

March 20th, 2018

Dear Mayor and Council

Re: 2077 Garibaldi Way re-zoning application

I am writing this letter to express how apposed I am to the above re-zoning. It has always been a dream of mine, to own a home and live in Whistler. I spent a number of years, working throughout other communities in BC while working my way up in the Provincial Government, to be successful getting a transfer to Whistler. In 2012, I was successful in obtaining a position in the Sea to Sky. At that time, I was given the option to base my office, in either Squamish or Whistler. To be eligible to take a work truck home each day, to respond to after-hours call outs, we were only able to live in the community in which my office resided.

Given my dream, my wife and I made the decision to relocate to Whistler and rent a WHA property for the first year and a half, living in Whistler. We were fortunate enough to rent a townhouse on Nordic Drive and get on the WHA purchase list. We quickly realized, after viewing several WHA properties, which we would have to climb our way up on the list for some time, before being successful to purchase.

A year and a half after moving to Whistler, my wife and I found an open market home in the same neighbourhood, that could possibly be in our reach. We spent a considerable amount of time waiting for the right home to come up for sale with all the right features and within our budget. One of the important features we wanted and found was that the home was on a quite street where our future kids could play and we could walk our dog without busy traffic zipping by etc. etc.

Prior to purchasing our current home, the adjacent lot at 2077 Garibaldi Way was already well on its way to being developed, with hundreds of dump truck loads of blasted rock being hauled in to fill in the large crevasse in the lot. In passing, I spoke to the director of the numbered company who owns the lot, Rob Velenosi. Velenosi and I had a conversation about what his plans were with the lot. Velenosi told me that they had blasted rock that needed to be disposed of, from another project he was working on in Whistler. He was using the rock, to level the lot at 2077 Garibaldi way. We also spoke about when/what he would be building on the lot. He advised that he wouldn't be building on the property for anther few years and that his plan was to build townhouses.

Given all the development activity, we did our due diligence, to avoid any surprises. We were about to spend, more than we had ever dreamed that we would have to spend, to realize my dream. Working 7 days a week since high school, living in less than desirable communities and borrowing extra funds for a down payment, we really didn't want to make a poor decision in our purchase. We spoke to RMOW staff about what could be built on the lot and were advised that it was zoned for a single family home. We inquired about the owner getting rezoning to build townhomes on the property. We were told, by RMOW staff that it was very unlikely that the property could be rezoned for such a purpose. Feeling good about our due diligence, we purchased the home.

Given the following, I believe that Velenosi was speculating when he chose to invest in the property at 2077 Garibaldi Way;

- Completely cleared the lot and filled in the large crevasse with fill, thus maximizing the buildable footprint on the lot.
- Verbalized that his plans were to build townhouses prior to the lot being zoned for such purpose.

Speculation for buyers and developers is often seen as a negative tactic within communities because it inflates prices to a point of what is considered affordable for local people.

Almost five years later, we learn that the RMOW is considering a rezoning proposal to allow 74 units of employee restricted, dormitory style units, to be built on the property. We recognize and support that Whistler needs more employee housing. Especially, given our previous experience and conversations with current waitlist purchasers that it has gotten much worse over the last few years. However, with such a vast increase in bed units to accommodate this rezoning, we believe it's unreasonable and will severely reduce our quality of life.

Since the rezoning application, in speaking to neighbours, I learned that the lot at 2077 Garibaldi Way, used to have a stream that ran through the property. In reviewing maps and the topography in the area, its close proximity to 4 lakes in Whistler, the large crevasse the lot used to have, it makes sense that a stream would have run through the property. With my experience working with the Water Act in BC, filling in a stream without authority, it is an offence under Provincial Law.

The Riparian Areas Regulation (RAR) is under the jurisdiction of municipalities in BC. The RAR requires that development doesn't occur within the riparian areas of lakes and streams located within municipal boundaries. With the hundreds of dump truck loads of fill that has been put into the 2077 Garibaldi way, thus filling in the stream, I believe that offences have been committed under the Riparian Areas regulation.

Questions:

- Has the RMOW investigated possible offences under RAR and if so, what was the result of the investigation?
Was an Environmental Assessment (EA) conducted by a Qualified Environmental Professional (QEP), prior to the RMOW issuing any permits/any works being conducted to develop the lot?
- If an EA was conducted prior to any works completed, were the recommendations of the QEP followed?
- Did works on this lot "slip through the cracks" due to RAR being unenforceable without the OCP being signed off?
- Does the RMOW want to be known to reward developers, with poor compliance history (stop work order being issued) and potential serious environmental infractions, with large bed unit increases?
- What process does the RMOW use, to determine what density is acceptable on any given site?
- Does the RMOW want to be known to reward speculative developers with large bed unit increases?

- Why was Development permit area #19 (bylaw 1524) not adhered to in the development of the lot at 2077 Garibaldi Way?
- Was the lot originally or at any time designated as parklands or a lot with Environmental sensitivities?

In my studies to become a Law Enforcement Officer, I learned that laws are mainly created for two reasons, public safety and to keep order within society. To keep order within society laws are designed to make things as fair and equitable as possible for citizens. Environmental laws and bylaws are no different. We have environmental laws prevent the filling in of wetlands/streams, to keep our drinking water safe thus ensuring "public safety". We have bylaws to both ensure public safety and keep "order" within communities. Simply, zoning bylaws regulate who can build, what, where. Proper zoning is essential for community success and to ensure "order" within a community.

It's unfortunate and detrimental to our environment, that the mentality of "do first and beg for forgiveness later" is still tolerated and even rewarded, in today's society. Less than ethical businesses have become wise to politics, government laws and processes. Numbered companies are often, front and center in this type of unethical and illegal business activity. Filling in a stream with hundreds of dump truck loads of blasted rock, makes enforcement very difficult. These less than ethical businesses, realize the potential financial benefits of the "beg for forgiveness" tactic. In Canada, the consequences of getting caught are far less than the potential financial gain. With the reality of lengthy/costly investigations, burden of proof on the Crown and overburdened Courts, violators often go free. Even with a conviction, the Court would additionally have to order remediation of the site. Even if the Crown were successful in obtaining the remediation order, a numbered company would simply declare bankruptcy and rid itself of any remediation and financial burden. After bankruptcy, that same individual can create a new business online within minutes and continue business under another name or numbered company.

I recognize that in realising this issue, it's easiest to try and make the best of a terrible situation and create homes for well-deserved, hard working workers within a community.

I believe the OCP is an important part of community planning. We as Whistlerites also have to ask ourselves when adopting new OCP, what is Whistlers growth capacity? How much development and growth is too much before visitors/residents no longer find it a desirable place to visit and live? I don't believe we are there yet, but responsible development with the environment in mind, is essential to our survival. I don't have any community planning experience but it only makes sense to me that high-density projects belong close to the village core and in neighbourhoods exclusively for high-density housing. It makes sense to me that single-family homes, duplexes and townhomes are built throughout the neighbourhoods of any community. It makes sense to me to encourage infill housing, for employee housing, by allowing homes to add carriage homes and basement suites.

Question: Does it make sense that the large lot was zoned, single family home, designation due to the limited building area and difficult building conditions of the lots original state?

To allow the rezoning of 2077 Garibaldi Way is not keeping “order in society”. It is most definitely, unfair and inequitable to the citizens of Nordic and to citizens of Whistler to implement such a drastic change in density. Approving this rezoning will create precedence for other rezoning projects in other Whistler neighbourhoods, reducing the desirability and quality of live of all Whistlerites. It is most definitely unfair for the RMOW to support this project in bypassing the HWA purchase waitlist that wait-listers spend fees each year to remain on. It is unethical and potentially illegal for the RMOW to aid this numbered company financially by gifting this massive increase in bed units. It is unethical and most likely illegal for the RMOW to approve this zoning, based on employers subletting to their employees.

I support private businesses in creating new employee housing on condition that they adhere to the WHA model as closely as possible. I sympathise with businesses’ in Whistler, in its difficulty in hiring staff but I don’t believe that they are in favour of any one particular development. The standard template letter that each of them have signed, shows the lack of effort put in by the business’ that support this rezoning.

Approving this rezoning will negatively affect my family’s quality of life. Walking my 8-month-old son and dog throughout our neighbourhood, will become more dangerous and less enjoyable with the drastic increase in traffic. The additional noise from people, litter from pedestrians and traffic coming down a quiet cul-de-sac street, from 74 dormitory style units, will make our home a less desirable place to live. In consideration of this rezoning being approved, we are highly considering selling and moving to an adjacent community. Both my wife and I work in occupations that are considered essential services in BC. I don’t believe that it’s the intension of the RMOW, to push young professional families out of Whistler, but it very well might be a reality, if this rezoning is approved.

Thank you,

Tim Schumacher
6-2070 Garibaldi Way
Whistler, BC
Tim.Schumacher16@hotmail.com
604-966-7970

Dear Mayor and Council,

I understand and support Whistler's need for affordable employee housing. However, I oppose the rezoning of 2077 Garibaldi Way and the proposed development because it:

1. does not meet the requirements of Whistler's Official Community Plan;
2. has a density and design that is wildly at odds with the surrounding neighborhood;
3. does not have appropriate access: 120+ additional vehicles will enter and exit through a quiet residential cul-de-sac;
4. will make Highway 99 access more difficult and dangerous from the affected neighborhoods;
5. is affordable for less than 10% of Whistler's employee population;
6. will not be governed by Whistler Housing Authority's regulations and oversight.

I feel that this site should be developed in a manner consistent with existing housing in the area and zoning should not be changed to allow multi-story apartment buildings.

Yours faithfully,

Name Christine d'Eca

Address 37-8119 McKeever's Pl. Whistler

Phone/Email 604-932-4707 cdeca@telus.net

Date March 6 /18



April 12, 2018

Dear Mayor and Council,

I understand and support Whistler's need for affordable employee housing. However, I oppose the rezoning of 2077 Garibaldi Way and the proposed development because it:

1. does not meet the requirements of Whistler's Official Community Plan;
2. has a density and design that is wildly at odds with the surrounding neighbourhood;
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I feel that this site should be developed in a manner consistent with existing housing in the area and zoning should not be changed to allow multi-story apartment buildings.

In addition, I believe the community should be made aware of the employee housing opportunities that ALREADY exist in Cheakamus Crossing. I totally support employee housing being developed there.

Sincerely,

Laura Wetaski

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Whistler, B.C.