



RESORT MUNICIPALITY OF WHISTLER

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STAFF REPORT TO COUNCIL

PRESENTED: August 2, 2022 **REPORT:** 22-117
FROM: Planning – Projects **FILE:** RZ001162
SUBJECT: GLACIER 8 SUBDIVISION (DP001890) – 4800 GLACIER LANE

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION(S)

That Council authorize the General Manager of Resort Experience to issue Development Permit DP001890 to authorize the subdivision of the Glacier 8 lands, as shown on Survey Plan EPP90005 attached as Appendix A to Administrative Council Report 22-117, subject to Council adoption of “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019”.

PURPOSE OF REPORT

This report presents DP001890, required to authorize the subdivision of the Glacier 8 lands.

Information Report Administrative Report (Decision or Direction)

DISCUSSION

Background

On June 20 2019, Vail Resorts submitted a rezoning application (RZ001162) for a 6-storey, 66-unit apartment building to be added to the existing staff housing complex at 4800-4814 Glacier Lane (Glacier 8 Project). The Glacier 8 lands are located in the Blackcomb Benchlands South neighbourhood. The staff housing complex is accessed via Glacier Lane and is nestled between parking lot 6 and 7.

Council gave first and second readings to the Glacier 8 Zoning Bylaw, on November 19, 2019 (see [Administrative Report No. 19-148](#) [pages 35-37]), and a public hearing was held December 3, 2019. Council granted third reading on January 21, 2020 (see [Administrative Report No. 20-007](#)). However, staff recommended revised third reading to address two changes to the proposed zoning amendment: adjustments to the parking requirement to reduce the minimum number of parking spaces required in lieu of a contribution to transit services, and adjustments to the minimum lot size. Council rescinded third reading and gave third reading to “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019”, as revised on March 22, 2022 (see [Administrative Report No. 22-045](#)).

A development permit is required to authorize subdivision of the land to create the development parcel for the Glacier 8 employee housing development. This council report presents DP001890 for council's consideration, and describes that the proposed subdivision is consistent with the RM13 zoning that has received third reading and is before Council for consideration of adoption in this August 2, 2022 Council meeting package, Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019.

The zoning adoption conditions of approval have been addressed to the satisfaction of the General Manager of Resort Experience (see Table 1). Associated legal agreements have been prepared for registration and are described below.

Table 1: Zoning Adoption Conditions of Approval

Condition of Adoption	Settlement of Condition
Registration of a Section 219 design and development covenant on title in favour of the RMOW to secure development of the proposed new building and site improvements consistent with development plans, and specifying the finalized floor area allocation for employee services.	A design and development covenant was been prepared and will be registered following adoption of Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019. A clause has been inserted specifying that no less than 100 square meters of employee services/common space shall be provided in perpetuity on the basement level of the building.
Registration of a housing agreement in favour of the RMOW to regulate employee housing use, rental rates and to define qualified employees and business.	A Housing Agreement was prepared and will be registered following adoption of Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019 Council adopted Housing Agreement Bylaw (4800-4814 Glacier Lane) No. 2339, 2022 on April 5 th , 2022. See Council Report No. 22-044.
Registration of a green building covenant consistent with the objectives and goals of the RMOW's <i>G-23 Green Building Policy</i> .	Schedule A to the Design and Development Covenant summarizes the green building commitments. See Council Report No. 22-045.
Completion of a 25-year agreement for continued funding of additional transit service.	A Transit Contribution of \$1.08 million in the form of a letter of credit has been received by the RMOW. The RMOW can draw upon these funds once a building permit has been authorized.
Submission of site servicing plans to the satisfaction of the Development Services department.	A Subdivision Servicing Agreement has been completed and security for the subdivision works in the form of a letter of credit has been received by the RMOW, per Council Policy E-02.
Submission of a final waste and recycling plan that is consistent with "Solid Waste Bylaw No. 2139, 2017."	A waste and recycling plan dated January 20, 2022 was received from the applicant, reviewed and accepted by staff.
Submission of a snow shed report that is consistent with RMOW's Snow Shed Policy.	A snow shed report dated December 20, 2019 was received from the applicant, reviewed and accepted by staff. Recommendations from the report were implemented in the design and are shown on submitted architectural drawings.

Analysis

The *Local Government Act* establishes municipalities' authority to establish Development Permit Areas (DPAs) through an Official Community Plan (OCP), and outlines activities on these lands that require a development permit. All development and all subdivisions within a designated development permit area require a development permit, unless exempted. The subject lands lie within the designated development permit areas specified in the RMOW OCP for Multi-family Residential, Protection of Riparian Ecosystems, Aquifer Protection, and Wildfire Protection.

Whistler's OCP does not exempt Multi-Family Residential development permit areas from the requirements for development permit prior to subdivision, so Development Permit DP001890 must be issued prior to finalization of subdivision of the Glacier 8 lands. The proposed subdivision is to create one new bare land strata lot created from the common property.

To allow the required subdivision of the parcel, RZ001162 amended the minimum lot size permitted in the RM13 zone (see Administrative Report No. 22-045). Upon adoption of "Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019", the applicant has undertaken to apply to the Land Title and Survey Authority (LTO) for registration of necessary documents, including the subdivision plan, development covenant, and housing agreement.

A subdivision application was submitted and reviewed by the Subdivision Approving Officer. Subdivision Plan EPP90005 has been prepared and is ready for registration with the Province. A Subdivision Servicing Agreement has been completed and a Letter of Credit provided for security. Staff have reviewed the subdivision plan and determined that it is consistent with the RM13 Zone and Zoning Bylaw No. 303.

Future development on the lands will be subject to development permit approval and consistency with the designations and guidelines in the OCP established for Multi-Family Residential, Protection of Riparian Ecosystems, Aquifer Protection and Wildfire Protection. Additional design review is not part of the assessment for DP001890.

Development Permit Guidelines

The subject property is within the Multi-Family Residential development permit area and is subject to development permit approval and consistency with the designations and guidelines in the OCP established for Multi-Family Residential – Form and Character. Additional design review is not part of the assessment for DP001890.

The rezoning approval process included fulsome design and development review, including review by Whistler's Advisory Design Panel, confirming that the proposed development is generally consistent with the applicable DPA guidelines. The design and development covenant to be registered on the property title following subdivision secures development of the proposed new building and site improvements consistent with the development plans.

Legal Encumbrances

There are a number of legal notices and charges to be registered on the title of the lands, as required by Council as a condition of adoption of "Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019" as revised. These legal notices and charges will be registered at the time of subdivision, upon creation of the new bare land strata lot. Significantly, the RMOW will achieve key policy goals through the registration of:

- The design and development covenant to secure development of the proposed new building and site improvements consistent with the development plans;
- The green building covenant consistent with the objectives and goals of the RMOW's G-23 Green Building Policy;
- A housing agreement to regulate employee housing use, rental rates and to define qualified employees and business; and
- Transit Contribution of \$1.08 million in the form of a letter of credit, representing continued funding of additional transit service. The RMOW can draw upon these funds once a building permit has been authorized.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

[RZ001162 – 4800-4814 Glacier Lane – RM13 Zone Amendments for Glacier 8 Employee Housing – Revised Third Reading Report, Report No. 22-045, March 22, 2022](#)

This report presented “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019” to Council for consideration of revised third reading. Since the original third reading in January 21, 2020, the bylaw amendment was updated to adjust the parking requirement to reduce the minimum number of spaces required in lieu of a contribution to transit services, and modify minimum parcel size. These changes do not affect the density; the overall strata plan area, site coverage, and floor space ratio are unchanged. The report also presented the Design and Development covenant to be registered on title to secure development of the proposed new building and site improvements consistent with development plans and the RMOW's Green Building Policy, and to secure funding of additional transit service.

[RZ001162 – Housing Agreement \(4800-4814 Glacier Lane\) Bylaw No. 2339, 2022 Report, Report No. 22-044, March 22, 2022](#)

This report requested considerations of first, second, and third readings for the new Housing Agreement Bylaw, associated with RZ001162. The new Housing Agreement Bylaw will authorize the RMOW to register a housing covenant to establish usage, occupancy and eligibility restrictions, permitted rental rates, and administration and management restrictions of the housing units. The bylaw was adopted by Council on April 5th, 2022.

Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

Council Focus Areas

Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

Not Applicable

Community Vision and Official Community Plan

The OCP is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

The recommended resolution included within this report is consistent with the goals, objectives and policies included within “OCP Bylaw No. 2199, 2018”. The subdivision of the Glacier 8 lands will facilitate the completion of affordable employee housing in Whistler, and is consistent with Whistler’s OCP and growth management policies. Glacier 8 supports Whistler’s Community vision and the following OCP goals:

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| 4.1 | Goal | Land use and development are effectively managed to maintain Whistler’s unique sense of place, protect Whistler’s natural environment, provide a high quality of life for residents and provide exceptional experience for our visitors. |
| 5.2 | Goal | Promote diversity in housing price ranges to maintain affordability for the varied needs of different workforce groups and retirees within the community. |
| 5.3 | Goal | Promote a diversity of housing forms, tenures, residential uses and densities to support the resort community’s needs. |

Key relevant objective and policies from the OCP are contained in the Residential Accommodation section of Chapter 5: Land Use and Development. Under the Our Share Future heading for Residential Accommodation, the OCP described the desired future where “Whistler’s employees enjoy a secure supply of affordable and livable employee housing that includes a range of housing types, prices and tenures”. The OCP specified (Objective 5.1.2) a target to strive for the addition of 1,000 new employee beds over the next 5 years (2019 – 2023). The Glacier 8 Project addresses this target.

The importance of protection the long term supply of existing and new employee housing is emphasized by the following objectives and policies:

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|---------|-----------|---|
| 5.1.3 | Objective | Protect Whistler’s existing housing and employee housing supply. |
| 5.1.3.1 | Policy | Maintain an inventory of employee housing in perpetuity, for rental and ownership tenures, to be available for employees. |

5.2.1	Objective	Encourage a range of price points within employee housing to meet the needs of the diverse workforce and retiree groups.
5.3.1.3	Policy	Encourage a diversity of housing types and tenures (rental and ownership) responsive to the needs of all age groups and family types, including singles, couples, young adults and families, seasonal residents, people with disabilities and seniors, and to support their transition through different housing types as their needs change.
5.3.1	Objective	Encourage flexibility and adaptability in residential land uses.
5.3.1.1	Policy	Encourage residential neighbourhood and building design to meet Universal Design standards and best practices.

BUDGET CONSIDERATIONS

Development Permit DP001890 is subject to cost recovery for staff processing and associated direct costs.

LIL'WAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Lil'wat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler's resort economy.

There are no specific considerations to include in this report.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform Consult Involve Collaborate Empower

No community engagement or consultation is required as part of consideration of DP001890.

REFERENCES

Appendix A – Survey Plan EPP90005
Appendix B – OCP DP Guidelines Review

SUMMARY

This report presents DP001890 – Glacier 8 – Development Permit for subdivision to Council to consider authorization to issue. Development Permit DP001890 will authorize subdivision of the Glacier 8 lands according to Survey Plan EPP90005. Staff has evaluated the survey plan and confirm it to be consistent with the RM13 zoning and multi-family DPA guidelines. Staff recommends that Council approve the issuance of DP001890.

SIGN-OFFS

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