler, the club's participation was centered on downhill ski racing. The Tyrol Ski and Mountain Club held the first GS race on Whistler Mountain in 1967 and continued to be very active in ski racing for the next 35 years. Today, the club continues to be a non-profit society that provides affordable accommodation, primarily to families who have children involved in ski lessons and racing at Whistler Blackcomb. The lodge remains essentially unchanged since it was originally built and provides a link to Whistler's past that will compliment the historical nature of the Hillman Cabin.

We will make a more detailed proposal to the mayor and council and the planning department but first we ask that you review our proposal and advise us of your comments.

I would appreciate it if we could meet to discuss this further.

Sincerely,  
Bruce Gunn  
Vice President  
Tyrol Ski and Mountain Club  


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September 10, 2019

Mayor and Council

Resort Municipality of Whistler

4325 Blackcomb Way

Whistler, BC

Dear Mayor and Council Members,

**Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake**

I and my family have a home in Whistler, at [REDACTED]. We are writing to express our concerns about the proposed development at 5298 Alta Lake Road on Nita Lake.

We take issue with this development for a few reasons:

- Damage to the surrounding environment
- Lake frontage is at a premium in Whistler, and should be preserved for “no development” or carefully designed development which will minimize the damage to the shorelines
- Noise pollution
- Increasing capacity on an already overloaded infrastructure in the area

As a resident of the lake, I know that Nita lake has always been a relatively quiet part of the valley and that is one of the reasons we purchased our home here. The plans that I viewed showed pods of 5 unit townhouses for both the private and employee housing. Each unit had 2 parking spaces and there was an area for additional guest parking. There was an outdoor swimming pool, a hotel building etc. The owners are allowed to occupy their units for up to 2 months each year with only nightly rentals for the balance. The private facility more closely resembles a ‘motel’ development. It does not take any imagination to conclude that it will be a source of overflow accommodation for the Nita Lake Lodge and a perfect sight for informal

parties after weddings and other events hosted by the Lodge. This property is adjacent to a residential area and on a lake where sound is transmitted extremely well.

This development will further damage the shoreline of Nita Lake, which is already a small lake in the Whistler area.

It will have negative impact on the lake environment and the eco-habitat that exists in the area. This area is a delicate environment which houses not only vast trees and beauty, but the many fish and other living organisms in the area. With increased people in the vicinity, it will have non-reversible damage to this ecosystem. In my business I and my employees ensure our company is run with the environment in mind, and sustainability is our philosophy. I would think that Whistler, a global tourist destination for its beauty, is focused on the same. This development flies in the face of that, and quite frankly I'm embarrassed the town I love is even considering it. This type of reckless development could bring a very negative light to Whistler from the environmental groups perspectives, which could damage the reputation of the town.

I also do not think this location is suitable for employee housing. Other than being housing for employees it does not meet the criteria established by council for employee housing. It is located too far away from any amenities, like grocery shopping. Public transportation on Alta Lake Road has been discontinued, presumably because of insufficient use. It is quite frankly in a relatively remote and poorly serviced part of the municipality. Driving will be imperative. Council recently rejected a proposal for multi-storey employee housing at a site that was also poorly located and did not possess the natural beauty and visibility of this site.

The access road via Nita Lake Drive is inadequate. There is currently a growing need to put in a traffic light at Alta Lake Road and Hwy 99 although the many times the traffic congestion on Hwy 99 would pre-empt the effectiveness of the light. This development will make matters worse. Development on Alta Lake Road should not be considered until the congestion on Hwy 99 is resolved.

So this development overloads our existing infrastructure, and with the increased number of people, it will also increase the noise pollution in the area which is one of the few "quiet" districts left in Whistler. This will drive many people away, which are the exact people Whistler wants to have to drive the local economy.

If there is to be development now, this site should be returned to single family residential homes (as it was with the RR1, now RSE1 zoning), and the planned development should be in keeping with the character of the 14 unit Nita Lake Estates development to the south. We agree the RMOW should change the zoning back to a single family residence (as it was before). It could then increase density to add residential homes to fit into the woods and at the same time bargain for employee housing (located elsewhere in a more suitable location) and other amenities. This should be done so the views from the lake should be compatible with the existing Nita Lake Estates development so that it appears to be an extension of that development. This is an approach which avoids further commercial development on the lake

and provides a continuity to the views which is important, particularly when development to the North is considered. It also ensures the environment and infrastructure are not further damaged.

Kind Regards,

[REDACTED]

Home Owners and Lovers of Whistler

**From:** Alan Linsley [mailto: [REDACTED]]  
**Sent:** Monday, September 16, 2019 4:58 PM  
**To:** corporate <corporate@whistler.ca>  
**Subject:** Fwd: Letter regarding development on Alta Lake Road

Dear Council Members,

Please see below for an email that I sent Ralph Forsyth earlier today. Ralph has responded and let me know that this address will reach all of council and items sent to it will be added to the record on this file.

Thank you,

[REDACTED]  
[REDACTED]

----- Forwarded message -----

**From:** Alan Linsley <[REDACTED]>  
**Date:** Mon, Sep 16, 2019 at 2:17 PM  
**Subject:** Letter regarding development on Alta Lake Road  
**To:** <ralph@ralphforsyth.com>, <[REDACTED]>

Hi Ralph,

I've just connected with you on LinkedIn so hopefully you'll be able to put a face to the name...

My family has had the same cabin on Whistler Ridge Road on Nita Lake since the mid-70s ([REDACTED]). Our neighbours have recently let us know that there is a significant rezoning and development proposed for the property directly across the lake from us at 5298 Alta Lake Road. I have not seen the proposal myself, but from what I am told it certainly raises some concerns.

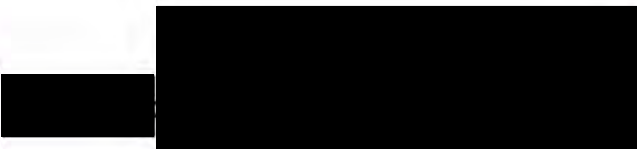
I have attached a letter that was written by our neighbours [REDACTED] and [REDACTED] that I feel is well written and appropriately balanced. In particular, I appreciate that the Clarks are not against all types of development, but they do raise some very valid concerns about this particular proposal.

I understand that the developer is presenting to Council tomorrow afternoon about rezoning the property. I support the Clarks' position in their letter and echo their concerns about this proposal. I hope that Council will take these concerns into account when considering the rezoning application.

Please feel free to give me a call if you'd to discuss. [REDACTED]

Thanks,

[REDACTED]



September 10, 2019

Mayor Jack Crompton [jcrompton@whistler.ca](mailto:jcrompton@whistler.ca)  
Executive Assistant: Wanda Bradbury [wbradbury@whistler.ca](mailto:wbradbury@whistler.ca)  
Councillor Arthur De Jong [adejong@whistler.ca](mailto:adejong@whistler.ca)  
Councillor Cathy Jewett [cjewett@whistler.ca](mailto:cjewett@whistler.ca)  
Councillor Duane Jackson [djackson@whistler.ca](mailto:djackson@whistler.ca)  
Councillor Jen Ford [jford@whistler.ca](mailto:jford@whistler.ca)  
Councillor John Grills [jgrills@whistler.ca](mailto:jgrills@whistler.ca)  
Councillor Ralph Forsyth [rforsyth@whistler.ca](mailto:rforsyth@whistler.ca)  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC V8E 0X5

Dear Mr. Mayor and Councillors:

**Re: Submission Concerning Rezoning Proposal No. RZ001157**  
**5298 Alta Lake Road/Empire Club Development**

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We are writing to express our concerns relating to rezoning proposal No. RZ001157.

Jordan Lane from its junction with Alta Lake Road to the roundabout is now a one lane road by virtue of its use for parking by tenants of the Nita Lake Drive condominiums and townhouses. Greatly increasing traffic on this stretch of road will be very problematic and create safety concerns given the number of small children who live in the Nita Lake Drive complex, the significant number of pedestrians who walk to work from the Nita Lake Drive complex and the significant cyclist traffic in summer months. Notably, a small playground, designed for pre-schoolers, is located on the west side of Jordan Lane on this stretch of road.

If traffic on the Jordan Lane road is to be substantially increased, the road will either have to be widened or all parking on this section of road will, at all times, have to be strictly prohibited. We urge you to visit this section of road.

Like many Whistler residents and tourists, we spend a great deal of time walking and biking on the Valley Trail. The Valley Trail is truly a legacy that contributes to Whistler's attraction as a tourist destination and the enjoyment by Whistler residents.

There would be a public outcry if any development created a significant visual impairment of the Nita Lake area. The skill of the planners involved in the previous developments on the west side of Nita Lake (Nita Lake Estates and the Nita Lake Drive condominiums and townhouses) should be applauded for designing developments that provide views for the residents of these developments and yet have minimal impact on the views of users of the Valley Trail and those who live on the eastern side of Nita Lake.

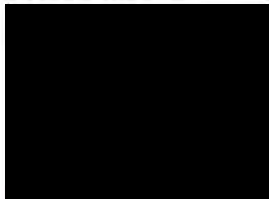
We think that any development plan that has a significant visual impact for the users of Valley Trail would be met with significant adverse reaction from the Whistler community.

We take a keen interest in watching the bears. Based on the substantial bear traffic that we have observed walk through our yard (which is down substantially this year), we are concerned about any development adversely affecting bear access to Nita Lake. A small population of bears regularly access Nita Lake travelling through the bush from Nita Lake approximately on the border of 5200 Jordan Lane and 5241 Jordan Lane through our lot (often up the outside stairs on our lot) en route to and from feeding areas in Nita Lake Estates, on the BC Hydro right away and in the Sproatt Creek and Millar Creek drainages. Because of the cliffs abutting the rail line and the railway station at Nita Lake Lodge, the bears do not commonly access highlands from directly east of 5237, 5233, 5229, 5225 or 5221 Jordan Lane. Because of all the clover grasslands that have been planted in Nita Lake Estates, the bears will always be drawn to Nita Lake Estates.

Access to and from Nita Lake is important for this small population of bears and it is essential that this access is not lost by deforestation. A greenbelt should be preserved so that bears can safely and comfortably travel through the neighbourhood. A greenbelt following the southern property line of 5298 Alta Lake Road would be helpful because the bears are currently using the forest in that area for access to Nita Lake Estates and the highlands above.

We thank you for your consideration.

Yours truly,



CC: Planning Department  
[planning@whistler.ca](mailto:planning@whistler.ca)



Mayor & Members of Council  
Resort Municipality of Whistler

RE: Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake

Dear Mayor and Councillors

I represent the owners of Whistler Mountain Ventures Ltd., known as [REDACTED]  
Whistler.

We are concerned about the proposed development at 5298 Alta Lake Road, directly across Nita Lake from our property. This revised development, under consideration now, will require a change to the existing zoning, from TA17 site-sensitive hotel to town homes. It adds another 20,000 square feet of density, because the RMOW is insisting on more employee housing. This development appears to be above the density limits as defined by the municipality. Employee housing at this location makes very little sense, as no amenities and no public transit are available. This increase in density will only add to traffic issues at the south end of town, an area already overloaded at certain points of the day/season due to incoming and outgoing traffic from the south. This new proposal we believe will also cause a significant increase in clear cutting, over the existing usage plan for this property, which will be both aesthetically negative and may bring about environmental issues to the lake. We would also like to stress how small Nita Lake is compared to many of the other local lakes, which means that developments need to be in scale to this surrounding. Nita Lake is one of the last “natural looking” lakes in the Valley, and it would be a long-term loss to have large scale developments right on the shore.

We urge that this site be returned to single family residential homes as it was with the RR1 (now RSE1 zoning), in keeping with the character of the Nita Lake neighborhood. To that regard, we understand that the Tyrol Lodge property may eventually be re-developed and hope that the plans for that also follow in keeping with the character of the area.

We, the owners of [REDACTED], ask that the following be considered:

1. Provide sufficient set back of the development to the north from the Nita Lake Estates property line so buildings can't be seen. It is currently crammed up against the existing residences which is unnecessary.
2. Overall density reduced back to 49,500 square feet, as allowed in the current TA17 zoning. We want employee housing reduced to 5 units as per the current TA17 zoning (including one manager cabin) and return of the two artist-residence cabins.
3. All designated green spaces to remain that way. A moratorium on further development or encroachment must be provided, as opposed to what is currently contemplated, which is possibly more employee housing down the road.
4. Disallow AirB+B type nightly rentals of the townhomes for 10 months of the year (owner occupied for 2 months). The town homes should be similar in character to the Nita Lake Estates with rental privileges consistent with normal residential 30 day minimum.
5. No docks or tie up allowances for water rafts and no commercial lake activities. NitaLake is too small.
6. Eliminate the proposed swimming pool and include a code of conduct to restrict noise, ban amplified music, etc., enforceable by By-law services
7. Assurances the park reserve will be monitored 24 hours, if need be, using by-law enforcement services.

We think this development has too many serious drawbacks, is an inferior planning choice, and provides a poor location for the employee housing.

We urge RMOW to abide by its density recommendations, consider a better choice of residential housing on this lake front land and abide by the Local Government Act in the way employee housing and other community amenities are extracted from developers.

Thank you for your consideration,



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**From:** Roman Licko  
**Sent:** Monday, November 04, 2019 11:44 AM  
**To:** Denise Taveira <dtaveira@whistler.ca>  
**Cc:** Karen Olineck <KOlineck@whistler.ca>  
**Subject:** FW: Tabled as part of 5298 Alta Lake Development Open House...

Good Morning,

Can we please ensure that Richard's comments are included with the Public Meeting comments, and uploaded to Tempest?

Thank you

Roman Licko  
**RESORT MUNICIPALITY OF WHISTLER**  
**TEL:** 604-935-8173

**From:** richard durrans [REDACTED]  
**Sent:** Friday, November 01, 2019 11:37 AM  
**To:** Roman Licko <[rllicko@whistler.ca](mailto:rllicko@whistler.ca)>  
**Subject:** Fwd: Tabled as part of 5298 Alta Lake Development Open House...

Roman

Just checking if you had received my email below and if you had a response

Many thanks

Richard

----- Forwarded message -----

**From:** richard durrans [REDACTED]  
**Date:** Tue, Oct 29, 2019 at 11:13 PM  
**Subject:** Tabled as part of 5298 Alta Lake Development Open House...  
**To:** Roman Licko <[rllicko@whistler.ca](mailto:rllicko@whistler.ca)>

Roman

I hope all is well..

Can you please add our comments and questions below (in black) to the Open House "minutes".....I am happy for these to be made public as part of the records for the Open House.

These are not our only comments (and I will be providing more detail in a letter to the Mayor and Council and in further discussions with you), however they were the comments and questions for the meeting.

While our representative was at the 7 pm meeting, she tried to participate in some of the questioning and discussion, however she did not fully read out our comments and questions. From what I understand, there were not many answers to the questions asked - instead, there was a fair bit of contentious discussion and interrupting, and so it did not seem an environment that she thought was productive to ask and discuss our points.

Roman, I would be interested to hear your comments about the meeting and also on the process that the Muni will follow from here.

Many thanks as always and I look forward to hearing from you..

Richard and Sandra Durrans

Comments and questions from Richard and Sandra Durrans, [REDACTED]

[REDACTED]

Re proposed re zoning for 5298 Alta Lake Road  
To be part of the Open House on 24th Oct 2019

Our Lakes and their surrounding land are a special and unique part of Whistler. They need to be carefully managed and preserved. We are very concerned that this development, as it currently stands, with its increased density, its nightly rentals, its increased traffic and the potential for clear cutting and destruction of vegetation around the sensitive lakeside environment, is not the right development for the lake and the lakeside and that in the long term the whistler community will come to regret that short term forces pushed for this development at the expense of the long term enjoyment of our community. Our lakeside environments are precious and finite and deserve special protection.

We are not against developing these lands and the current proposal is

perhaps a starting point to move to a "superior development". We also fully support Employee Housing. But we have to get the right development for one of the most beautiful Lakes in Whistler. To date many of the major problems such as density, traffic and green spaces/aesthetics have not been adequately discussed and addressed.

We have 3 specific questions:

My first question is about density....the current proposal increases density by 33% compared to the existing zoning (and on some measures by 65%). This is a substantial increase in density and is entirely inappropriate for this sensitive Lakeside environment. It will create even more traffic and noise issues and will spoil the aesthetics of the Lake. ***Are there any good reasons for this large increase in density?***

Second, We are very concerned about the green spaces....both for the separation from Nita Lake Estates and also the green spaces surrounding the proposed development. This could become an even bigger concern after the firesmart rules are applied. ***Can the developer assure us that there will be significant green spaces all along our property line and that you will work with us to ensure sufficient green coverage so that our properties are not affected and can you also ensure that the aesthetics of the Lakeside environment are maintained?***

(Given the slope of the land, almost anything built on this site will be visible and difficult to screen as it rises steeply from the lake. This is a much more difficult site to develop given almost anything built will be exposed / on full view from the valley, the valley trail and indeed Whistler Mountain's creekside runs.)

My third question is ...., the current TA zoning will lead to nightly rentals and effectively Air b&B use.....there are 3 problems with this 1) First, the increase in traffic, pollution and noise that this will create is inappropriate for a quiet lakeside community 2) Second, TA zoning should be close to the Village amenities and transportation, including transportation hubs (taxis, buses to the airport and Vancouver) ...why is it put in a residential area far from the village 3) Third, TA zoning creates a need for Employee Housing and so exacerbates the main problem the council is trying to solve. ***So my question is why would anyone think that TA Zoning is appropriate for this Lake.***

From Richard and Sandra Durrans

[REDACTED]

Whistler

[REDACTED]

Letter to The Mayor and Council

Sept 9<sup>th</sup> 2019

**Re Development at 5298 Alta Lake Road.**

Sandra and I (Richard Durrans) are the owners of [REDACTED]. We are writing to you about the proposed development at 5298 Alta Lake Road, directly North of our property.

**We strongly and vigorously oppose this proposed rezoning and development for many reasons**, not only from a personal and strata perspective but also from a Whistler Community perspective. Sandra and I have been residents and taxpayers of Whistler for 30 years and we want to ensure that our neighbourhood is developed in good taste, that our Lakes are protected and also that Whistler remains one of the leading community resorts of the world. Allowing the development at 5298 Alta Lake is not consistent with these standards. It is too controversial and it contains compromises that as a community we do not need to make. We can do much better!

**I have carefully reviewed the OCP** and would like to applaud the council and the members of staff for a very thoughtful and excellent document that provides a comprehensive and exciting vision for Whistler's future. As residents of Whistler we should all feel comforted that we have such a document to guide us to ensure we remain a leading resort community over the long term. **However, this proposed development at 5298 Alta Lake is inconsistent with the OCP in so many ways** and does not come close to fulfilling the reasonable standards as outlined in the OCP. I have set out some specific comments below.

Also, while I fully understand the need for Employee Housing, this should be developed in the right place and in the right way. **Allowing higher density and a change of use for a few more employee housing units is not the right way. It is questionable from an environmental, moral and potentially legal perspective.**

**To be clear, I am not against development** and would understand if 5298 Alta Lake is developed, but in a way that is not destructive for Whistler and for our Nita Lake Community.

**As current residents and taxpayers we cannot allow developers (who at the end of the day will not be part of our neighbourhood and who are driven by financial incentives) to spoil our community and “push through” inappropriate developments.**

It is interesting to note that the OCP Vision Statement states “*We value our relationships and work together as partners and community members*”. The developer has never engaged us or any member of the Strata in discussions and conversation. **By not speaking to members of the local community he clearly has ignored the spirit of the OCP and does not appear interested in the well-being of the community and the residents of the Lake.**

My specific comments are the following:

## **1. Unusual development for a Lake at Whistler**

**Lakes are a special part of our community;** they are a distinct part of the resort and a big part of why everyone enjoys being in Whistler in the summer and in the winter. Imagine Whistler without our Lakes, it would provide a very different feel. We are fortunate to have spectacular mountains and spectacular lakes to appreciate. Historically, these are the reasons why people originally came to Whistler. Let’s respect and remember our history. Hence, we need to protect these Lakes and to hold them to higher standards for development compared to other areas. In deed in your Community Vision in the OCP you make specific reference to the lakes...*We protect the land – the forests, the lakes and the rivers, and all that they sustain.*

In particular, Nita Lake is a treasure and being the smallest Lake in Whistler needs special attention. Why is it then when I review Schedule A of the OCP (map of zoning), that there is only one pink zone (Visitor accommodation) on any Lake and that is on Nita (5298 Alta Lake Road). All other Lake sides are designated either green spaces or low/medium density residential. **Why is Nita Lake been treated differently and is zoned differently?** There is sufficient Visitor accommodation with Nita Lake Lodge...the Lake does not need more. **Why put high density/concentration housing on Nita Lake when it is on no other lake?** (see comment on density and concentration below. Also, I understand there are town homes on the south end of Alpha Lake, but these were approved and built in a different era and are not the standards we want to replicate today).

## **2. Why the substantial increase in Density?**

**One of the big problems with the proposed development is the increased density and changed use.** This plot of land has changed zoning from single family home to a hotel/cabin TA17 zoning with 4,600 sqm build over 10 acres to now the proposed 6,000 sqm build over 7

acres. **This is effectively a 65% increase in density. What is the rationale for an increase in density on such a small Lake?**

If 4,600 sqm was thought to be the appropriate density for this land in 2004, why after significant development around the Lake over the past 15 years, is a higher density now viewed as appropriate. **The Lake and surrounding nature have not suddenly changed to be able to absorb more density. Surely if anything the density should be reduced rather than increased.**

**All the other lakes have low to medium density around them (see Schedule A of the OCP) which also means a low level of concentration.** The proposed development is for 5 five plexes and 2 six plexes...this creates a level of concentration which has not been developed on other Lakes over the past 20 years. No lake shore has had rows of townhouses developed on them and we should not start now when we have so many other reasonable ways to develop our Lakes.

### **3. Inconsistent with the OCP.....trying to keep neighbourhoods harmonious.**

There are many references in the OCP to support the case that this development is not consistent with your policies and not consistent with the existing neighbourhood.

For example, in the Our community Vision preamble, you state that: *Our neighbourhoods are mainly hidden in the trees, between extensive green spaces and parks, offering privacy and tranquility yet easy access to the bustle and vibrancy of town.*

**There is a clear distinction between town and neighbourhoods, which makes lots of sense.**

The proposed development will not be hidden by trees (a large portion of the land will be clear cut) and there will be insufficient green space between our Strata and the development. **It seems that the developers are trying to build a “town” like development in an “out of town” neighbourhood. This is not consistent with the OCP.**

Further reference to the OCP shows the following: Chapter 5 Land use and development ...our shared future states that “ *Neighbourhoods have a harmonious relationship with the natural landscape, which remains predominant. And Green buffers between neighbourhoods contribute to neighbourhood identity and livability* and Policy 4.1.1.2 states that “ *...within this corridor maintain a comprehensive network of natural areas, open space and parks that separate and provide green buffers between developed areas”*

So quite rightly the OCP emphasises the need for green spaces.....with this development there will be inadequate green buffer between our development at Nita Lake Estates and the new development. This will have a significant negative impact on the character of our neighbourhood. We all purchased in this neighbourhood to be close to nature, to have beautiful views and to have tranquility away from the village. This development will significantly change all of this.



Respecting neighbourhoods and nature is a fundamental building block for the OCP. This development does not meet these standards.

#### **4. Employee Housing...dealing with it in the right way**

I agree with a focus on employee housing as an important way of building our community. It has worked well in our development at Nita Lake Estates and so we are not opposed to more employee housing. However, there is a cost to building employee housing and when you trade use and density for employee housing the cost is not borne by the developer, it is typically borne by the surrounding residents and community. This cost should be recognised and the aim should be to make any “cost” reasonable and fair.

**However, why add density on a precious lake in Whistler in order to gain more employee housing?** There is no need to do this. This leads to a sub optimal situation. Separate the location of the private housing from the Employee housing because they both have different needs. Put the private housing with the “right” density on Nita Lake and then locate the employee housing consistent with policy 5.1.2.5 *Consider allowing development of employee housing on underdeveloped private lands in residential neighbourhoods with close proximity to jobs, sustainable transportation, amenities and services and consistent with policies and criteria established for evaluation*

You state in the OCP that the Municipality has “*substantial Land bank that is available to be developed*”, so land is not a problem. To help financing, get the developer to put “money in the pot” and so he contributes to funding the employee housing. **In this way the location/development and the financing are kept separate, leading to both these issues being optimised separately.**

#### **5. Overall density and development in Whistler.....time to be selective and careful**

**As a community we have already reached 90% of our development potential ( 54,652 bed units built out of maximum 61,513 bed units).** I have assumed that the 61,513 is the maximum units that can be developed in Whistler in order that we can remain the healthy, vibrant and livable community that we all want. So we just have 10% more to go. **Let’s be very selective and careful about how we develop this last 10%. They are a precious resource with limited supply. We do not have to approve marginal projects which upset whole neighbourhoods. 5298 Alta Lake is less than a marginal project, it is far too controversial and inconsistent with**

the OCP to warrant taking up part of the precious last remaining 10%. We can afford to be very selective and careful about these last developments.

## **6. Traffic and noise and safety issues**

Along with density, comes traffic problems and noise issues. With 37 new townhomes each with 2 and 3 bedrooms, we can conservatively say there will be another 50 cars in the area (probably more). This creates 4 major problems 1) the Nita Lake Drive cannot handle this amount of traffic – primarily this is a safety issue with families using the road from the employee housing and this road being busy and difficult to navigate in winter conditions. 2) Alta Lake road is windy and steep and not well suited to a significant amount of traffic 3) the intersection at Alta Lake Road and the highway is already difficult to access – this will become a major issue with more traffic 4) the environmental cost of more noise and pollution on the Lake.

**The noise issue goes much further than traffic generated noise;** with over a 100 more people on the lake, most of them renting this will be a major noise concern at weekends. Already the noise issues at Nita Lake Lodge are creating problems for the neighbourhood. **Everyone around Nita Lake purchased in this community to be away from the noise and business of the town, and to be closer to the peace of nature.**

Lastly, the council must be concerned with a lot of short term rentals and access to the proposed park, that there is a safety issue with the railway line as people will inevitable try to access the Lake.

## **7. Setting an unfortunate precedent**

**The council needs to keep in mind that whatever happens on 5298 Alta Lake is likely to set a precedent for lands to be developed around it.** It is more than likely that over the coming years Tyrol lodge will be re developed and then there are the lands to the North of 5298 Alta Lake that also have zoning for building. If the zoning and density get changed on 5298 Alta Lake, why should it not be changed on neighbouring lands. **The implications of this ripple effect for the Nita Lake environment are very troublesome.**

## **Summary and the Way forward.**

**We are very concerned property owners and very concerned residents of the Whistler community.** We want to ensure that as taxpayers and long standing residents that any development occurs in keeping with the long term beauty and health of our community.

Adding density, creating further traffic problems, providing inadequate separation and green space between neighbours and clear cutting much of the land are not consistent with the goals of creating *neighbourhood identity and livability*, as stated in your OCP. In addition, development around our lakes need to be held to higher standards.

As current residents and tax payers we cannot allow developers (who at the end of the day will not be part of our community and who are driven by financial incentives) to spoil our community and “push through” inappropriate developments.

**The right development for this property** is to build single family residential homes (as originally envisioned for this property) together with appropriate green spaces and separation. Employee housing may or may not be part of this development, but as stated above such housing is probably more efficiently located closer to amenities etc.

**We and the residents of Nita Lake feel very strongly about getting the right development and we look forward to working with the council and the Muni to find a solution that works for our neighbourhood as well as for the Whistler Community**

Thank you for your consideration

With kind regards

Richard and Sandra Durrans

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]  
To: [Roman Licko](#)  
Cc: [REDACTED]; [REDACTED]  
Subject: Initial comments on Nita Lake development by Richard and Sandra Durrans  
Date: Thursday, December 06, 2018 9:40:14 AM

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## Initial comments on Nita Lake development by Richard and Sandra Durrans

Roman

Thank you for your time on the phone yesterday and for explaining the current situation for the proposed Nita Lake development and the expected process.

We are Richard and Sandra Durrans, owners of [REDACTED] [REDACTED] is adjacent to the proposed development. We are therefore obviously very motivated to ensure that any development is done with good design, is appropriate for the area, is environmental sound and ensures that the quality and character of the area (and indeed for Whistler as a whole) is maintained. We live in a strata of 12 homes, and we have spoken to a number of our fellow Strata partners, who are also equally motivated to ensure any development is consistent with those guidelines.

As you know, it is early days and we have not had an opportunity to review any of the details of the proposed development. It is also important to point out that we are not against development, but that we are for developments that will enhance the special appeal of Whistler and enhance the local environment. Therefore, we thought it important to set out some of our comments and concerns that hopefully will be addressed by you and your colleagues over the coming weeks and months.

1. **Nita Lake**. Lakes are a central part of what defines Whistler and their character, beauty and sustainability should be protected. This has clearly happened successfully at Lost Lake, and everyone loves this lake and it is such an important part of the Whistler community in the summer. So is Nita Lake. The key issue here is that Nita is a small Lake that already has some significant development around it. We would say that the development to date has been fine for the Lake, but worry that adding over 30 homes on the side of this small Lake will adversely affect the environment and beauty of Nita. Can the Lake handle this?...already the Lake traffic has been increased significantly from the Nita Lake Lodge. We are long time

residents of Whistler and have lived at Nita Lake for ten years. Over this time there has been increasing traffic on the Lake with ice rinks, skating and fishing in winter and swimming, paddle boarding, canoeing fishing etc the summer. It is a busy place and perhaps at capacity relative to the size of the small lake. We also have concerns about the impact on the spawning and fishing stream on the east side of the Lake should there be more users and development around the Lake. It is worth pointing out that densely built townhouses would create a very different development to the current situation - Nita Lake is surrounded by older "character" houses/cabins, a high quality hotel and then some high quality single family homes, ( and some higher density Employee Housing near Alta Lake Road). Does increased density and a substantial townhouse development fit into this space, particularly when it is on the edge of such an important Whistler Lake? This site is one of the last Lake front areas in Whistler... more development puts at risk the sensitive natural balance of the Lake and surrounding landscape. The risks of developing here may well outweigh the benefits for more housing. Any developed needs to be carefully zoned and managed so as to maintain Nita as one of the most beautiful and charming lakes in Whistler.

2. **Access.** This is a big concern. At the moment the employee housing and Nita Lake estate houses are accessed by one road....Nita Lake Road. This works well currently. Adding another say 40-60 cars to this road every day could be a big problem. It is a small road which often has cars parked on it and in winter is becomes narrow and much more difficult to navigate. The road also passes very close to the current employee housing.....I would say that these people almost view this road as their front yard. Often families are out playing close to the road and everyone crosses the road to go to creekside. Dramatically increasing the number of cars on this road would appear to lead to a safety issue. It would also change the character of what people had "bought into"...both for employee housing and for the single family homes.

3. **Zoning.** When we purchased our lot/house, the development land under discussion was zoned primarily for a boutique hotel ..... most of our Strata partners were also with the same understanding. Changing this Zoning so that the accommodation is largely tilted to "rental" townhouses creates a very different environment. While rental townhomes and boutique hotels may both be in the category of "tourist accommodation", they both have very different impacts on the character and valuation of surrounding properties and environment. I wonder how many of our Strata partners would have thought twice about buying if

they knew (rental) townhomes were going to replace the boutique hotel. We recognise that Zoning can change, but it has to be for good reasons, fair for all parties and not just because the developer has decided to do something different.

4. **Impact on quality and character of area.** Creekside is a very special area....it is not the village, it is different.... in many ways it has the best of both worlds - some density with appropriate facilities but also a strong connection to the lakes, mountains and the outdoor beauty of whistler. We need to make sure that this character is maintained. We know there is a need for more housing in whistler and more townhomes...is Nita Lake the right spot for them?. Maybe other areas of whistler are better suited for these types of development...higher density and not on a Lake.etc. We are well aware of the need for employee housing, and as part of that need surely it makes sense to create "hubs"- developing housing with sustainable and accessible community amenities in mind. For example, with easy access to bus routes, schools, playgrounds, shops and services which they will need to grow and thrive over the long term. This development will be adding to our carbon footprint and emissions with another 50 cars making multiple trips a day around the lake to access all of these essential services. Surely it makes more sense to develop employee housing and any substantial density as in this proposal in a neighbourhood where there is room to grow and expand these essential services.

We are not against development, but we have to question if this is the right development for this area of Whistler. Even if it is, we have to ensure that the quality of the buildings, the setbacks, the green/open spaces, the green areas dividing adjacent properties, tree buffers, the access, the visual beauty of the development from the other side of the lake, the environmental impact on the lake are all dealt with to the highest standards. We want to ensure Whistler remains one of the best towns / resorts in the world to live in and to visit.

Thank you for your consideration...it is much appreciated.

We look forward to your feedback and our further discussions

With kind regards

Richard and Sandra Durrans

Rob Follows



September 9, 2019

To: Mayor and Council  
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  
Empire Club Development

I am writing to convey my serious concerns with the Rezoning Proposal for 5298 Alta Lake Road in its current form.

My wife and I purchased our home in Nita Lake Estates because of the tranquil and natural setting where we are surrounded by 250-year-old cedar and fir trees. While not a full-time resident, our young family spends a significant amount of time here in the summer and winter. Our community is a safe place for the children to play and ride a bicycle. We could have bought elsewhere but wanted to be away from the noise, crowds and tourists that are found in the village. The currently proposed development at 5298 Alta Lake Road is about to change all of this and is substantially different than the existing zoning on the property. There is no longer the ambience of small cabins nestled amongst the trees on a beautiful small lake, preserving a natural setting. This area will be clear cut to make room for these townhomes. The sensitive lake environment will be compromised.

The proposed development is not in keeping with the character of the established neighbourhoods on the lake. The increased density of the proposed development is unacceptable, especially with the entire development squished into the south end of the property with limited or no green buffers between the market rental townhouses and our strata homes. Nightly rentals will bring a lot of noise to our peaceful setting. No other lake in Whistler has commercial and nightly rentals. Why increase the commercial activity on Nita Lake?

Nita Lake Drive is a narrow one-way street in the winter that is a risk for anyone driving or walking. The road will not be able to handle the increased traffic. Access to Highway 99 will become worse (if that is possible).

It is my understanding that the existing proposed development under the TA17 zoning could not be built today. The developer requires rezoning to proceed. This is an opportunity for the RMOW to make a difference to the residents of Whistler and keep the encroachment on nature to a minimum. It is understood there is a need for more affordable housing in Whistler but is this the right location, the right type of employee housing?

We request that you send this rezoning application back for revision. Let's not be in a haste to destroy this wonderful lake area. Let's create zoning that is consistent with neighbourhoods already located on the west side of the lake. Finally, let's ensure the right kind of development on this lake front site to maintain this beautiful asset for the future.

Sincerely,

Rob Follows

[REDACTED]

[REDACTED]



**From:** [Roman Licko](#)  
**To:** [REDACTED]  
**Cc:** [Denise Taveira](#); [Karen Olineck](#)  
**Subject:** RE: Open House 5298 Alta Lake Road  
**Date:** Wednesday, October 23, 2019 11:11:36 AM

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Good Morning Brian,

You message has been received and will be added to the comments from the October 24<sup>th</sup> Public Information Meeting.

Thank you,

Roman Licko  
**RESORT MUNICIPALITY OF WHISTLER**  
**TEL: 604-935-8173**

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**From:** brian gilvary [REDACTED]  
**Sent:** Tuesday, October 22, 2019 11:49 PM  
**To:** Roman Licko <rlicko@whistler.ca>  
**Subject:** Open House 5298 Alta Lake Road

**[Comments/questions for Public Open House on Thursday  
Oct 24th re: 5298 Alta Lake Road](#)**

Dear Roman

My name is Brian Gilvary and jointly own [REDACTED] with my wife Jo Gilvary.

Unfortunately we won't be in Whistler for the open house but would appreciate it if you could table the following questions and points.

Firstly we absolutely support more employee housing in Whistler - our son has worked the last two seasons here and the lack of housing is a real problem.

However, in our view this development is simply too large for the local footprint, and has too much density that will bring significantly more traffic flow and noise into what is already a restricted area imposing on the Nita Lake area.

We are not against this area being developed - we would suggest it simply needs to be in keeping with the size of the plot, rather than packing in so many units into such a restricted area

and would encourage the developer to reconsider the plans.

Best

Brian & Jo Gilvary





**REZONING APPLICATION RZ001157  
5298 ALTA LAKE ROAD  
PUBLIC OPEN HOUSE COMMENT FORM**

I attended the 7 pm session on October 24, 2019.
The Developer made a number of mis-statements in the presentation which did not get corrected including the following: that his intended rezoning is "TA1" which is the same as Nita Lake Estates (NLE). In fact NLE is zoned RTA-C1. Also his statement that the owners of the tourist accommodation, and employee housing would not be inclined to make nightly rentals like NLE, is contradicted by the fact that he still requires one employee housing unit for management of nightly rentals and 7 units for employees of the tourist accommodation. Further it was unclear whether the Developer planned to own and rent out some or all of the tourist accommodation units, perhaps for use for AirBnB.
To compare walking distance to the lifts from NLE as being comparable to tourists walking to the lifts from 5298 Alta Lake Road is unrealistic. Cars will be required.
The Developer suggests that he is trading "one-for-one" extra employee housing for extra market housing units when in fact there is no net gain in employee housing due to the 8 units retained by the Developer, and in any case comparing three storey attached townhouses in this lakefront area to single storey, single unit cabins spaced among the trees is apples to oranges. It is not a fair trade.
PLEASE LEAVE CONTACT INFORMATION IF DESIRED:
NAME: Bruce Green ADDRESS: [REDACTED]

***You can also submit comments by email to:  
[planning@Whistler.ca](mailto:planning@Whistler.ca)***

**From:** [Roman Licko](#)  
**To:** [Denise Taveira](#)  
**Cc:** [Karen Olineck](#)  
**Subject:** FW: RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge  
**Date:** Thursday, October 24, 2019 11:59:31 AM

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Hi Denise,

Please upload this to RZ1157,

Thank you so much

Roman Licko  
**RESORT MUNICIPALITY OF WHISTLER**  
TEL: 604-935-8173

**From:** Bruce Gunn [REDACTED]  
**Sent:** Thursday, October 24, 2019 11:24 AM  
**To:** Jan Jansen <JJansen@whistler.ca>; Roman Licko <rlicko@whistler.ca>  
**Subject:** RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge

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TO: Jan Jansen, General Manager of Resort Experience, Whistler BC

Cc: Roman Licko, Acting Senior Development Planner, RMOW, Whistler, BC

From: Bruce Gunn, Vice President, Tyrol Ski and Mountain Club

Regarding: RMOW - RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing, Report 19-118, File RZ1157 / Tyrol Lodge

Date October 24, 2019

Dear Mr. Jansen

On Oct 17, 2019, I met with Mr. Licko of the RMOW and reviewed the proposed development, RZ1157 - 5298 Alta Lake Road Rezoning - Market/Employee Housing and how it relates to the Tyrol Lodge property at 5302 Alta Lake Road, owned by the Tyrol Ski and Mountain Club. This proposed development has significant direct impact on our adjacent property, primarily related to the issue of access to our property. As you may know, we do not have direct, year round road access to the Tyrol Lodge. In the summer, we can drive to the Tyrol Lodge from Alta Lake Road by crossing BC Hydro land but in winter this road is too steep and we have to park at the top & walk down. This is difficult, especially to older members and families with children. It would be much better if we could access it in winter via the adjacent 5298 Alta Lake Road property. On drawing A-1.0 that was submitted for the rezoning, there is a note "bridge and road to lands beyond." The existing bridge is currently in a state of disrepair and will likely require replacement. We are requesting that the bridge and roadway, as well as access to start of our property, be provided as part of the development in the zoning approval of 5298 Alta Lake Road. In exchange for this, we are prepared to offer to

the RMOW the following:

- access across our property for extension of the Valley Trail so that it can be developed to complete the loop all the way around Nita Lake as intended by RMOW
- land for use as a park by the RMOW to increase the size of the park proposed on the adjacent property
- land for future staff housing.

### **Benefits to RMOW**

We recognize that this is a significant ask but we also see that the proposed zoning change gives a tremendous benefit to the developer in terms of increased value to the development. In exchange, it seems it is not unreasonable that similar benefits be provided to RMOW. If what we propose is agreed upon, the RMOW will be provided with the following benefits:

- the possibility of completing the Valley Trail all the way around Nita Lake
- a larger park overlooking Nita Lake
- a building site overlooking Nita Lake, ideal for future staff housing
- access for fire fighting to the area adjacent to Tyrol Lodge
- historical compliment to the restoration of the Hillman Cabin

### **Fire Fighting Access**


Currently, the 5 acre Tyrol Lodge property and the adjacent area does not have year round access for fire fighting. This is far from an ideal situation. If we have learned anything from the 2016 Fort McMurray wildfire, we know that a small fire in an area that is inaccessible can spread in a very short time, destroying much of a community and causing hundreds of millions of dollars in damage, including destruction of the environment which will require generations to recover. It was a miracle that there was no direct loss of life in the Fort McMurray fire and that the fire department was able to save as much of the town as it did but it is clear the a municipal fire department can quickly become completely overpowered. Access for fire fighting should be a very high priority. There is an opportunity here to provide access for fire fighting to the 5 acre Tyrol Lodge property and the surrounding area in a way that also delivers other significant benefits to the RMOW, as indicated above.

### **Historical Significance**

The Tyrol Lodge was built by volunteers members in 1966. In the early days of Whistler, the club's participation was centered on downhill ski racing. The Tyrol Ski and Mountain Club held the first GS race on Whistler Mountain in 1967 and continued to be very active in ski racing for the next 35 years. Today, the club continues to be a non-profit society that provides affordable accommodation, primarily to families who have children involved in ski lessons and racing at Whistler Blackcomb. The lodge remains essentially unchanged since it was originally built and provides a link to Whistler's past that will compliment the historical nature of the Hillman Cabin.

We will make a more detailed proposal to the mayor and council and the planning department but first we ask that you review our proposal and advise us of your comments.

I would appreciate it if we could meet to discuss this further.

Sincerely,  
Bruce Gunn  
Vice President  
Tyrol Ski and Mountain Club  


**From:** [REDACTED]  
**To:** [corporate](#)  
**Cc:** [REDACTED]  
**Subject:** RZ1157-5298 Alta Lake Road Rezoning  
**Date:** Monday, September 16, 2019 3:19:45 PM

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Mayor and Council,

We are writing to express our concerns regarding Rezoning Application RZ1157 (5298 Alta Lake Road). We feel the increase in vehicular traffic on Nita Lake Drive will be hazardous to residents, specifically because the road passes quite closely to the children's playground and access to the valley trail with no speed measures in place. Nita Lake Drive is also used by large numbers of cyclists including multiple DFX children's lesson groups, to access the Into the Mystic/Lord of the Squirrels and West Side trails from Creekside; increased vehicular traffic will heighten the likelihood of a vehicle/cyclist collision on this road. Additionally, the access for residents turning left onto Highway 99 from Alta Lake Road is often delayed due to the high volume of traffic on Highway 99-- without a vehicle activated traffic light, increasing traffic on Alta Lake Road will only create more delays.

Signed,

Anne Kennedy and Al Collis

[REDACTED]

**From:** Lindsay Lambert [REDACTED]  
**Sent:** Tuesday, September 17, 2019 3:45 PM  
**To:** corporate <[corporate@whistler.ca](mailto:corporate@whistler.ca)>  
**Subject:** Address to Mayor & Council Resort Municipality of Whistler

Dear Mayor and Council Members

*Mr Mayor and Members of Council,*

*Thank you for taking a moment to read this.*

*I am writing with concerns surrounding the potential development on Nita Lake.*

*It should be noted that any development on this site, especially higher density housing including employee housing and any potential air BnB will undoubtedly create a substantial increase in pedestrian traffic on or crossing the CN rail tracks.*

*These trespassers with scant regard for their own safety will do so, to access a shortcut to Creekside Village or in the summer months to the environmentally sensitive shoreline of Nita Lake.*

*The resulting affects of increased pedestrian traffic could ultimately be tragic and irredeemably damaging to the sensitive lake environment.*

*In particular the protected spawning areas in shallow waters near the shore. Add, the vulnerable and to date, undisturbed lake side ecosystems which provide homes and sanctuaries for otters, beavers, ducks, great Blue herons, Canadian geese and frogs to mention but a few. There is a legitimate concern that these vulnerable habitants could ultimately be damaged or forever destroyed.*

*An obvious but important reminder, Nita Lake is the smallest of our Whistler lakes.*

*This tiny residential lake survives because of the low impact on its shorelines.*

*So my questions are, have you taken into consideration the above environmental and safety concerns, is there currently a municipal study and policy regarding lakeside development, and lastly have you or will you consult with the DFO (Department of Fisheries and Oceans) and CN Rail prior to making a decision to move forward on this proposal?*

*Sincerest thanks for your time.*

Kind regards,  
Lindsay  
Lindsay A. Lambert

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

From: [REDACTED]  
To: [corporate](#)  
Subject: Proposed Development: Nita Lake  
Date: Wednesday, September 11, 2019 8:58:22 AM

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Mayor & Members of Council,

My wife and I reside at [REDACTED]. After being made aware of this development and discussion with neighbours, we are concerned with a number of issues. Whistler is and should remain one of the leading all year resorts in the World and one where the community & tourists live in harmony.

I have attached a link for your perusal of a similar tourist community south of Munich in the Bavarian Alps, please consider examples of how lakes are protected and developed in other parts of the World. The chain of lakes in Whistler are unique and your stewardship could be a turning point for the future of Whistler altogether.

I will be attending your September 17th meeting and hope to raise a question asking the RMOW to consider a Resolution that will ensure any and all future development of Lakefront properties within the community, adhere to an established policy based on consultation regarding the unique needs of Lake & Lakeside properties in Whistler.

Sincerely,

Diane & Guy Lever

[REDACTED]

## Bavaria- Alpine region: Lakes Tegernsee and Schliersee

The Alpine region of the Tegernsee and Schliersee Lakes lies only one hour south of the Bavarian state capital of Munich. The glittering lakes and mountains of the Alpine foothills create fantastic scenery. Openly upheld customs and traditions reflect this region's unique attitude towards life. If you want to scale the heights, the



Wendelstein can offer you wonderful views of the mountain range of the Alps and the green valleys of the surrounding area.

### **Our excursion tips:**

#### **On the Wendelstein**

An excursion to one of the most beautiful panoramic mountains of the Alps is a must. Up we go to the Wendelstein, enthroned high above Bayrischzell and the Leitzachtal valley. A trip with the Wendelstein Funicular from Osterhofen near Bayrischzell is something to be experienced. A ramp makes it easier to get into the funicular and the trip alone is an experience in itself. At a height of more than 1,700m, spectacular views which extend to Munich in the north and as far as the Alps in the South await you. Your excursion should of course not omit the opportunity to turn into the large terrace at the summit of the mountain.

#### **Experience the lakes**

A hiking trail which is suitable for wheelchair users leads around the picturesque Suttensee Lake above Rottach-Egern. Situated in an idyllic setting at over 1,000m in the midst of high Alpine peaks, Suttensee Lake is an insider tip. If you prefer to travel by bike, the Tegernsee circular trail is just what you are looking for: one lap of the lake with your hand bike takes you to a height of over 20 km – dream-like views and famous sights are all part of the package. If the weather is not playing ball, it is well-worth making a visit to the Bad Wiessee Waterpark which is equipped with a lift which will deposit you safely in the indoor pool. Bath chairs are also provided here upon request.

#### **Culture and enjoyment**

Culture and enjoyment in the Alpine region of the Tegernsee and

Schliersee Lakes – whether you are sampling schnapps or enjoying a visit to a museum: The Lantenhammer distillery in Hausham produces the finest brandies and fruity liqueurs – here you can experience this skill at first hand in this Distillery of Discovery . You can immerse yourself in the world of distillates, glean a lot of interesting facts about the production process and the favours or take part in a tasting or tour. Go back in time with historical carriages and sledges in the Museum in the Gsothaber Farmhouse in Rottach-Egern. Here you can find out all sorts of interesting things about farming customs or professions which have now almost died out such as those practised by saddlers or blacksmiths. After so much culture, you will definitely want some refreshment in Café Gäuwagerl in the museum.

#### **Further excursion tips:**

Waitzinger Keller  
Rundweg am Spitzingsee  
Olaf-Gulbransson-Museum

#### **Information & Service:**

TI Gmund  
TI Bad Wiessee  
TI Rottach-Egern  
TI Schliersee  
The Huber Taxi Company in Schliersee provides wheelchair-friendly taxis which are available if required. Telephone: 08026 4607

#### **Tips for overnight stays**

[Best Western Hotel Bayerischer Hof Miesbach](#)

Ferienwohnungen Concordia  
Gästehaus Gritscher

Ferienwohnungen Schneider

Ferienwohnungen Krenn

## Denise Taveira

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**From:** Jan Jansen  
**Sent:** Monday, October 28, 2019 11:16 AM  
**To:** Roman Licko  
**Cc:** Denise Taveira  
**Subject:** FW: Council Correspondence - October 22  
**Attachments:** 2019-10-09-Lever Empire Club Development.pdf

Council correspondence referred to staff FYI

Jan Jansen  
**RESORT MUNICIPALITY OF WHISTLER**  
**TEL:** 604-935-8177

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**From:** Nikki Cooper  
**Sent:** Thursday, October 24, 2019 12:27 PM  
**To:** Jan Jansen <JJansen@whistler.ca>  
**Subject:** Council Correspondence - October 22

Hi Jan,

The following correspondence was referred to you at the October 22 Council Meeting.

Moved: Councillor A. De Jong  
Seconded: Councillor J. Ford  
That correspondence from Diane Lynn and Guy George Lever, regarding the Empire Club Development be received and referred to staff.  
Result: CARRIED

**Nikki Cooper**  
COUNCIL COORDINATOR  
Legislative Services

**RESORT MUNICIPALITY OF WHISTLER**  
4325 Blackcomb Way  
Whistler, B.C. V8E 0X5  
**TEL:** 604-935-8114  
**E-MAIL:** [ncooper@whistler.ca](mailto:ncooper@whistler.ca)

**WEBSITE:** [www.whistler.ca](http://www.whistler.ca)

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

**From:** Guy George Lever [m [REDACTED]]  
**Sent:** Wednesday, October 09, 2019 9:19 AM  
**To:** corporate <[corporate@whistler.ca](mailto:corporate@whistler.ca)>  
**Subject:** Council Correspondence regarding Empire Club Development

To Mayor & Council,

Just to let you know, we are not opposed to development and welcome any employee housing to our community. We have friends and acquaintances in existing Nita Lake Employee Housing and following RMOW presentation we Trust RMOW will proceed with caution to ensure this project is a landmark we can all be proud of.

Please consider the following recommendations.

- \*Understanding a traffic study will help determine the need for overflow parking for new & existing employee housing in our community.
- \*The need for a green zone extension along existing home parcels as indicated by some of those owners within our community.
- \*A change of tourism accommodation category to encourage families to consider market homes accordingly and maintain the existing housing vocation in our community.
- \*Need to follow existing guidelines for employee housing eligibility and therefore eliminate any potential conflict of interest by allowing developers to appropriate themselves with employee housing unfairly.
- \*Ensuring the waterfront is not damaged by erosion and well screened by maintaining a tree covenant that will hold developers highly & financially responsible otherwise.
- \*Trusting that any increase in density will not provide any more than should be reasonably considered.

We remain interested in any further consultations and if needed we could make ourselves available to meet with RMOW & Developers in a constructive manner in providing guidance & support to this project.

Sincerely,

Diane Lynn & Guy George Lever

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [Roman Licko](#)  
**To:** [REDACTED]  
**Cc:** [Denise Taveira](#); [Karen Olineck](#)  
**Subject:** RE: Comments/questions for Public Open House on Thursday Oct 24th re: 5298 Alta Lake Road  
**Date:** Thursday, October 24, 2019 10:21:46 AM

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Good Morning,

Thank you very much for your correspondence. It will be made part of the public record for RZ1157.

Roman Licko

Director of Planning and Development - Acting  
**RESORT MUNICIPALITY OF WHISTLER**  
**TEL: 604-935-8173**

**From:** andrea padovani [REDACTED]  
**Sent:** Wednesday, October 23, 2019 6:13 PM  
**To:** Roman Licko <rlicko@whistler.ca>  
**Subject:** Comments/questions for Public Open House on Thursday Oct 24th re: 5298 Alta Lake Road

Comments/questions for Public Open House on Thursday Oct 24th  
re: 5298 Alta Lake Road

good morning Roman

We are Federica and Andrea Padovani, Whistler. [REDACTED] [REDACTED] in [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] meeting in person.  
Unfortunately, [REDACTED] [REDACTED] [REDACTED] meeting in person.  
However, we would like the comments/questions below to be  
discussed at the meeting and to be part of the public record of  
the meeting.

The proposed development is not consistent with the surrounding environment and residential area.  
Whistler does not need more growth (and certainly not more density added to current zoning); as residents of Whistler there are times when we feel like prisoners and extremely limited in freedom of movement because of the incredible traffic, we are spoiling our world class resort town for growth and Greed. This has to stop.

We arrived from Italy 22 years ago and have lived in Whistler for 16 years. We left overcrowded cities and ski resorts for a fresh start at Whistler, . As the years have gone by more and more growth has made Whistler now .....The town is now at a point where development must be carefully planned to avoid all the problems that every town and city has. Too much traffic, too much pollution, overcrowding, huge not used houses and residential sprawl.

There must be some places kept natural and the boundaries of the city contained because otherwise, all the beauty of the parks and promenades surrounding Nita lake and the city will be compromised Also, views from the mountain will soon be ugly scars to residents and tourists....

Best regards

andrea and Federica Padovani

September 10, 2019

Mayor and Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC V8E 0X5

To Mayor and Council:

Re: Re-zoning application, 5298 Alta lake Road

We wish to express our concern over the proposed re-zoning application for 5298 Alta Lake Road, which is being presented to Council on September 17, requesting permission to proceed.

Having lived on the eastern shore of Nita Lake for the past 30 years, we are concerned that the re-development proposal is inconsistent with the surrounding neighbourhood, that it will have a significant (negative) environmental impact, and that it will not accomplish Council's goals of providing additional employee housing, as the staff requirements for operating such a large "hotel" may likely exceed the number of housing units proposed.

We recognize that the western shore of Nita lake is currently zoned for development, and that it will eventually be developed. But, the current re-zoning application involves a tripling of buildable space in massive configurations, all for the sake of 8 additional employee units on a site which does not comply with guidelines established for such purposes.

We hope that Council will NOT grant permission to proceed with the existing re-zoning application, and that the developers be required to consult with the local community to develop a more acceptable proposal that will not increase the amount of tourist accommodation or market housing currently permitted on this site, thereby minimizing impact on the tranquil beauty of Nita Lake and its surrounding community.

The following is a summary of our concerns, with some potential alternative strategies:

1. Deviation from existing TA17 zoning:

The intent of the current zoning is for **site sensitivity**, permitting tourist and employee housing in **cabins** (maximum permitted gross floor area of 120 square meters, or 1,292 square feet). A maximum permitted gross floor area for tourist cabins of 1,400 square meters allows for **12 tourist cabins**. A maximum permitted gross floor area for employee housing cabins of 800 square meters permits **7 cabins**. Combined, this represents a total of **19 "cabins"**.

The re-zoning application is for 22 tourist townhouses of 200 square meters (2,153 sq. ft) each, for a total of 4,398 sq. m. (47,361 sq. ft), which is **three times** the existing permitting gross floor area, not including two parking spaces per unit! The massing of these large townhouses into 4 clusters of 5 or 6 three-storey row houses is not "site sensitive".



The current application also increases the number of employee units from 7 to 15, reducing the size of each unit from 120 sq. m. to an average of 106 sq. m., for a total of 1,590 sq.m., **double** the existing permitted floor area for employee housing, in a location not close to public transit, services, or places of work (unless they happen to be working in the hotel, see below).

## 2. Do we really need more tourist accommodation?

It is frequently cited that Whistler has an excess of hotel rooms, driving various strategies to increase hotel occupancy, leading to growing problems of traffic, carbon emissions, etc. The proposed “hotel”, with at least 22 large units, will require a significant number of employees to manage it, possibly even more than the 8 additional employee units proposed.

The re-zoning application refers to additional buildings for recreational facilities, hotel check-in and recycling. Current zoning includes a hotel building of 2,100 sq. m. (in addition to the 10 permitted cabins), but it is not clear whether this will include additional hotel rooms.

## 3. Environmental Impact and Hotel Operating studies

While we understand that there is a 25 meter tree preservation set-back from the railway tracks, we have not seen any other environmental impact study relating to other trees, traffic, lake usage, or the number of employees that will be required to operate the hotel. One wonders if the latter will actually exceed the number of employee housing units, thereby actually exacerbating our current employee housing shortage!

Our question to Council is why would you even consider permitting this proposal to proceed, when:

- it triples the density of tourist accommodation when its questionable if the community/resort even needs more tourist accommodation,
- tripling the size of individual units will also triple the bed units. Where do these come from, given the community's limits to growth?
- it calls for a massing of row houses that is insensitive, not only to the tranquil beauty of Nita Lake, but to the character of the neighbouring community,
- operating a hotel may increase staffing beyond the proposed employee housing units,
- the Mayor's Task Force on Employee housing identified the need for 1,000 units of employee housing by 2023, with a process in place to achieve this goal,
- all of the above provides a mere 8 additional, small employee housing units in a poor location.

We encourage you to not permit this proposal to proceed in its current state, but to require the developers to meet with affected parties and return with a more site sensitive proposal supported by detailed environmental and hotel operating studies. We also suggest that placing certain restrictions on massing and tree preservations would be appropriate.

In closing, we would like to state that our concerns are not simply “Nimbyism”, as some might think, given that we reside immediately across Nita Lake from the proposed development. We have known for many years that some form of development would eventually take place. Nor are our concerns a statement of opposition to employee housing in general. But in the interest of protecting the beautiful chain of lakes which are one of Whistler's most valuable amenities, and in the interest of sustaining

them for future generations, we urge you to consider our concerns. Permitting this re-zoning application to proceed would set a most unfortunate precedent for future development.

Respectfully submitted,

---

Anne Popma

[REDACTED]  
[REDACTED]  
[REDACTED]

---

Garry Watson

[REDACTED]  
[REDACTED]  
[REDACTED]

Mayor and Council  
Resort Municipality of Whistler  
4325 Blackcomb Way,  
Whistler, BC, V8E 0X5

Email: [corporate@whistler.ca](mailto:corporate@whistler.ca)

Re: 5298 Alta Lake Road, Whistler, BC

November 4, 2019

Dear Mayor and Council:

I am writing to express my concerns about the project that is in progress: 5298 Alta Lake Road. My wife and I have a house in Strata VR244 located on Nita Lake, address [REDACTED] Road. We have owned this property since 1991, although it was owned by my parents since 1973 when the properties first came on the market.

I want to express my concerns about the above project. I am not opposed to development and if this development turns out like the Nita Lake Estates, I would be happy, as it seems to nestle into the hillside rather well. Although it may appeal to some people, I am not particularly excited about the historical significance of the "Hillman House" adding value to the site. I do value, however, that almost half of the property will be designated as "park".

I was one of the 36 people who attended the Open House on Oct 24<sup>th</sup> in the Olympic Village at the Athletes' Center in Function Junction. In my opinion the venue was poorly chosen – the acoustics were terrible due to the loud air circulation fan that made it very difficult to hear the speakers. While Michael Hutchison was audible, the RMOW representative was not. Public speaking was not his strength (he mumbled and was urged to speak more loudly several times.) In fact, why there was no sound system in the room is a mystery to me. The cynical part of me thinks that the whole process is a sham to satisfy the due process aspect to the development.

I spoke to Michael Hutchison and would say that he did answer some of my concerns about the density, pointing out that Rainbow (a development off the highway by Green Lake that scarred and denuded the landscape, had a density of 50% while the 5298 Alta Lake Road project will only be 10%, which, of course, is positive.) He also indicated that RMOW will take responsibility for the riparian/tree preservation area along the lakeshore and the rail line. To me that is a critical factor. We have been enjoying the lake since 1973 and the tranquil nature of this beautiful lake is striking. It is very important to have the riparian/tree preservation area as a screen.

I do not know Michael Hutchison, which means I do not know if he can be trusted to deliver on what he has promised. Furthermore, RMOW seems to be in desperate need of employee housing. Will they turn a blind eye if this developer tries to cut corners or do things that are not in line with the permit?

Finally, the fact that the developer is proposing to take 8 of the 15 units for the company's staff does not sit well with me. Their staff should be at the same risk as other employees who need housing in the Valley. Furthermore, this arrangement opens the possibility that the Empire Club could benefit itself in some fashion, depending on how "Staff" are defined. With 664 people on the waitlist for this type of housing, why should Empire Club staff be able to "jump the queue"?

I am reminded of the quote that I believe I put in my earlier hand-written letter delivered to you prior to the Council meeting of September 17<sup>th</sup>: "You don't know what you've got 'til it's gone"!

Thanks for your attention to this important matter.

Hugh Russel Quinn

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
November 13, 2019

Mayor and Council  
Resort Municipality of Whistler, BC

Re: 5298 Alta Lake Road-RZ1157 – Development Proposal by Empire Club Development Corp.

The Empire Club Development Corp. is wiggling carrots on sticks, so that this project might get the go-ahead. One carrot offered is the restoration of the Hillman cabin (AKA Toad Hall) to which I say, like Woodstock, some things are best left to what's left of our memories. Another carrot (Questions Abound, Braden Dupuis, Pique, Oct.31) is "the dedication of a riparian and tree preservation area along the foreshore and rail line." There are already strict riparian rules on the other side of the lake, so this is not an unusual offering. The biggest carrot being dangled is the proposal of a "future WHA employee-housing parcel adjacent to the existing Nita lake Resident Housing" (Dupuis, Oct. 31). Sounds great, but will it come to pass, once the Empire Club has had its way with development at 5298 Alta Lake Road? To sweeten the deal is the proposal for 15 employee-housing units, which sounds pretty good, until you read further that 8 of those are for the benefit of Empire staff. Let's do the math...With 7 units of actual "employee housing" being added to the Whistler Housing Authority (WHA) it's going to take a long time to reach Mayor Crompton's target of 1,000 employee beds. One wonders how the 8 units built for the benefit of the developers' staff can be allowed to jump the queue ahead of those applicants waiting patiently for years at WHA.

Garry Watson and GD Maxwell are major proponents of Cheakamus Crossing. The land owned by the RMOW is readily available. The issue for both Cheakamus Crossing and 5298 Alta Lake Road is that of increased traffic. Let's face it. If you travel the south end of the valley, how much time have you spent in gridlock traffic at the end of the day? (And WHY did you move from the city to the country...to escape the hustle bustle of city traffic?)

When we look at the potential developments for Resident Restricted units in both Cheakamus Crossing and Rainbow (both of which have much better public transit options than a development at 5298 Alta Lake Road, and a better ratio for WHA units), and Rainbow which has built-in infrastructure of IGA, liquor store and coffee outlet, it makes the Nita Lake proposal seem a less beneficial location.

The Whistler Official Community Plan (OCP) is straightforward.

4.13.2 Proposed OCP amendments or rezonings that increase the bed-unit capacity of the Municipality will only be considered if the development:

- a) provides clear and substantial benefits to the community and the resort;
- b) is supported by the community, in the opinion of the Council;
- c) will not cause unacceptable impacts on the community, resort, or environment, and

4.13.3 (The following are some items that must be assessed for impact)

- d) traffic volumes and patterns on Highway 99;  
traffic volumes and patterns on the local road system;

view and scenery; and  
employee housing, as well as:

e) The project must exhibit high standards of design, landscaping, and environmental sensitivity.

Ross Depner's original rezoning (2002) for the property at 5298 Alta Lake Road was for a much more intimate London Lodge (7 suites total), complete with 25 rustic cabins discretely arranged amongst the existing trees, and an artist-in-residence arrangement at the Hillman cabin. The current proposal is for 4 buildings, containing 22 market units, plus 15 "employee" units (only 7 of which are actually WHA-bound). While those numbers sound somewhat close, the new proposal represents an increase of 1690 sq. m. The magic of square metres is that it doesn't sound like much, but it is, in fact, an extra 18,000 sq. ft., a huge increase to the existing allowable footprint.

Cheryl Green (Letter to Editor, Pique, Oct. 24) stated clearly, that this project "is inconsistent in terms of density and visual impact with the neighbourhoods currently on the shores of Nita Lake." Her concern to preserve the trees of "this very sensitive lakeside area" is well taken. It would be a sad day for all concerned if, inadvertently, the trees were taken down, with apologies all around. Apologies can't grow old trees. (OCP 6.4.2: Mature stands of timber and riparian habitats must be protected.)

While private developer projects might seem a welcome idea to the hardworking RMOW council as a means-to-an-end of how to accomplish housing, I think Mayor Crompton's intuition (Council tackles housing projects, Pique, Sept. 17) is on track two-fold, that RZ1157, 5298 Alta Lake Road is not a "great location for tourist accommodation" and that there should be "more employee housing and less market housing." I also agree with GD Maxwell's notion (Misguided proposal, Pique, Oct. 22) that one of the developers, however hard-working, may "seek to profit from opportunities they were involved in creating," as former Chair of the WHA, and part of the Mayor's Task Force on Resident Housing.

I have been extremely lucky to share a family home next to Nita Lake since 1965, first in Alpine Village, then at Nita Ridge and for the past 30 years at Boulder Ridge. While change is part of life, I encourage the Mayor and Council to have the courage to represent the residents of Whistler by listening to the respected voices I've mentioned in this letter, who are speaking on behalf of valley residents who are desperate for suitable housing, and appropriate land use. Here is a chance to question whether this project provides clear and substantial benefits to the community.

Sincerely,

Sally Quinn, with Alan Burns

Sept 11, 2019

The Mayor and Councillors  
Whistler Municipality  
4325 Blackcomb Way  
Whistler, B.C. V8E 0X5.

Dear Sirs : Madames

We are property owners and residents at [REDACTED] on Alta lake where we have owned our home for 28 years.

Although we know some development is inevitable we are very concerned that the project at 5298 Alta Lake Road goes beyond what we feel is acceptable. I have not read Whistler's Official Community Plan (OCP) but I am aware of some of its guidelines. As proposed the development at 5298 Alta Lake Road does not follow those guidelines.

We have several lakes in the Whistler area and in the past 20-25 years no high density developments have been allowed beside these lakes. Alta lake lodge may be an exception. My concern is that Alta lake is small and is already being significantly impacted by activity from that facility. Some of the tranquility of living at Alta lake has been lost as a result of the outdoor parties allowed at the lodge. This new development will serve to increase the noise that even now spills across the lake.



We know there is a shortage of employee housing at Whistler in particular for staff without cars. For those people employee housing on this site seems to be inappropriate, especially when bus transit along Westside road has been discontinued.

Another concern we have relates to traffic. Access to Highway 99 from Alta Lake Road going north is very difficult at times due to the volume of cars coming to Whistler. Adding more cars to the west side of Nita Lake will only magnify this problem.

One of the features we like about Nita Lake is its ambience. We feel that the development will dramatically alter this quality in a negative way due to the scale that is being proposed.

We don't want to see a development similar to what happened at Rainbow where the landscape has been denuded of trees and vegetation. We want to know that the developer is sensitive to the aesthetic needs of the Nita Lake community and is not going to create a waste land and walk away leaving residents to see the scarred result for many years.

Nita Lake is precious and already has one commercial development on its shores.

Another similar project would detract significantly from the beauty, the esthetics and the tranquility of this environment, an outcome



we feel is unacceptable. We would like to see a project that ~~is~~ contemplates less density, is tastefully done, protects the lake and is done in close consultation with the neighbours.

We are reminded of the Joni Mitchell song "You don't know what you've got 'til it's gone".

Thanks for your attention,

Barb and Russ Quinn

[Redacted]

[Redacted]

[Redacted]

**From:** Patrick Smyth [REDACTED]  
**Sent:** Tuesday, September 17, 2019 11:51 AM  
**To:** corporate <[corporate@whistler.ca](mailto:corporate@whistler.ca)>  
**Subject:** Letter to council re 5298 Alta Lake Road

Dear Mayor and Council,

I live on Alta Lake Road

I oppose the development of 5298 Alta Lake Road for the following reasons:

Alta Lake Road increased traffic without any DDC being put into the road or improvements  
GFA increase of 1430 m<sup>2</sup> is too big and density is too high  
Increased light and noise pollution to sensitive lake shore and wetlands  
Destruction of woodlands

I also note that this developer is to provide a traffic study, however, residents cannot even get access to the traffic study for the function junction development at the intersection of Alpha Lake and 99. I believe that the developer will quash any FOI attempt to see this traffic study as well.

Regards

Patrick Smyth  
[REDACTED]

**ALKARIM TEJANI & SHELINA LALANI**

Mayor & Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC

**Re: 5298 Alta Lake Road.      Sept 10/2019**

Dear Mayor & Council Members

We have lived at [REDACTED] for over 10 years. We bought the property and built the home because of [REDACTED]'s surroundings. We immigrated to Canada about 35 years ago with little but ourselves. In our high schools days we would be lucky to drive to Whistler for the day maybe only once in 3-4 years. Whistler to us was an amazing place and it is that to many people close to it and around the world. We were lucky enough to be able to build our careers and lives and build our dream house in Whistler. We choose Whistler because of the nature and mountains and the feeling that one gets when you come here.

Many residents have detailed many valid reasons not to approve this development and while we agree with many of them we wish to point to a larger issue.

Whistler has a unique place in the world and in Canada and in BC. It for a lack of a better word has a brand or feeling it evokes. Think of many companies products or cities or regions of the world that have a unique "feeling associated with it"

The residents and mayor and council must do everything not to endanger this. This is the reason people visit here and want to live here. Once you "devalue" the brand or water down the spirit you can quickly lose all you have and people living here will not enjoy it either.

Development and providing housing is important and must be done and can be done in better ways.

To cite another example we have all eaten a "lite" version of a food or purchased a off shoot of a product ... and yes its that product " a lite version " but something is always missing and people notice. Next time they head away.

This development is "off brand" 65% increased development, AirBNB type rentals etc. We have all heard nightmares about these and in the long term it harm communities.

To summarize we oppose this development because it risks our most valuable resource the overall feeling of Whistler. We urge the Mayor and council to look after and protect the long term values of our municipality .

**Sincerely**  
**Alkarim Tejani & Shelina Lalani**

Mayor and Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC  
By email: corporate @whistler.ca

Cc: Jan Jansen

November 12, 2019

Re: Proposed Rezoning - RZ 1157 - 5298 Alta Lake Road

I have listed below a number of observations regarding this proposal that I hope will assist you in considering whether or not it should proceed any further.

Observations:

1. The OCP provides at Section 4.1.6.3 that:

Proposed..... rezonings that increase the accommodation bed unit capacity should only be supported if the proposal:

- (a) provides clear and substantial benefits to the Community and the resort
- (b) is supported by the community, in the opinion of Council
- (c) will not cause unacceptable impacts on the community, resort or environment
- (d) meets all applicable policies set out in the OCP

Section 4.1.6.4 (d) requires that all proposed development and changes in land use must be evaluated to the satisfaction of the Municipality to assess the impact on: (inter alia)

(xi) traffic congestion and safety, including traffic volumes and patterns on Highway 99 and the local road system

(xv) employee housing

Chapter 5 of the OCP - Whistler policies to meet housing needs for at least the next five years must focus primarily on employee housing

Section 5.1.2.2 (Whistler must) strive to add 1000 employee beds within the next five years

All of the above requirements need to be addressed and, in particular, the extent to which the proposal provides, or fails to provide, “ clear and substantial benefits to the community”, as well as the extent to which adding 7 employee housing units (compared to the impact of 22 tourist accommodation units and the commitment of 88 precious bed units) assists in achieving 1000 bed units in the next five years when the 15 employee bed units proposed equals a mere 1.5 % ).

The traffic issues have been well addressed by the neighbouring property owners .

2. The most accurate measure of the proposal’s increase in the density above the existing zoning is to compare the massing in the proposal of the unlimited market housing to that in the existing zoning ;

Proposed - 22 units gross floor area (GFA) @ 200 sq. m =4,400 sq. m.

Existing - 11 units GFA @ 120 square metres = 1,920 sq. m.

Increase = 3,080 sq. m.

The proponents would have you believe that the increase is only 900 sq. m. by including in their calculations 2,100 sq. m. for an originally proposed hotel (with rooms totalling only 500 sq. m.) which bears no logical relationship to the tourist cabins proposed in 2002 (but no longer marketable), and NOT included in the current proposal.

With respect to the employee housing density, the proponents represent that there is an increase of 800 sq. m., but they seek to retain 8 of the proposed 15 units leaving only 7 units for the community each having a GFA of 106 sq. m. for a total of 742 sq. m.

The existing zoning permitted 7 employee units @ 120 sq. m. for a total of 840 sq. m., meaning there is actually a loss of 98 sq. m. and not a gain of 800 sq. m. as shown in the applicant's "mathematical gymnastics".

3. The primary objective of the Municipality's call for proposals for private sector employee housing development was a reflection of the need to strive to add 1000 employee bed units within the next five years as recommended by the Mayor's Task Force on Resident Housing that was carried into the OCP along with the policy to focus primarily on employee housing for the next five years.

The first set of Guidelines released on December 7, 2017 included an unrealistic but ambitious requirement that projects must be for "100 percent" employee housing and a provision that "unrestricted market accommodation as part of the project are not supported". The response from private property owners was predictable and on 26 March, 2019 a revised set of guidelines appeared and permitted a "limited amount of market accommodation" to support "the project's viability" and also stated that projects "shall optimize employee housing".

No qualification or definition was given to the words "limited amount" or "project viability" but given that the primary focus was to be on employee housing, it is only fair and reasonable that the limited amount of market housing should be within a limited ratio to the amount of the employee housing proposed in the project and that ratio should be no more than 1 to 1 or even less.

In this case we have 4400 sq. m. of market housing and only 742 sq. m. of employee housing for a lopsided ratio of 5.9 to 1.

4. The question here is what is driving the need for such a high ratio of market housing and the obvious answer is the need by the applicants to recover their high land cost, reported to be \$10 million, plus the cost of roads and infrastructure, in order to make their project viable.

The next question is why it should be up to the Municipality to support a high cost project by simply committing to provide a level of zoning for market housing at a high ratio compared to proposed employee housing?

5. The present zoning and the Comprehensive Development Agreement filed against the land title provide, that no more than 64 bed units are permitted, whereas the proposal requires 88 bed units for market housing plus 30 bed units for employee housing. In addition, the Agreement calls for Phase 2 Rental Pool Covenants which are problematic to marketing. Presumably at least these two items will be subject to renegotiation if the project is to proceed.
6. As I have previously submitted to Council in my letter of 11 September, 2019, I strongly believe that the practice of the Municipality approving zoning for private development, in exchange for a significant portion of the subject lands for the development of employee housing, originally adopted in 1990, when the Municipality did not have any access to free land, is no longer appropriate now that the Municipality has land available to it in Cheakamus Crossing and we are rapidly approaching the Limit to Growth.

All of which is respectfully submitted

Sincerely

Garry Watson

[REDACTED]  
[REDACTED]

Mayor and Council  
Resort Municipality of Whistler  
11 September, 2019

Dear Mayor and Council :

Re: New Market Residential Development and Tourist Accommodation

One of core principles of the OCP that most needs to be preserved and protected is that of Limits to Growth. In 1970, when the Municipality did not have access to any free land, a practice was adopted of granting approval of private residential market development in exchange for a significant portion of the subject lands being conveyed to the municipality at no cost for the development of Restricted Employee Housing (eg. Lorimer Ridge, Brio and Millar's Pond).

At that time there were sufficient bed units within the Limit to Growth to afford this. However, now that we have reached the Limit to Growth, and the Municipality has other free lands available to it (e.g. Cheakamus Crossing) this practice is no longer appropriate if Limits to Growth are to be preserved.

Allowing any further market residential development or tourist accommodation simply requires the allocation of further bed units, creates pressure on Limits to Growth and creates further demand for additional employee housing even beyond the demand that currently exists. A policy needs to be adopted by Council in this regard.

Respectfully Submitted,

Garry Watson

[REDACTED]  
[REDACTED]  
[REDACTED]



## Denise Taveira

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**From:** Roman Licko  
**Sent:** Tuesday, October 29, 2019 1:34 PM  
**To:** Denise Taveira  
**Cc:** Jan Jansen  
**Subject:** FW: Follow up from Empire Open House

**Importance:** High

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**From:** Paul [REDACTED]  
**Sent:** Tuesday, October 29, 2019 1:31 PM  
**To:** Roman Licko <rlicko@whistler.ca>  
**Subject:** Follow up from Empire Open House  
**Importance:** High

Hi, Roman.

I was disappointed that the developer ran the entire show and Hutchinson would cut the public's questions off at the knees.

This project seems like a done deal and RMOW is just going through the motions...

In any case these are the comments I have.

1. Empire Club claims they are obtaining an environmental report that will confirm no trees in the buffer zones will die from the construction activity. Well, all I can say is that I can find many environmental companies that will write a report claiming that there is no global warming. I would strongly suggest we have a walk around Jordan Lane/ Nita Lake Drive and I will show you all the trees that are now dead due to the construction of both NLE and NLR, it is at least 30% and counting. My suggestion (to protect RMOW from the long term liability) would be for the developer to put a 2 million dollar 10 year bond to cover the long term management and replacement of these dead trees. This buffers is a big part of the Empire proposal and would expect RMOW to confirm that these trees will remain healthy long term as they have now taken on the liability of these lands.
2. Further set back of the development from Jordan Lane/Nita Lake, this would help muffle sound travel from the nightly rental parties on the Empire Club pool deck. I suspect By-law will be getting calls nightly from everyone around the lake, as sounds travel here. It does seem odd why RMOW would support nightly rental and EH housing – seems to be an odd combination?

I also wanted to point out that I have done the math on this project and if I was to build it out, as proposed, the profit for 22 units alone including all land costs is 28mm !!

So I am not sure why RMOW is not taking more of Empire Club allowable FSR inventory for EH housing and push him back to allowable zoning and keep allot more of the community happier.

His crocodile tears are not justified – tons of profit in this deal...

Please pass my comments to all RMOW staff involved.

Best,

Paul Wood  
President

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Paul D. Wood  
5164 Nita Lake Drive  
Whistler, BC.  
September 9, 2019

Mayor and Council  
RMOW  
4325 Blackcomb Way  
Whistler, BC.

Dear Mayor and Council.

Re: Proposed Development 5298 Alta Lake Road, Proposal # RZ001157

It has come to my attention the Empire Club has requested a zoning change on this land and I would like to voice my strong opposition to this project.

1. This project is not suitable for the surrounding area
2. The project does not meet many of the new OCP guidelines
3. This project has environmental concerns
4. This project has many traffic concerns
5. This location is not suitable for employee housing

I am surprised this proposal has even gotten this far and I would hope the Mayor and Council will take all of the letters of opposition seriously. The required signage for the posting of the rezoning application sits at the intersection of two dead end streets that get little to no community traffic. To date, the news of this ill-conceived rezoning application has only been passed along by word of mouth. When the Whistler community becomes aware, there will definitely be more opposition.

This is a developer who has clearly purchased this land at top dollar and is now trying to make his numbers work with a 65% increase in density. All Whistler residents and taxpayers should not have to pay the price for a developer to make a profit. It is my understanding that he has been given some direction and, support from key council members that he was on the right track before closing on this land purchase. This type of inside information and any close relationships that any of the staff or council members have with Empire Club ownership will be looked at closely as this project progresses. In a March 7, 2019 Pique Article, it was reported that as the head of Bethel Lands Corp., Hutchison's role on the WHA board was seen as a potential conflict of interest. Marla Zucht, general manager of the WHA defended Hutchinson by saying, "there was 'really no opportunity' for Hutchison to benefit financially from his role, and that his perceived conflict was never an issue at the board table" and "(He's) not involved in any employee-housing opportunities in Whistler." However, from the FOI received, Hutchinson was discussing employee housing on 5298 Alta Lake Road with RMOW staff in December 2017. Yes, there does appear he had a conflict.

This project will be one of the most visible projects from Whistler Mountain in both the winter and, summer. I am sure that everyone including council revel in the beauty of Nita Lake and, trees seen from the ski hill and beyond. If council does not agree, I am certain most of the voting public will take a different view.

If council was serious with solving the need for transient employees housing problem, then they would allow more construction in the parking lots Vail owns or in other areas more suitable for this type of use. Businesses are having difficulty attracting and keeping employees. Vail is promoting a high end, exclusive resort and hopes to attract this type of visitor to Whistler. It will not take too long before these visitors (or any visitor for that matter) realize that Whistler cannot provide the high level of service they expect as we simply do not have the employees to provide the expected service level. We don't need 3-bedroom townhouses, we need affordable, dorm or suite style accommodation, close to the amenities, in particular, transit. In addition, residential neighbourhoods already suffer from illegal AirBnB's. If Council simply focused on shutting these down and fining owners, we would quickly see an abundance of suitable housing become available for employees of Whistler.

The OCP states that "Whistler is a community of distinct neighbourhoods, each with a unique character supporting diversity, variety and, choice in housing". It needs to be consistent with the surrounding area. The current proposal is not. If this site moves forward with development, then it should be zoned single family or large townhomes leaving large tracts of tree preservation. New housing cannot be allowed to destroy and disadvantage existing housing. Again, the OCP states "*Neighbourhoods have a harmonious relationship with the natural landscape, which remains predominant. And Green buffers between neighbourhoods contribute to neighbourhood identity and livability.*" This developer's track record with preserving green buffers is a failure, if the clear cutting of Baxter Creek is any indication. Is this what council wants for the shores of Nita Lake? All existing owners with homes around the lake will suffer with the noise, destruction of the sensitive lake environment and the visual impact.

The area around Nita Lake already has sensitive riparian areas identified. This parcel also has a riparian area through the property. Whistler has no official Lake Development Plan. " Why when we have no Lakeside policy would Council be willing to give support for such a proposal?

The Whistler Hotel Association is predicting a downturn in tourist visits. This is not the location for nightly rentals. It is too far from the amenities required. Why approve this type of controversial nightly rentals in an area so far from the action when downturn is expected?

If rezoning is required, let's get it right. There are many profitable options available to the developer that will not negatively impact the existing owners on Nita Lake and the health of the lake itself. I am sure Council is well aware of the impact this site will have on the community and I assure you that the opposition has just started.

Sincerely



Paul Wood



**View from the Cloudraker Skybridge**



Ross and Kris Clark

September 8, 2019

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

Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake

My wife and I reside at [REDACTED] on Nita Lake. We have reviewed the development described above. We have been talking with our neighbours and have very serious concerns about the development.

We feel our community must be extremely careful to preserve to the extent possible its precious lakes. They are a wonder and certainly not commonly found in other ski resorts. Although it is relatively small, Nita Lake is the only lake in the valley with a substantial hotel on its shores. That does not mean that it should get more commercial development, it means the opposite. It is already beyond its limits in supporting hotel and commercial development.

I recall when the redevelopment zoning for 5298 Alta lake Road was granted almost 20 years ago. At that time we did not oppose it because it seemed reasonable and a sincere effort to develop the property in a way that preserved the views and would be compatible with its neighbours. That was before the Nita Lake Lodge was imposed on us. If anything council should be looking at reducing the current density of this property, not increasing it by 67%.

The environmental condition of Nita Lake should be assessed before considering any further development. I know that development has taken its toll on its condition. Care must be taken not to further environmentally erode this lake.

From our perspective Nita Lake is a very attractive part of Whistler. Most of the views are beautiful. The municipality has previously chosen to cut foliage adjacent to the lake so that the views are more easily seen from the Valley Trail which runs along the lake. The last thing I think the community would like to see is a clear cut development on the west side of the lake. A mini "Rainbow", which as I understand was developed by planning and approved by council in accordance with its processes. I have no doubt an effort will be made to hide the development but by the time the clear cutting is done and dangerous or suspect trees are removed I expect the result will be irretrievably disappointing for both guest and citizens. In addition, I expect that as time goes on, the owners of these properties will want to enjoy their views of the lake and we can expect the intervening forest to suffer as a consequence. In short, I do not believe that this property will ultimately contain high density, expensive homes with no view of lake. That will be another promise quickly broken and we will be left with the scars.

As a resident of the lake, I know that Nita lake has always been a relatively quiet part of the valley and that is one of the reasons I appreciate my home. The plans that I viewed showed pods of 5 unit townhouses for both the private and employee housing. Each unit had 2 parking spaces and there was an area for additional guest parking. There was an outdoor swimming pool, a hotel building etc. The owners are allowed to occupy their units for up to 2 months each year with only nightly rentals for the balance. The private portion is a 'motel' development. It will take new 'employees' to operate this hotel. What is the net increase in employee housing. I expect it will be marginal, but the community loss will be great.

It does not take any imagination to conclude that this development will be a source of overflow accommodation for the Nita Lake Lodge and a perfect sight for informal parties after weddings and other events hosted by the Lodge. This property is adjacent to a residential area and on a lake where sound is transmitted extremely well. I thought that activity was to be in the town centre where it can be regulated?

The access road via Alta Lake Road and Nita Lake Drive is inadequate. There is currently a growing need to put in a traffic light at Alta Lake Road and Hwy 99 although the many times the traffic congestion on Hwy 99 would pre-empt the effectiveness of the light. This development will make matters worse. Development on Alta Lake Road should not be considered until the congestion on Hwy 99 is resolved.

Nor is this location suitable for employee housing. Other than being housing for employees it does not meet the criteria established by council for employee housing. It is located too far away from any amenities. Public transportation on Alta Lake Road has been discontinued, presumably because of insufficient use. This is a relatively remote and poorly serviced part of the municipality. Driving will be imperative.

Council recently rejected a proposal for multi-storey employee housing at a site that was also poorly located but it did not possess the natural beauty and visibility of this site.

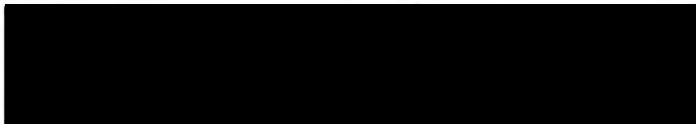


If there is to be development now, this site should be returned to single family residential homes (as it was with the RR1, now RSE1 zoning), and the new development should be in keeping with the character of the Nita Lake Estates development to the south. If the municipality rezoned the site to RR1 Or RSE1 zoning, it could then increased density to add residential homes to fit into the woods and at the same time bargain for employee housing (located elsewhere in a more suitable location) and other amenities. This should be done so the views from the lake are compatible with the existing Nita Lake Estates development so that it appears to be an extension of that development. This approach avoids further commercial development on the lake, will not materially affect traffic and provides a continuity to the views, all of which is important when development along the lake to the North is considered.

If the current proposal is approved, a developer of property along the lake to the north need only ask "what do I have to pay to get more", because the zoning and community interest are irrelevant.

In summary, we feel this is an unacceptable proposal. The real addition of employee housing is marginal. It is completely inconsistent and will create friction with its neighbours, it threatens the views from the Valley Trail and it will further increase our current traffic problems. If approved you will be turning a silk purse into a sow's ear. Surely we can do better.

Thank you for taking the time to read and consider our views,

A large black rectangular redaction box covering the signature area of the letter.

Ross and Kris Clark



## Denise Taveira

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**From:** Roman Licko  
**Sent:** Monday, October 28, 2019 10:20 AM  
**To:** Denise Taveira  
**Cc:** Karen Olineck  
**Subject:** FW: Feedback - Meeting Oct. 24th 7pm re : 5298 Alta Lake Road

Hi Denise,

Can you please upload this correspondence to Tempest RZ1157?

Thank you,

R

Roman Licko  
**RESORT MUNICIPALITY OF WHISTLER**  
**TEL:** 604-935-8173

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**From:** Jim Young [mailto:jim@woodtone.com]  
**Sent:** Saturday, October 26, 2019 12:42 PM  
**To:** corporate <corporate@whistler.ca>  
**Cc:** Roman Licko <rlicko@whistler.ca>  
**Subject:** Feedback - Meeting Oct. 24th 7pm re : 5298 Alta Lake Road

Mayor , Council, Planners

I know I am a late comer to this party, and therefore not as versed on the nuances of the development , the players involved, the alternatives for the developer and on and on. However I have taken some time to try to get into the weeds on this proposed development and wish to pass on my comments to you.  
I did attend the meeting held Thursday night Oct. 24<sup>th</sup> 7pm .

I begin with the premise that it is very likely a development of some format is going to be built on this property. That being the case, I suggest our role is simply to try to mold the proposal to be more to the liking of Whistler residents generally and its immediate neighbours in particular. I do believe the views of the immediate neighbours be given more weight than those living across town as they will be having to face particular hardship if the development goes ahead as proposed.

I would like to prioritize my dislikes about the project to be sure we are all on the same page and pushing for the changes we are most passionate about. Of course if you ask for the world you usually get nothing so I hope we can focus on a couple or a few main targets for improvement as opposed to complaining about everything and diluting our impact.

What are the main pain points here ?

### 1) Traffic on Nita Lake Road.

To summarize, ALL the cars , ALL the delivery trucks, ALL the construction vehicles, ALL the lumber trucks, ALL the concrete trucks – every single vehicle coming to this new development has to drive **through** our development. That is during construction and forever after that. The EH in our development seems to have at least two cars per home, some have more, they spill out to park on Nita Lake road because there are so many. The likelihood is that the proposed EH

have lots of cars as well , at least 30 plus, that have to wind their way through our development, on our narrow , commonly single lane road due to overflow parking and snow season, to get to their place. All day long, in and out . Cars and more cars. Then there is the TA 22 townhomes. And they are likely going to be run like a hotel with nightly rentals. So now you have not only cars associated with 22 homes, you have way more because they are going to have a very high usage due to nightly rentals. And commonly, when families rent accommodation at a ski resort for just a few days, they invite some of their friends to squeeze in and party with them. In that case there may be 3 or 4 cars at each unit during peak rental periods.

What is the solution ? Well, quite frankly from the neighbours point of view, it requires this development to get its own entrance . Do not allow planning to route all these extra cars through our development, putting our residents and their kids at extra risk in order to facilitate the obtaining of EH. We are in favour of more EH , but not if it is squarely on the backs of the neighbours such as is proposed here .

The second pain point for me is the nightly rentals.

## **2 ) Zoning allowing, and even promoting, nightly rentals.**

Talk about a massive escalation in traffic . The cars coming and going over a year from 22 private homes is nothing compared to the traffic from 22 Airbnb homes. If they build a reception building and have it staffed with a resident manager in the employee housing group, this is tantamount to a 22 room hotel. You will have tons more cars going past our doors.

To repeat, if the development had a separate entrance, I lose lots of concern here because I believe traffic on Nita Lake road is by far our biggest concern.

Jim Young



November 13, 2019

**RE: Support for Staff Housing Initiatives**

To Mayor and Council,


I am writing on behalf of my company, Whistler Personnel Solutions, as we wish to lend our support to the various proposals in process for private development of employee housing. Whistler Personnel Solutions recruits on behalf of many employers in Whistler that are struggling to attract and retain all kinds of staffing. The primary reason for this struggle, as identified in numerous studies conducted by the Chamber of Commerce and Whistler Housing Authority, as well as our own vast experience is a lack of qualified candidates and applications in general due to a lack of affordable housing.

As the Council and Municipality have often recognized, Whistler's economy and community depend on a stable, reliable and inspired workforce. When our guests visit the resort, they come because of a widely shared reputation of excellent service, a broad range of tourism offerings, and a passionate community that welcomes these visitors again and again. We often speak to local job seekers and employees who have no choice but to live in cramped quarters, with far too many roommates and/or pay obscene amounts of rent (most of their meagre pay cheques in many cases). They have become disenchanted at best and chronically ill at worst. This reduces the employee's ability to work positively and productively and increases staff turnover as they leave the resort in search of more reasonable conditions. This in turn negatively impacts our resort guest experiences, our resort's reputation and the ability of local businesses to operate the wide range of tourism offerings that we need to be a successful Resort Community.

Whistler Personnel has been on the front lines working hard to aid local businesses and workers for almost 30 years and we believe that it is fair to say that the current housing and subsequent labour crisis is worse than it's ever been since Whistler Personnel was established in 1995. More solutions need to be found, and more quickly.

When the Municipality invited private developers to bring in these rental proposals, it was an effort to increase long-term, stable rental supply without a land or development cost to the municipal taxpayer. As these proposals are being considered, we want to lend our support as they are a small but necessary step toward resolving some of these issues. Thank you for continuing to work hard on bringing them to life. Our community desperately needs them.

Sincerely,



Jack Bissillion, Owner and President  
Whistler Personnel Solutions

cc: Melissa Pace, CEO, Whistler Chamber via email: [melissa@whistlerchamber.com](mailto:melissa@whistlerchamber.com)



# WHISTLER

**REZONING APPLICATION RZ001157  
5298 ALTA LAKE ROAD  
PUBLIC OPEN HOUSE COMMENT FORM**

We are 100% for it!
looking to start a family & are in
a 1 bedroom in Cheakamus
We need options!!!
We have lived & worked in Whistler
for 10+ years!
Looks like a great option!
people don't want to be inconvenienced
but more options for locals is
always better!

PLEASE LEAVE CONTACT INFORMATION IF DESIRED:

NAME: Ashley Rider  
Sergio Lopes

ADDRESS:



**You can also submit comments by email to:**  
[planning@Whistler.ca](mailto:planning@Whistler.ca)



# WHISTLER

**REZONING APPLICATION RZ001157  
5298 ALTA LAKE ROAD  
PUBLIC OPEN HOUSE COMMENT FORM**

Support for any initiative that gets more  
purchase ~~simple~~ <sup>log</sup> restricted units into the stock.

PLEASE LEAVE CONTACT INFORMATION IF DESIRED:

NAME: Alistair Craig

ADDRESS:



*You can also submit comments by email to:*  
[planning@Whistler.ca](mailto:planning@Whistler.ca)



# WHISTLER

**REZONING APPLICATION RZ001157  
5298 ALTA LAKE ROAD  
PUBLIC OPEN HOUSE COMMENT FORM**

Please include fire truck  
access considerations to  
Tyrol Lodge  
- Road  
- Bridge

Please consider trail connecting  
through the "park" land to  
Tyrol Lodge and lands  
beyond.

PLEASE LEAVE CONTACT INFORMATION IF DESIRED:

NAME: CARSON HAMM ADDRESS:

*You can also submit comments by email to:  
[planning@Whistler.ca](mailto:planning@Whistler.ca)*



Good PROJECT. WELL  
BALANCED WITH MARKET AND  
EMPLOYED HOUSING - Good  
LUCK

PLEASE LEAVE CONTACT INFORMATION IF DESIRED:

NAME: Columbiana Day ADDRESS: Waverly

October 24, 2019

**From:** Blair Russel [REDACTED]  
**Sent:** Thursday, November 14, 2019 8:41 PM  
**To:** corporate <[corporate@whistler.ca](mailto:corporate@whistler.ca)>  
**Subject:** 5298 Alta Lake Road-RZ1157 – Development Proposal by Empire Club Development Corp.

Blair Russel and Jennifer Munro

[REDACTED]

OR

Mailing address

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mayor and Council  
Resort Municipality of Whistler, BC

Re: 5298 Alta Lake Road-RZ1157 – Development Proposal by Empire Club Development Corp.

My wife and I have owned our house at [REDACTED] for over 20 years, and we are writing this letter in support of many other letters that have been written concerning this misguided proposal, urging the Mayor and Council to reject and seriously reconsider this proposal.

In particular we urge you to read the letter included below by Sally Quinn, which explains our point of view very well.

Sincerely,  
Blair Russel and  
Jennifer Munro