

RESORT MUNICIPALITY OF WHISTLER

**ZONING AMENDMENT AND LAND USE CONTRACT DISCHARGE BYLAW
(4700 GLACIER DRIVE) NO. 2322, 2021**

**A BYLAW TO DISCHARGE A LAND USE CONTRACT AND AMEND THE WHISTLER
ZONING AND PARKING BYLAW NO. 303, 2015**

WHEREAS Council may, in a zoning bylaw pursuant to Section 479 of 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 may, pursuant to section 525 of the *Local Government Act* require the provision of parking spaces and loading spaces for uses, buildings, and structures; and

WHEREAS a land use contract may under section 546 of the Local Government Act, may be discharged by bylaw with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the discharge; and

WHEREAS the owners of the lands legally described as Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, together with an interest in Common Property, Strata Plan VAS2065, District Lot 3903 have agreed in writing to discharge the land use contract charging those lands;

NOW THEREFORE the 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 and Land Use Contract Discharge Bylaw (4700 Glacier Drive) No. 2322, 2021”.
2. Zoning and Parking Bylaw No. 303, 2015 is amended as follows:
 - (a) Part 7 “Creation and Definition of Zones”, Section 1(1) is amended by adding “RTA29 – Residential/Tourist Accommodation Twenty-Nine” in alphanumerical order; and
 - (b) Part 12 is amended by inserting as Section 54 the RTA29 (Residential/Tourist Accommodation Twenty-Nine) Zone, attached as Schedule “1” to this Bylaw; and
 - (c) The zoning designation of the land shown with the heavy black outline labelled “Subject land” on the plan attached to this Bylaw as Schedule “2”, which land is and more particularly described as Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, together with an interest in Common Property, Strata Plan VAS2065, District Lot 3903, is designated as RTA29 (Residential/Tourist Accommodation Twenty Nine) Zone; and further
 - (d) Part 24 Schedule “A” - Schedule of Zones is amended by adding “RTA29 (Residential/Tourist Accommodation Twenty-Nine)” in alphanumerical order under the “Residential Zones” heading.

3. That certain land use contract registered in the Vancouver Land Title Office under number G2520 including all amendments thereto and any related charges is discharged from the lands described in Section 2(c) and the Corporate Officer shall register a discharge of that land use contract in respect of such lands, together with a certified copy of this bylaw in the Land Title Office in accordance with the *Land Title Act* and Section 546 (7) of the *Local Government Act*.
4. If any section or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST AND SECOND READINGS this 20th day of July, 2021.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this 1st day of February, 2022.

GIVEN THIRD READING, as amended, this 8th day of March, 2022.

ADOPTED by the Council this ____ day of _____, 2022.

Jack Crompton,
Mayor

Pauline Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy
of "Zoning Amendment and Land Use
Contract Discharge Bylaw (4700 Glacier
Drive) No. 2322, 2021".

**SCHEDULE 1 to ZONING AMENDMENT AND LAND USE CONTRACT DISCHARGE BYLAW
(4700 Glacier Drive) No. 2322, 2021**

RTA29 Zone (Residential / Tourist Accommodation Twenty-Nine)

Intent

- (1) The intent of this zone is to provide for medium density residential development with units available for tourist accommodation adjacent to major recreation and commercial facilities.

Permitted Uses

- (2) The following uses are permitted and all other uses are prohibited:
 - (a) auxiliary buildings and auxiliary uses;
 - (b) duplex dwelling;
 - (c) townhouse; and
- (3) Notwithstanding any other provision in this bylaw, dwelling units in the RTA29 Zone may be used for tourist accommodation during periods when such dwellings are not occupied for residential use.

Density

- (4) The maximum permitted gross floor area in the RTA29 Zone is 13,082 square metres or a floor space ratio of 0.42, whichever is less.
- (5) The maximum number of dwelling units in the RTA29 Zone is 44.
- (6) Duplex dwellings in the RTA29 Zone are not eligible for gross floor area exclusion referenced in Part 5, subparagraphs 26 (1)(a)(i) and 26 (1)(a)(ii) of this bylaw.
- (7) For the purpose of measuring the gross floor area of a strata lot:
 - (a) the area of a floor of a portion of a building comprising a strata lot that shares a wall with another strata lot shall be measured to a point that is midway to the outer surfaces of the wall;
 - (b) a strata lot shall be deemed to include any area of limited common property designated on the strata plan for the exclusive use of the owner of the strata lot under the *Strata Property Act*, and any area of common property otherwise designated for such exclusive use whether by lease, easement, or otherwise;

Height

- (8) The maximum permitted height of a townhouse is 14 metres.
- (9) The maximum permitted height of a duplex is 14 metres.

Site Coverage

- (10) The maximum permitted site coverage is 40 percent.

Setbacks

(11) The minimum permitted setbacks from all parcel boundaries are shown in the key plan for the RTA29 Zone.

Off-Street Parking and Loading

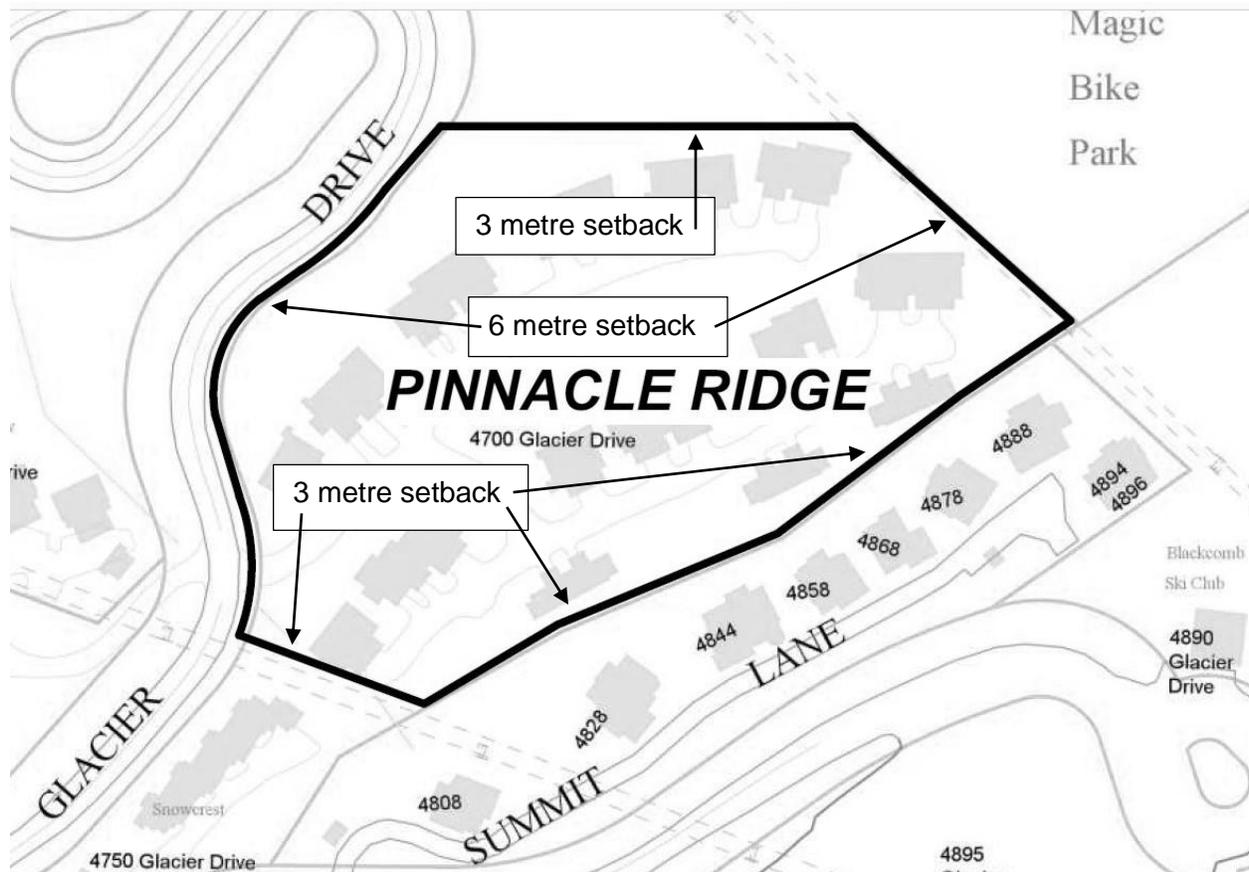
(12) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this bylaw.

Other Regulations

(13) The minimum permitted separation between buildings is 6 metres.

Key Plan

(14) Key Plan for the RTA29 Zone:



SCHEDULE 2 to ZONING AMENDMENT AND LAND USE CONTRACT DISCHARGE BYLAW
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