

WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, SEPTEMBER 18, 2012 STARTING AT 6:00 PM**

**In the Franz Wilhelmsen Theatre at Maurice Young Millennium Place
4335 Blackcomb Way, Whistler, BC V0N 1B4**

The Public Hearing is convened pursuant to Section 890 of the Local Government Act R.S.B.C. 1996, c. 323 to allow the public to make representations to Council respecting matters contained "Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011 " (the "proposed Bylaw").

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. No one will be discouraged or prevented from making their views known. However, it is important that remarks be restricted to matters contained in the proposed Bylaw.

When speaking, please commence your remarks by clearly stating your name and address.

Members of Council may, ask questions following presentations however, the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw.

As stated in the Notice of Public Hearing,

Zoning Amendment
Bylaw (1350 Cloudburst
Drive) No. 1978, 2011

PURPOSE OF "ZONING AMENDMENT BYLAW (1350 Cloudburst Drive) NO. 1978, 2011":

In general terms, the purpose of the proposed Bylaw is to amend the RS12 (Residential Single Family Twelve) zoned lands at 1350 Cloudburst Drive to permit duplex dwellings, townhouses and employee housing uses. The list of permitted uses has been clarified by stating that auxiliary residential dwelling units are only permitted in detached dwellings. In addition, a number of associated amendments are required which affect the form of development standards to ensure a consistent look and feel in the Cheakamus Crossing neighbourhood.

Explanation

Explanation by municipal staff concerning the proposed Bylaw.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

Submissions

Submissions by any persons concerning the proposed Bylaw.

ADJOURNMENT



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, BC Canada V0N 1B4
www.whistler.ca

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NOTICE OF PUBLIC HEARING

ZONING AMENDMENT BYLAW (1350 Cloudburst Drive) NO. 1978, 2011

Notice is hereby given in accordance with the *Local Government Act* RSBC, 1996, c.323 that the Council of the Resort Municipality of Whistler will hold a Public Hearing to consider representations regarding amendments to the Resort Municipality of Whistler's "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011" (the "proposed Bylaw") in the Franz Wilhelmsen Theatre at Maurice Young Millennium Place, 4335 Blackcomb Way, Whistler, British Columbia commencing at 6:00 p.m., September 18, 2012.

AT THE HEARING the public will be allowed to make representations to Council or present written submissions respecting matters contained in the proposed Bylaw and will be afforded a reasonable opportunity to be heard.

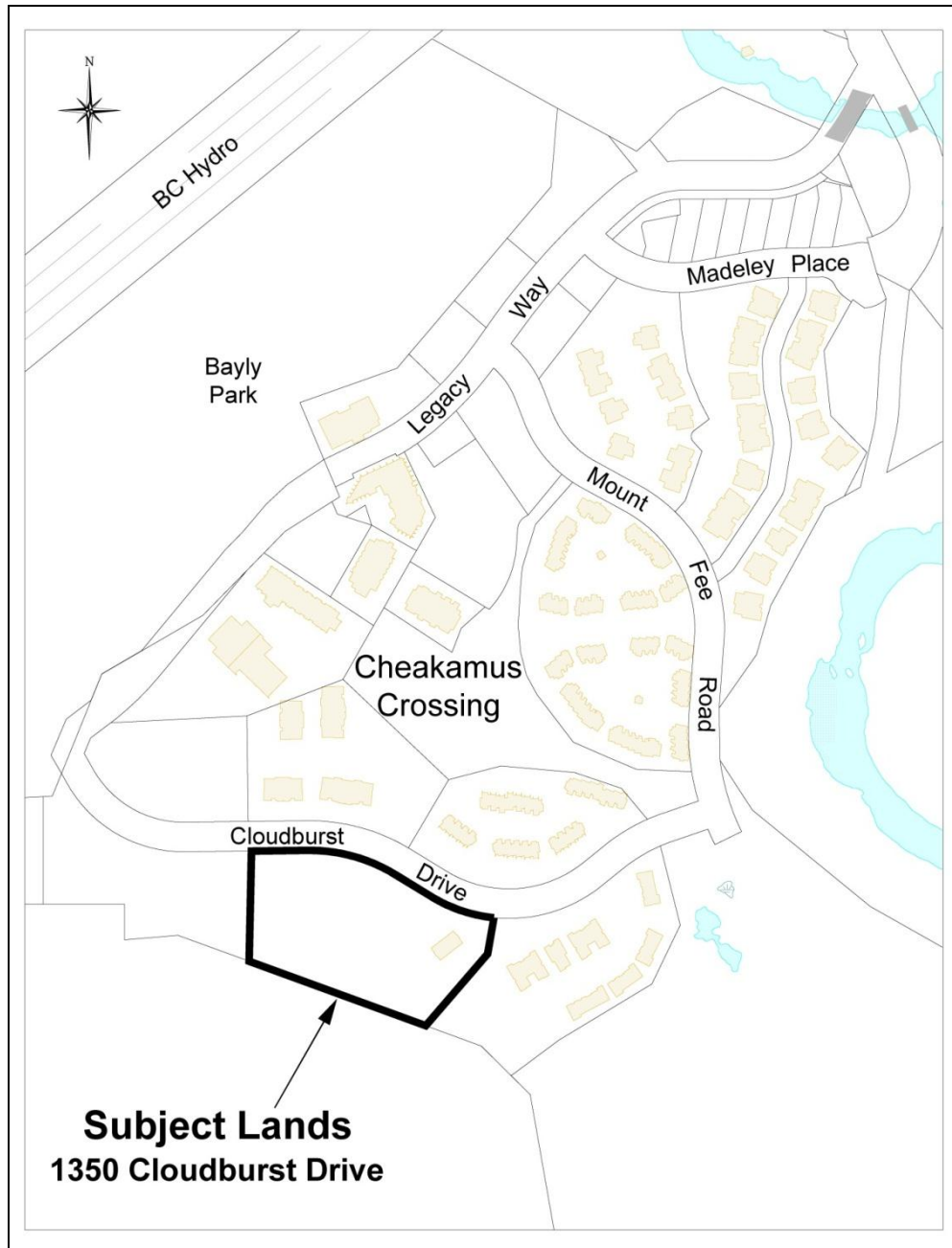
SUBJECT LANDS: The lands, which are the subject of the proposed Bylaw, are located at 1350 Cloudburst Drive ("the Lands"). More specifically these lands are described as Lot 2, District Lot 8073, Group 1, NWD, Plan EPP277 as shown outlined in bold on the map attached.

PURPOSE OF "ZONING AMENDMENT BYLAW (1350 Cloudburst Drive) NO. 1978, 2011": In general terms, the purpose of the proposed Bylaw is to amend the RS12 (Residential Single Family Twelve) zoned lands at 1350 Cloudburst Drive to permit duplex dwellings, townhouses and employee housing uses. The list of permitted uses has been clarified by stating that auxiliary residential dwelling units are only permitted in detached dwellings. In addition, a number of associated amendments are required which affect the form of development standards to ensure a consistent look and feel in the Cheakamus Crossing neighbourhood.

AND FURTHER TAKE NOTICE that a copy of the aforementioned "Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011" and related documents which have been or will be considered by the Council of the Resort Municipality of Whistler may be inspected at the Reception Desk of Municipal Hall of the Resort Municipality of Whistler located at 4325 Blackcomb Way, Whistler, British Columbia, between the hours of 8:00 a.m. and 4:30 p.m., from Monday to Friday only, from September 6, 2012 to September 18, 2012 (inclusive) (statutory holidays excluded).

Lonny Miller
Corporate Officer

Subject Lands – 1350 Cloudburst Drive – Bylaw 1978, 2011



RESORT MUNICIPALITY OF WHISTLER
ZONING AMENDMENT BYLAW (1350 Cloudburst Drive)
NO. 1978, 2011

A Bylaw to amend Zoning and Parking Bylaw No. 303, 1983

WHEREAS the Council may in a zoning bylaw pursuant to the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, regulate the use of land, buildings and structures within the zones and require the provision of parking spaces and loading spaces for uses, buildings and structures;

NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (1350 Cloudburst Drive) No.1978, 2011".
2. Section 11.49 being the RS 12 (Residential Single Family Twelve) zone is deleted in its entirety and replaced with Schedule "A" attached.
3. If any section or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST READING this 21st day of February, 2012.

GIVEN SECOND READING this 21st day of February, 2012.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this ____ day of _____, ____.

GIVEN THIRD READING this ____ day of _____, ____.

APPROVED by the Minister of Transportation this ____ day of _____, ____.

ADOPTED by the Council this ____ day of _____, ____.

Nancy Wilhelm-Morden,
Mayor

Lonny Miller,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of
Zoning Amendment Bylaw (1350 Cloudburst
Drive) No.1978, 2011.

Lonny Miller,
Corporate Officer

RS12 Zone (Residential Single Family Twelve)

Intent

The intent of this zone is to provide low or medium density residential development for market housing and employee housing.

Permitted Uses

49.1 The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and uses
- (b) Auxiliary residential dwelling units in detached dwelling units
- (c) Detached dwellings
- (d) Duplexes
- (e) Employee housing
- (f) Townhouses
- (g) Parks and playgrounds

Gross Floor Area

49.2.1 The maximum gross floor area for all buildings in the RS12 Zone is 2275 square metres.

49.2.2 The maximum gross floor area for a detached dwelling is 325 square metres.

49.2.3 The maximum gross floor area for a duplex building is 233 square metres per dwelling unit.

49.2.4 The maximum gross floor area for a townhouse building is 200 square metres per dwelling unit.

49.2.5 An auxiliary residential dwelling unit shall contain a gross floor area no greater than 90 square metres and no less than 32.5 square metres.

Parking Area

49.3.1 The maximum permitted floor area for auxiliary parking use contained in a principal or auxiliary building or structure is as follows:

Building Type	Maximum Enclosed Parking Area
Detached dwellings	55 m ²
Duplexes	50 m ² per dwelling unit
Townhouse	50 m ² per dwelling unit

Density

49.4.1 The maximum permitted floor space ratio is 0.5.

Height

49.5.1 The maximum permitted height of a principal use building is as follows:

Building Type	Maximum Building Height
Detached dwelling	8.0 m
Duplex	8.5 m
Townhouse	10.7 m

Parcel and Site Area

49.6.1 The minimum permitted parcel area and site area are as follows:

Use	Area
Detached dwelling	625 m ²
Duplex	300 m ²
Townhouse	1400 m ²

Setbacks and Siting

49.7.1 The minimum setback of buildings for the uses set out in the following table in respect of the front, rear and side parcel lines shall be as set out in the table, except that if a duplex is constructed with a party wall at a side parcel line, no setback from that parcel line is required.

Use	From Cloudburst Drive	Internal Strata Road	Side Parcel Line	From Parcels with Civic Address at 1310 and 1380 Cloudburst Drive
Detached dwelling	10.0 m	5.5 m	3.0 m	7.5 m
Duplex	10.0 m	5.5 m	3.0 m	7.5 m
Townhouse	10.0 m	5.5 m	3.0 m	7.5 m

Off-Street Parking and Loading

49.8.1 Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Section 6 of this bylaw.

Other Regulations

49.9.1 An auxiliary residential dwelling unit shall be located only within a detached dwelling.

49.9.2 The minimum parcel frontage for a detached dwelling with an auxiliary residential dwelling unit is 18.0 m.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 21, 2012
FROM: Community Life
SUBJECT: ADDITIONS OF “DUPLEX UNITS”, “TOWNHOUSES” AND “EMPLOYEE HOUSING” AS PERMITTED USES IN THE RS12 (RESIDENTIAL SINGLE FAMILY TWELVE) ZONE

REPORT: 12-016
FILE: RZ 1049

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Community Life be endorsed.

RECOMMENDATION

That Council consider giving first and second reading to Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011;

That Council authorize the Corporate Officer to schedule a public hearing regarding “Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011” and to advertise for same in a local newspaper;

That Council authorize the Mayor and Corporate Officer to execute all legal documents necessary to affect the rezoning as contemplated by the zoning amendment bylaw; and further,

That prior to adoption, the following conditions to be met to the satisfaction to the General Manager of Community Life:

- A Section 219 Covenant be registered on title requiring all dwelling units to achieve a minimum EnerGuide rating of 83.
- A Section 219 Covenant be registered on title requiring any development on the parcel to be connected to the District Energy System.

REFERENCES

Owners: Resort Municipality of Whistler
Address: 1350 Cloudburst Drive
Legal Description: Lot 2, District Lot 8073, Plan EPP277
Zoning: RS 12 (Residential Single Family Twelve)

APPENDICES

Appendix A Key Map

Appendix B

Existing RS 12 (Residential Single Family Twelve) zone

PURPOSE OF REPORT

To outline proposed amendments to the RS 12 (Residential Single Family Twelve) related to adding “duplex dwellings” and “townhouses” as permitted uses.

DISCUSSION

The Whistler 2020 Development Corporation has requested that the Resort Municipality of Whistler amend the RS 12 (Residential Single Family Twelve) zone by adding “duplex dwellings” and “townhouses” as permitted uses. The Corporation believes that the addition of these two uses to the list of permitted uses will give them greater flexibility to market a product that is currently not available in Whistler in terms of size and location.

The existing RS 12 (Residential Single Family Twelve) zone is based on a specific lot layout for seven detached dwellings (Appendix B). The Whistler 2020 Development Corporation has reviewed the zone and believes that more flexibility is required in the current and future markets. Therefore, the proposed RS 12 (Residential Single Family Twelve) zone will no longer contain a specific lot layout. The addition a significant number of concomitant amendments are required. These amendments generally take the form of development standards. The development standards are necessary in order to ensure a consistent look and feel in the Cheakamus Crossing neighbourhood. These are summarized below.

- 1) **Intent:** The intent statement would be changed from, “The intent of this zone is to provide low density residential housing development”, to “The intent of this zone is to provide low or medium density residential development for either employee or market housing.” This reflects the addition of “duplex dwellings” and “townhouses” to the list of permitted uses.
- 2) **Permitted Uses:** The list of permitted uses has been revised to add “duplex dwellings”, “townhouses” and “employee housing”. In addition, the list has been clarified by stating that “auxiliary residential dwelling units” are only permitted in “detached dwellings”.
- 3) **Gross Floor Area:** A new section is added with the following gross floor area standards:
 - “The maximum gross floor area for all buildings in the RS12 Zone is 2275 square metres.” The proposed amendment does not change this number, that is, this amendment does not allow for an increase in gross floor area from what is currently allowed.
 - “The maximum gross floor area for a detached dwelling is 325 square metres”.
 - “The maximum gross floor area for a duplex dwelling is 233 square metres per dwelling unit”.
 - “The maximum gross floor area for a townhouse dwelling is 200 square metres per dwelling unit”.
 - “An auxiliary residential dwelling unit shall contain a gross floor area no greater than 90 square metres and no less than 32.5 square metres”.

- 4) **Parking area:** This section is added to establish standards for auxiliary parking uses. The standards are as follows:

Building Type	Maximum Enclosed Parking Area
Detached dwellings	55 m ²
Duplexes	50 m ² per unit
Townhouse	50 m ² per unit

- 5) **Building height.** The following standards for building heights are incorporated into the revised zone:

Building Type	Maximum Building Height
Detached dwelling	8.0 m
Duplexes	8.5 m
Townhouse	10.7

- 6) **Minimum parcel area.** The minimum parcel areas would be included as follows:

Use	Area
Detached dwelling	625 m ²
Duplex dwelling unit	300 m ²
Townhouse	1400 m ²

- 7) **Setbacks and siting:** The following setbacks would be included in the zone.

Use	Cloudburst Drive	Internal Strata Road	Side Parcel Line	Setbacks from 1310 and 1380 Cloudburst Drive
Duplex	10.0 m	5.5 m	3.0 m	7.5 m
Detached dwelling	10.0 m	5.5 m	3.0 m	7.5 m
Townhouse	10.0 m	5.5 m	3.0 m	7.5 m

- 8) **Off-street Parking and Loading:** The following off-street parking requirements would be included in the zone.

“Off-street parking and loading shall be provided and maintained in accordance with the regulation contained in Section 6 of this bylaw.”

9) Other Regulations:

The following regulations are added to ensure clarity of intention and consistency of design.

“An auxiliary residential dwelling unit shall only be located within a detached dwelling unit.”

“The minimum parcel frontage for a detached dwelling unit with an auxiliary residential dwelling unit is 18.0 m.”

POLICY CONSIDERATIONS

Bed units

Generally, the maximum number of bed units associated with a parcel is based on the zoning. Under the existing zoning, this parcel is assigned 42 bed units (7 dwelling units x 6 bed units per dwelling unit). However, with the addition of “duplex dwellings” and “townhouses” to the list of permitted uses and the elimination of the parcel layout map, it is possible that in the future, there will be an increase in the number of bed units associated with this parcel. For example, if a developer builds 11 townhouses, each with a gross floor area of 200 square metres, the total number of bed units would be 44 (11 dwelling units x 4 bed units per dwelling unit). Alternatively, if the developer builds five duplex buildings the total number of bed units would be 60 (5 duplex dwellings x 12 bed units per building). It should be noted the bed unit inventory allocates 3796 bed units to Cheakamus Crossing of which only 1427 are developed. Therefore, at this time there is no requirement to increase the total number of bed units allocated to the Cheakamus Crossing neighbourhood. If the parcel is developed in a configuration requiring more bed units, the “Bed Unit Inventory” will be adjusted by allocating undeveloped bed units to this parcel.

BUDGET CONSIDERATIONS

The addition of “duplex dwellings” and “townhouses” in the RS12 (Residential Single Family Twelve) zone allows the Whistler 2020 Development Corporation more flexibility to create a unique niche of non-market and market dwellings. If the Whistler 2020 Housing Corporation develops or sells the property for market housing the proceeds will be used to pay down any outstanding loans.

COMMUNITY ENGAGEMENT AND CONSULTATION

A rezoning sign has been posted on the property. In addition, there will be a statutory public hearing. Notices of the public hearing will be hand delivered to adjacent neighbours. No additional public consultation is planned. However, municipal planning staff are always available to discuss this project with any interested citizen.

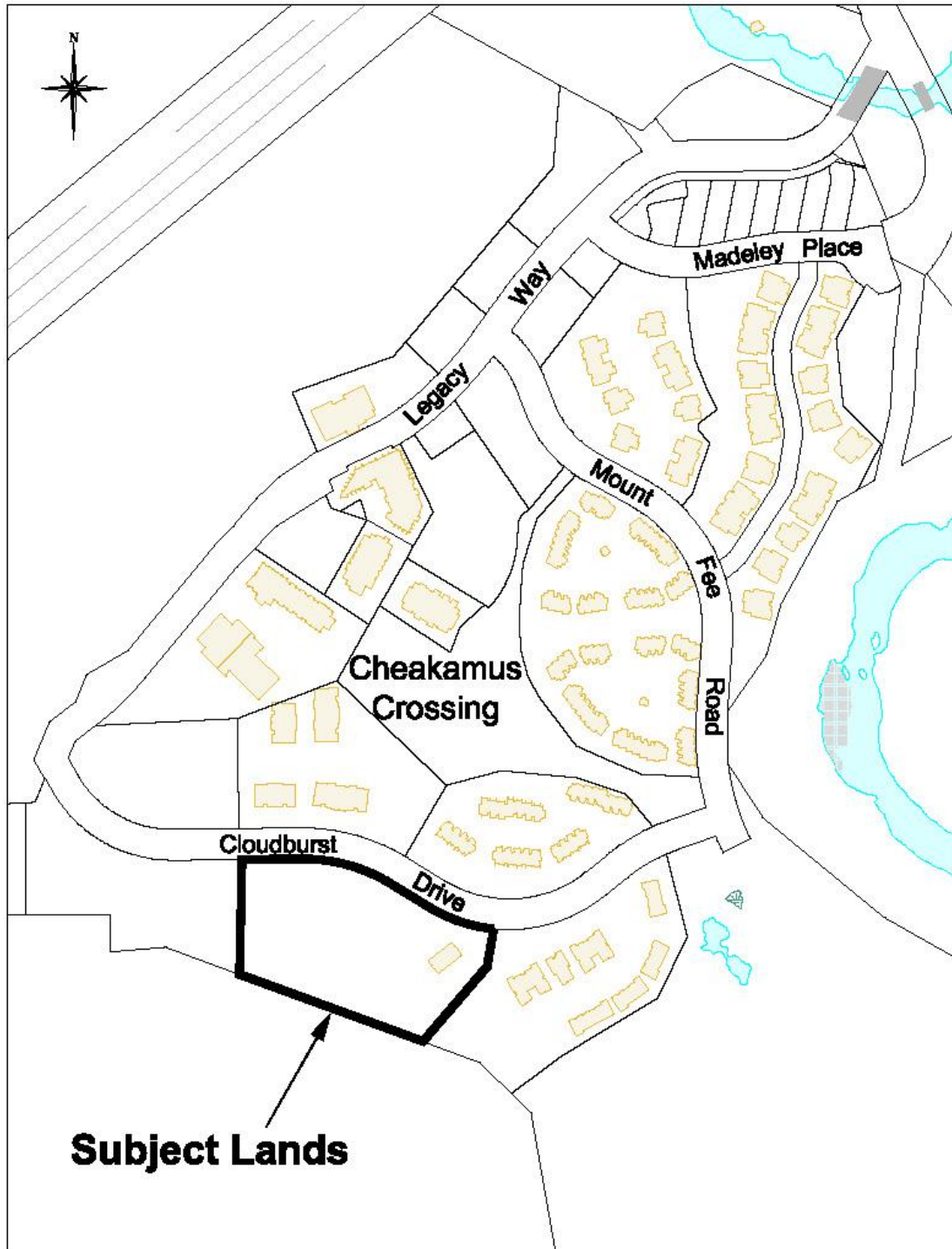
SUMMARY

The Whistler 2020 Development Corporation has requested an amendment to the RS12 (Residential Single Family Twelve) zone to allow greater product flexibility and improved marketability of the housing product on the site. The proposed amendments to the RS 12 (Residential Single Family Twelve) zone would add “duplex dwellings” and “townhouses” as permitted uses. The proposed amending bylaw would also add or amend concomitant sections of the zone related to the addition of the two permitted uses.

Respectfully submitted,

Bill Brown
MANAGER OF COMMUNITY PLANNING
for
Robert MacPherson
GENERAL MANAGER OF COMMUNITY LIFE

Key Map



Existing RS 12 (Residential Single Family Twelve) zone

RESORT MUNICIPALITY OF WHISTLER

SECTION 11 RESIDENTIAL ZONES

RS12 Zone (Residential Single Family Twelve) (Bylaw No. 1937)

Intent

The intent of this zone is to provide low density residential housing development.

Permitted Uses

49.1 The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and uses
- (b) Auxiliary residential dwelling units
- (c) Detached dwellings
- (d) Parks and playgrounds

Density

49.2.1 The maximum permitted gross floor area of all buildings on a parcel is 325 square metres.

49.2.2 The minimum permitted gross floor area of a detached dwelling is 46.5 square metres.

49.2.3 An auxiliary residential dwelling unit shall contain a gross floor area no greater than 90 square metres and no less than 32.5 square metres.

49.2.4 The maximum permitted floor area for auxiliary parking use contained in a principal or auxiliary building or structure is 55 square metres per parcel.

Height

49.3.1 The maximum permitted height of a principal use building is 8.0 metres.

49.3.2 The maximum permitted height of an auxiliary building is 5.0 metres.

Parcel and Site Area

49.4 The minimum permitted parcel area and site area is shown in the accompanying table:

SECTION 11 RESIDENTIAL ZONES

BYLAW No. 303, 1983

Parcel No. (As shown in the Key Plan that forms a part of this zone)	Minimum Permitted Parcel Area and Site Area
1	1026 square metres
2	711 square metres
3	756 square metres
4	738 square metres
5	666 square metres
6	603 square metres
7	738 square metres

Setbacks and Siting

- 49.5 Minimum building setbacks are shown in the key plan that forms a part of this zone.

Off-Street Parking and Loading

- 49.6 Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Section 6 of this Bylaw except that, in relation to detached dwellings, the owner must provide at least 2 parking spaces for a principal dwelling unit plus one parking space for an auxiliary residential dwelling unit. Tandem parking is permitted in any configuration.

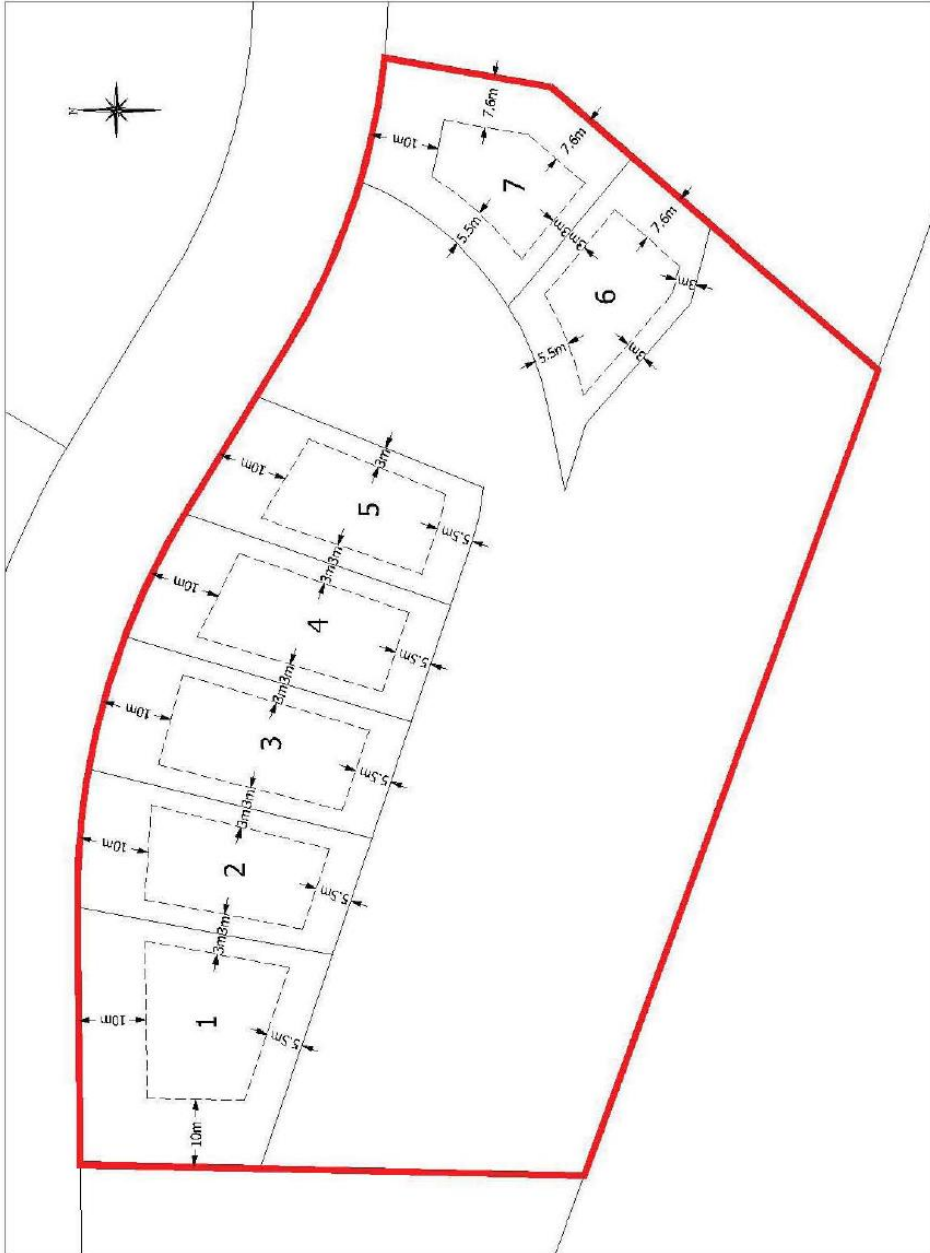
Other Regulations

- 49.7.1 The maximum occupancy is 2 persons per bedroom.
- 49.7.2 An auxiliary residential dwelling unit shall be located within the principal residential building on a parcel.

RESORT MUNICIPALITY OF WHISTLER

SECTION 11 RESIDENTIAL ZONES

Key Plan To The RS12 Zone Showing Setbacks



Additions of "Duplex
Units", "Townhouses"
and "Employee Housing"
as Permitted Uses in the
RS12 (Residential Single
Family Twelve) Zone
Report No. 12-016
File No. RZ 1049

Moved by Councillor J. Crompton
Seconded by Councillor D. Jackson

That Council consider giving first and second reading to Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011;

That Council authorize the Corporate Officer to schedule a public hearing regarding "Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011" and to advertise for same in a local newspaper;

That Council authorize the Mayor and Corporate Officer to execute all legal documents necessary to affect the rezoning as contemplated by the zoning amendment bylaw; and further,

That prior to adoption, the following conditions be met to the satisfaction of the General Manager of Community Life:

- A Section 219 Covenant be registered on title requiring all dwelling units to achieve a minimum EnerGuide rating of 83.
- A Section 219 Covenant be registered on title requiring any development on the parcel to be connected to the District Energy System.

CARRIED

Transit Management
Advisory Committee –
Terms Of Reference
Report No. 12-017
File No. 584

Moved by Councillor J. Crompton
Seconded by Councillor D. Jackson

That Council approve the name of the Transit Management Committee to be revised to Transit Management Advisory Committee.

That Council approve the amended terms of reference, dated February 21, 2012, for the Transportation Management Advisory Committee to include:

- replacement of the title of "General Manager of Environmental Services" with "General Manager of Infrastructure Services."
- replacement of the fifth paragraph under the Governance Procedures of the Committee section with "Resolutions of the Committee recommending that Council enter into Operating Agreements with BC Transit shall be voted on only if BC Transit agrees with the content of the agreements."

CARRIED

Moved by Councillor J. Crompton
Seconded by Councillor J. Grills

That Scott Pass and Bill Murray be appointed as the two members at large for the Transit Management Advisory Committee.

CARRIED

National Health and
Fitness Day
File No. 3009.1, 7737

Moved by Councillor A. Janyk
Seconded by Councillor R. McCarthy

That Council proclaims National Health and Fitness Day in the Resort Municipality of Whistler as the first Saturday in June; and further,

That a reduced admission rate to two dollars per person be charged to access Meadow Park Sports Centre for National Health & Fitness Day on the first Saturday in June of 2012.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Liquor License Advisory
Committee

Moved by Councillor J. Grills
Seconded by Councillor J. Crompton

That the minutes of the Liquor License Advisory Committee meeting of October 13, 2011 be received.

CARRIED

Forest and Wildland
Advisory Committee

Moved by Councillor A. Janyk
Seconded by Councillor R. McCarthy

That the minutes of the Forest and Wildland Advisory Committee meeting of January 11, 2012 be received.

That a presentation be scheduled on the Hiking Trails Task Force Report.

CARRIED

Transit Management
Committee

Moved by Councillor J. Crompton
Seconded by Councillor J. Grills

That the minutes of the Transit Management Committee meeting of January 16, 2012 be received.

CARRIED

BYLAWS FOR FIRST AND SECOND READING

Zoning Amendment
Bylaw (1350 Cloudburst
Drive) No. 1978, 2011

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Zoning Amendment Bylaw (1350 Cloudburst Drive) No. 1978, 2011 receive first and second readings.

CARRIED