



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 20, 2021
FROM: Resort Experience
SUBJECT: RZ001152 - PUBLIC HEARING SUMMARY AND THIRD READING FOR ZONING AMENDMENT BYLAW (WHISTLER MOUNTAIN SKI CLUB) NO. 2256, 2020

REPORT: 21-047
FILE: RZ001152

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving third reading to “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”.

REFERENCES

Appendix A – Location Map

Appendix B - Summary and Review of Public Hearing Comments for “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”.

“Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” (Not attached).

Administrative Report to Council No. 20-015, RZ001152 – 2028 Rob Boyd Way – Whistler Mountain Ski Club Rezoning, dated February 4, 2020 (Not attached).

PURPOSE OF REPORT

This Report provides a summary of the verbal and written submissions made during the Public Hearing process held for “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” on March 3, 2020, pursuant to section 465(5) of the Local Government Act. Staff are not recommending any changes to the proposed Bylaw based on the Public Hearing submissions. This Report also presents “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” for Council’s consideration of third reading.

DISCUSSION

Background

“Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” was introduced to Council on February 4, 2020. The purpose of the proposed Bylaw is to rezone the lands at 2028 Rob Boyd Way to allow for a new residential building (consistent with Council’s Private Sector Employee Housing Guidelines) along with the existing Ski Clubhouse facility. The rezoning process for this project was paused subsequent to the Public Hearing in March 2020 at the request of the applicants. The applicant team met with staff in late February of this year to discuss moving forward.

“Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” will rezone the lands from the existing CC2 (Commercial Core Two) Zone - applicable to Franz’s Trail, Legends, Evolution, and the subject property - to a new site specific LR11 (Leisure Recreation Eleven) Zone that accommodates the existing ski club facility and associated uses, and provides for development of a new employee housing building intended for ski club coaches and employees. LR (Leisure Recreation) zones have historically been used to regulate “club cabins” and similar uses within the Municipality.

The proposed Bylaw was given first and second reading and authorization to proceed to Public Hearing at the February 4, 2020 Regular Council meeting. Council also directed staff to advise the applicant that before consideration of adoption of “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”, the following matters must be resolved to the satisfaction of the General Manager of Resort Experience:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (RMOW) to secure development of the proposed new building and site improvements consistent with development permit plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW to regulate rental rates and to define qualified employees;
3. Registration of a green building covenant consistent with the RMOW’s *Green Building Policy G-23*;
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 the RMOW’s *Snow Shed Policy G-16* has been prepared by a certified engineer for the benefit of the project design team; and
6. Modification of existing covenants BP224518, BP224554, BP224556, BP224561 currently registered on title to reflect the revised development scheme; and further

Council’s resolution also directed staff to amend the bylaw to increase allowable density to an amount equivalent to a floor space ratio of 0.25 and to permit covered access in the side setback. The requested changes were made and a Public Hearing was subsequently held on March 3, 2020. Subsequent to the public hearing, the applicant requested that the proposed rezoning be put on hold. Recently the applicant requested to recommence the application process and in response staff have prepared this report summarizing the public hearing and presenting the zoning amendment bylaw for Council consideration of third reading. Further processing of the application will include further review by the Advisory Design Panel and addressing the conditions of adoption.

Public Hearing Summary

At the Public Hearing, there were six written submissions and one verbal submission made by the public respecting the proposed Bylaw. The submissions expressed support for additional employee housing, recognition of the history of housing on the (the old patroller’s cabin), and concerns regarding an existing unauthorized trail, construction management, potential loss of vegetation, slope stability, and increased density in the neighbourhood. A summary of these submissions and staff’s review relative to the proposed Bylaw is provided in Appendix B.

The identified concerns will be addressed through further design review. As a condition of rezoning, the RMOW will require that the approved design concept be registered on title by way of a design covenant. Geotechnical review, the planting plan, and drainage will be addressed through this design review. The Building Department also requires sign-off by a Geotechnical Engineer prior to the

issuance of a Building Permit. The referenced trail is an informal trail that leads from the adjacent parkland down the steep hillside and through the subject property. It is not identified on the Recreational Trails Master Plan. Staff discussed this trail with Ski Club representatives, who confirmed that the trail has been used by the public for years and that the Ski Club has historically permitted use of the trail and that there is no intention of closing the trail or limiting access. The location of the proposed employee housing building does not impact the trail.

Staff do not recommend any changes to “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” based on the Public Hearing comments.

POLICY CONSIDERATIONS

Subsequent to Council giving first and second readings to “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”, Council adopted “Official Community Plan Bylaw No.2199, 2018” in the summer of 2020, thereby altering the OCP criteria associated with 2028 Rob Boyd Way. Under the current OCP the lands are subject to Development Permit approval regarding:

1. Riparian Ecosystems
2. Wildfire Protection – Moderate Risk
3. Whistler Creek Development Permit Design Guidelines.

Other policy considerations for the proposed Bylaw are outlined in the February 4, 2020 Council Report.

BUDGET CONSIDERATIONS

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

COMMUNITY ENGAGEMENT AND CONSULTATION

The community engagement and consultation process for the proposed Bylaw is outlined in the February 4, 2020 Council Report. A sign describing the details of rezoning application RZ1152 is posted on the property. The RZ1152 is identified in the applications register posted on the municipal website.

In accordance with the Private Sector Employee Housing guidelines, a Public Open House was held on August 19, 2019. Attendance was limited to the applicant team, municipal staff, some members of the ski club and media. No members of the public attended and no issues or concerns were identified.

At the Public Hearing, there were six written submissions and one verbal submission made by the public respecting the proposed Bylaw. A summary of the written submission and oral representation from the Public Hearing process and staff’s review is provided in Appendix B. With completion of the Public Hearing, no additional submissions to Council may be made by the public.

SUMMARY

This Report presents a summary of the Public Hearing submissions for “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” pursuant to section 465(5) of the *Local Government Act*. The report recommends that Council consider giving third reading to “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”.

Respectfully submitted,

Roman Licko

PLANNER

for

Mike Kirkegaard

DIRECTOR OF PLANNING

for

Jessie Gresley-Jones

GENERAL MANAGER OF RESORT EXPERIENCE



Subject Lands - 2028 Rob Boyd Way

Summary and review of PUBLIC HEARING submissions for “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020”

A Public Hearing regarding RZ1152 – Whistler Mountain Ski Club – “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” was held on March 3, 2020. The Public Hearing provided an opportunity for members of the public to make verbal representations and submit written comments to Council respecting matters contained in the proposed bylaw.

At the Public Hearing, there were six written submissions and one verbal submission made by the public respecting the proposed Bylaw. The written submissions are attached to this Appendix B as Schedule 1. The verbal submission was regarding public use of an existing, unauthorized trail that crosses the property.

The following provides staff’s summary and review of the written submissions and verbal representation, along with staffs associated recommendations. The summary of the content of the representations and submissions is not intended to transcribe or replicate all of the comments that were made during the Public Hearing process. The written and verbal comments will be collectively referred to as the “submissions” in this summary report.

Public Submissions:

Six written submissions and one verbal submission were made by members of the public in the Whistler Creek and Nordic neighbourhoods.

Comments expressed include:

- Support for employee housing,
- Recognition of the history of housing on this site by way of the old “Patrollers Cabin”,
- Concern regarding the potential loss of an existing trail across the Ski Club lands from Whiskey Jack Condominiums down to Whistler Creek,
- Concern regarding slope stability,
- Concern regarding changes in runoff due to loss of trees,
- Concern regarding construction noise and dust
- Concern regarding loss of environment / natural landscaping
- Parking during and post construction
- Added congestion on Lake Placid Road
- Considered the proposal as a poor use of the small space available.

Staff Review:

Staff analysis determined the following in response to the concerns expressed at the Public Hearing:

1. The trail referenced in the submissions is an informal unauthorized trail that leads down the steep hillside from the adjacent parkland and through the 2028 Rob Boyd Way property. This informal trail does not have a registered easement across the Ski Club property, and as such trail users do not have legal access to cross the property. The trail is quite steep and is not maintained. It is not identified on the Recreational Trails Master Plan. Staff discussed this trail with Ski Club representatives, who confirmed that the trail has been used by the public for years

and that the Ski Club has historically permitted use of the trail and that there is no intention of closing the trail or limiting access. The proposed employee housing development does not impact the trail as it is located on the opposite side of the existing Ski Club facility from where the new building is to be located.

2. The RMOW will require that the approved design concept be registered on title by way of a design covenant. Geotechnical review, the planting plan, and drainage will be addressed through this design review. The Building Department requires that a Geotechnical Engineer submit a Wet-Sealed Schedule B sign-off, prior to the issuance of a Building Permit. A Schedule B is legal letter template from the BC Building Code that assures that the signing engineer is responsible for the professional design and undertakes to be responsible for field reviews.
3. The RMOW will request a Construction Management Plan through the Building Permit process to help mitigate noise and dust.
4. There will be some loss of trees in the affected area, but this can be offset through a landscape and planting plan that will be required through the Development Permit design review.
5. There is sufficient room on site for parking during the construction phase, and the rezoning application submittals confirm there is more than enough parking available on the lands for the proposed residential building and the existing Ski Club Cabin.
6. This small building containing two units will not significantly impact traffic in Whistler Creek.
7. The nominal increase in density will result in a maximum floor space ratio of 0.25 which is considered very low.

Staff Recommendation:

Staff do not recommend any changes to the bylaw based on the Public Hearing comments. Staff recommend that “Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020” be given third reading without further revision.

From: LOOwners [REDACTED]
Sent: Friday, February 28, 2020 12:36 PM
To: corporate <corporate@whistler.ca>
Cc: Saad Hasan [REDACTED]; Bex Webdale [REDACTED]
Subject: Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020

Good afternoon,
On behalf of the Evolution Strata Corporation (BCS 2881) in regards to proposed Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020, please find attached written comments for consideration of Mayor and Council for discussion at the March 3, 2020 public hearing. Please confirm receipt and submission as part of the public hearing package.

Kind regards,

Dustin

Dustin Gordon, Owner Services Manager
Lodging Ovations | Accommodating the Luxury Traveler
2036 London Lane
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"Accommodating the Luxury Traveler"



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LODGING OVATIONS

ACCOMMODATING THE LUXURY TRAVELER

Resort Municipality of Whistler
Legislative Services Department
4325 Blackcomb Way
Whistler, BC, V8E 0X5

Dated: February 24, 2020

Dear Mayor and Council:

RE: Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020.

On behalf of the Strata Corporation and owners of BSC 2881 (Evolution), and also the Strata corporation and owners of LMS 4369 (Legends), please find below some concerns regarding the proposed Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020.

1. Concern over slope stability over any removal of bedrock, particularly for Evolution property whose property borders the applicant's property.
2. Concern of runoff/groundwater issues from removal of trees, particularly for Evolution.
3. Noise mitigation concerns during construction phase. Both properties are condo hotels that are occupied by both homeowner's and hotel guests throughout the year.
4. Dust mitigation concerns during construction phase. If not properly managed, dust will have an adverse effect in upkeep of said properties leading to an increase in labor costs to maintain hotel standard.
5. Loss of environment. Both properties are concerned over the loss of natural landscaping.
6. Impact on viewscape for both properties.
7. Rob Boyd Way and the Whistler Mountain Ski Club already experiences significant parking issues. How are parking monitored and enforced both during construction and in the future.
8. Congestion on Lake Placid Road which at the subject property interfaces turnoff into WMSC, the Franz's trail underground parking and pedestrian crossing.

-----Original Message-----

From: Sylvia Fitzgerald [REDACTED]
Sent: Tuesday, March 03, 2020 12:25 PM
To: corporate <corporate@whistler.ca>
Subject: 2028 rob Boyd way

To the mayor and council

I am apposed to the zoning amendment No 2256 and 2020.

It is very crowded in this area as i live in The Evolutions 2020 London Lane. This proposal is a poor use of the small space available. I'm not sure why we need to over crowd this lovely area and remove all the tree growth to increase the cement and bricks and mortar.

Regards Sylvia Fitzgerald
307 - 2020 London lane. Whistler BC
[REDACTED]

From: andrew ross [REDACTED]
Sent: Tuesday, March 03, 2020 11:21 AM
To: corporate <corporate@whistler.ca>
Subject: zoning ammendment wmsc 2256, 2020

Dear Mayor and Council:

I am writing with concern for a trail that has been used for many years by Whiski Jack condo residents and other residents of Nordic (including a second major condo development) to walk down to Creekside. This path runs very close to this proposed development. This path is critical for many residents who wish to avoid the main roads and this path sees hundreds of people using it daily. This path is helpful to encourage people to walk and leave cars and home reducing traffic on Whistler roads.

My concern that this development not affect this path in any way, which includes snow removal and snow piling.

--

Andrew J. Ross

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

mailing address
20-2400 Cavendish way
Whistler bc
v8e 0l8

-----Original Message-----

From: Erna Staples-Horninger [REDACTED]

Sent: Tuesday, March 03, 2020 12:25 PM

To: corporate <corporate@whistler.ca>

Cc: Darryl Staples [REDACTED]

Subject: Zoning amendment WMSC 2256, 2020

Dear Mayor and Council,

With reference to the above zoning amendment I am concerned that a trail that has been used regularly and for decades by Whiski Jack condo and other Nordic residents to walk down to Creekside will be negatively impacted or made impassable due to the proposed development. I am the owner of #58 Whiski Jack and have used this trail for twenty years with my husband and friends.

It is especially critical because of the increase in traffic in recent years, which has made it almost impossible to turn south from Whistler Road to Highway 99 on weekends and holidays.

If people cannot use this trail conveniently, it will further increase traffic in the area and not only cause inconvenience to neighbours and tourists, but will ultimately lead to accidents.

Thank you for considering my concern.

Best regards,

Erna Staples-Horninger
58-2400 Cavendish Way
Whistler, V8E 0I8
[REDACTED]

Karen Olineck

To: Nikki Cooper; Roman Licko
Subject: RE: Zoning Amendment Bylaw (Whistler Mtn Ski Club) No. 2256, 2020 re. 2028 Rob Boyd Way

From: Frank Salter [REDACTED]
Sent: Tuesday, February 11, 2020 4:29 PM
To: corporate <corporate@whistler.ca>
Subject: Zoning Amendment Bylaw (Whistler Mtn Ski Club) No. 2256, 2020 re. 2028 Rob Boyd Way

C/O Legislative Services Department
4325 Blackcomb Way
Whistler, BC V0N 1B4
Email: corporate@whistler.ca

Re: Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020
Re: 2028 Rob Boyd Way

Dear Mayor and Council:

As Whistler's often described 'leading ski curator', I take a keen interest in local history. I have been following the WMSC's zoning application to redevelop its iconic Patroller's Cabin, and I wish to express my family's strong support.

The Patroller's Cabin represents some of Whistler's very first affordable employee housing, and its use predates the formation of the RMOW itself. As such, it is fully appropriate for the Resort Municipality to approve this initiative without condition, recognizing the pre-existing and prior status that the Patroller's Cabin holds relative to the subsequent massive (and lucrative) redevelopment of the Creekside area.

I have two young adult sons, one a Patroller and aspiring EMT, and the other a former freestyle competitor and active skier currently finishing up high school locally. Both sons wish to call Whistler home, for now, and in the future. Beds independently created and financed by employers like WMSC for their employees will alleviate pressure on WHA and market beds, those same beds that our next generation will seek.

Whistler, and its governing bodies, have a long history of facilitating altruistic volunteerism and self help initiatives such as this. I recommend support.

Please feel free to contact me for any further opinion or viewpoint clarification.

Please note that I have no vested interest in this development, I simply feel that this is a good and proper initiative for our community.

Sincerely,

Frank Salter
Alpine Way, Whistler
[REDACTED]

From: Barbara Boulanger - Whistler Excavations Ltd. [REDACTED]
Sent: Monday, February 10, 2020 2:28 PM
To: corporate <corporate@whistler.ca>
Subject: Zoning Amendment Bylaw (Whistler Mountain Ski Club) No. 2256, 2020 (2028 Rob Boyd Way)

Dear Mayor and Council,

We wholeheartedly support the Coach's Cabin Rezoning as contemplated. We became familiar with the project as part of the Applicant's research and due diligence on excavation matters. We have no relationship with the Applicant.

Our interest and support stems from the fact we are long time citizens of Whistler, parents of 2 young adults who aspire to live here, and the employers of over 40 local employees in the trades. We daily live the acute pressure employees face to secure housing as we actively compete for their talent. To 'break ground' on more Whistler employee housing, the trades need more employees. Our current and prospective employees need places to live.

Whistler needs more beds so that we can build beds and sustain current and future businesses. Every honest bed helps and opens more space for others. As an added benefit, too, many of the ski coaches off season have naturally gravitated to the building trades.

Please support the project, limiting non-essential administrative burdens on the Applicant.

Sincerely,

Paul and Barbara Boulanger
Whistler Excavations Ltd.
Suite 202 – 1400 Alpha Lake Road
Whistler, BC

[REDACTED]
[REDACTED]