

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (CHEAKAMUS CROSSING PHASE 2 RM-CD2 ZONE) NO. 2390, 2023

A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER ZONING AND PARKING BYLAW NO. 303, 2015

WHEREAS the 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;

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

CITATION

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023”.

ZONING AMENDMENTS

2. In Part 13 of “Zoning and Parking Bylaw No. 303, 2015”, Section 67 RM-CD2 Zone (Residential Multiple – Comprehensive Development Zone) is amended by replacing the regulations for the RM-CD2 Zone with the regulations attached to this Bylaw as Schedule A.
3. 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 ___ day of ___, 2023.

Pursuant to Section 464 of the *Local Government Act*, the Municipality decided not to hold a public hearing, and notice was given in accordance with Section 467 of the *Local Government Act*.

GIVEN THIRD READING this ___ day of _____, 2023.

ADOPTED by the Council this ___ day of _____, 2023.

Jack Crompton,
Mayor

Pauline Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023".

SCHEDULE A

67. RM-CD2 Zone (Residential Multiple – Comprehensive Development Two) (Bylaw 2298)

Intent

- (1) The intent of the RM-CD2 zone is to permit the comprehensive development of an extension of the Cheakamus Crossing neighbourhood that provides a variety of residential uses and housing forms, complements the surrounding neighbourhood context and supports the housing needs of the Whistler resort community

Permitted Uses

- (2) The permitted uses for each of the Areas shown in the Key Plan for this zone are:

Key Plan Area	Permitted Uses
All areas indicated on the Key Plan.	Park and playground, auxiliary uses and structures, auxiliary buildings in all Areas except that auxiliary buildings are not permitted in Lot 4.
Lot 1	Apartments for employee housing.
Lot 2A	Apartments for employee housing, daycare.
Lot 2B	Apartments for employee housing, daycare.
Lot 3	Townhouses for employee housing.
Lot 4	Detached dwellings, duplex dwellings, detached dwellings for employee housing, duplex dwellings for employee housing, auxiliary residential dwelling unit provided it is contained in a detached dwelling or detached dwelling for employee housing.
Lot 5	Apartments for employee housing, daycare.

Lot 6	Townhouses for employee housing, duplex dwellings for employee housing, detached dwellings for employee housing, townhouses, duplex dwellings, detached dwellings, auxiliary residential dwelling unit provided it is contained in a detached dwelling.
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- (3) In this zone, apartments may contain townhouse dwelling units within the same building.

Density

- (4) The total maximum gross floor area for all buildings in the RM-CD2 zone is 41,850 square metres.
- (5) The total maximum gross floor area for all buildings within each of the Areas shown in the Key Plan for this zone is the lesser of the maximum gross floor area or the maximum floor space ratio specified for each Area:

Key Plan Area	Maximum Gross Floor Area	Maximum Floor Space Ratio
Lot 1	8,420 square metres	0.80
Lot 2A	2,100 square metres	0.50 except for the purpose of calculating the floor space ratio any area located within a <i>Streamside Protection Enhancement Area</i> as defined under the <i>BC Riparian Areas Protection Regulation</i> is excluded from the total parcel area.
Lot 2B	3,220 square metres	0.7
Lot 3	4,300 square metres	0.50

Lot 4	5,250 square metres	0.3
Lot 5	6,150 square metres	0.60
Lot 6	12,410 square metres	0.17
Total All Areas	41,850 square metres	N/A

- (6) The maximum number of dwelling units in Lot 4 is 23
- (7) The minimum parcel area for a detached dwelling is 500 square metres
- (8) The minimum parcel area for a duplex dwelling is 695 square metres.
- (9) The maximum gross floor area for a detached dwelling is 325 square metres or a floor space ratio of 0.35, whichever figure is lower.
- (10) The maximum gross floor area for an auxiliary residential dwelling unit contained in a detached dwelling is 90 square metres.
- (11) The maximum gross floor area for a duplex dwelling is 350 square metres or a floor space ratio of 0.4, whichever figure is lower.
- (12) The maximum gross floor area for a dwelling unit in a duplex dwelling is 175 square metres
- (13) The maximum gross floor area for an apartment dwelling unit in Lot 2A and Lot 2B is 100 square metres.
- (14) The maximum gross floor area for an apartment dwelling unit in Lot 5 is 140 square metres.
- (15) The maximum gross floor area for a townhouse dwelling unit in Lot 3 is 175 square metres.
- (16) The maximum gross floor area for a townhouse dwelling unit in Lot 6 is 175 square metres.
- (17) The maximum permitted floor area for auxiliary parking use contained in a principal building is:

Use	Maximum enclosed parking area
Detached dwellings	55 square metres per dwelling unit

Duplex dwellings	50 square metres per dwelling unit
Townhouses	40 square metres per dwelling unit

Building Height

- (18) The maximum permitted height of a building for each Area shown in the Key Plan for this zone is the lesser of the maximum building height in metres and the maximum number of storeys in a building specified for each Area:

Key Plan Area	Maximum Building Height	Maximum Number of Storeys
Lot 1	13.7 metres	Four storeys where the fourth storey must be stepped with a total step back area that is no less than 20 percent of the total area within the outside of the outermost walls of the building at the ground floor.
Lot 2A	10.7 metres	Three storeys.
Lot 2B	15 metres	Four storeys.
Lot 3	10.7 metres	Three storeys.
Lot 4	8.0 metres	Three storeys.
Lot 5	13.7 metres	Four storeys where the fourth storey must be stepped with a total step back area that is no less than 20 percent of the total area within the outside of the outermost walls of the building at the ground floor.
Lot 6	8.0 metres for detached and duplex dwellings and 10.7 metres for townhouses.	Three storeys.

- (19) Underground parking levels for apartments and townhouses are not counted as a storey.

Site Coverage

- (20) The maximum site coverage is 35 percent for detached dwellings, 35 percent for duplex dwellings and 20 percent for townhouses and apartments.
- (21) Any underground parking building or structure that is wholly located below surrounding grade is excluded from the determination of the projected area of all buildings and structures on the site for the calculation of site coverage.

Minimum Frontages

- (22) The minimum parcel frontage for townhouse development is 20 metres and for detached dwellings and duplex dwellings is 18 metres. If Lot 4 is subdivided in accordance with the plan shown in Schedule 1 then the minimum frontage does not apply.

Setbacks and Siting

- (23) The minimum setbacks for any building or structure located within each Area shown on the Key Plan for the zone are:

Key Plan Area	Minimum Setbacks
Lot 1	6.0 metres from any parcel line
Lot 2A	7.6 metres front setback 12.0 metres rear setback 6.0 metres side setback
Lot 2B	5.4 metres front setback 12.0 metres rear setback 5.0 metres side setback
Lot 3	7.6 metres front setback 7.6 metres rear setback 6.0 metres side setback except 7.6 metres side setback for property line between Area Lot 3 and Lot 4.

Lot 4	6.0 metres front setback 6.0 metres rear setback 6.0 metres from the 30 metre riparian assessment area boundary shown on Schedule 1. 3.0 metres side setback
Lot 5	7.6 metres front setback 9.0 metres rear setback 6.0 metres side setback
Lot 6	For detached dwellings and duplex dwellings the setbacks are 6.0 metres for front and rear and 3.0 metres for side. For townhouses the minimum setback is 6.0 metres from any parcel line.

- (24) The minimum permitted separation between any buildings in the RM2-CD2 zone is six metres.

Parking and Loading

- (25) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw, except that:
- (a) A minimum of 1.0 off-street parking space must be provided for each apartment dwelling unit constructed on Lot 2B.
 - (b) The minimum number of parking stalls provided for short term convenience on Lot 2B is 4.0.
 - (c) Tandem parking is permitted for detached and duplex dwellings on Lot 4.
- (26) For apartments, all required parking spaces must be provided within an underground parking structure connected to the apartment building, and no surface parking shall be provided except for short term convenience parking, and the maximum number of stalls for this purpose shall be 10 percent of the total number of dwelling units on the site.

Other Regulations

- (27) Except for the Permitted Uses specified in (3) for each Key Plan Area, all regulations in this zone that reference detached dwellings, duplex dwellings, townhouses and apartments apply equally to detached dwellings for employee

- housing, duplex dwellings for employee housing, townhouses for employee housing and apartments for employee housing.
- (28) Land within the RM-CD2 zone shall not be initially subdivided except in accordance with the Key Plan for this zone, subject to such minor adjustments in parcel boundaries as the approving officer may consider appropriate. No further subdivision of any Key Plan Area is permitted unless the Density regulations for that Area are made applicable to the individual parcels created, either by means of amendment of this Bylaw or by means of a covenant registered under s.219 of the Land Title Act, such that the Density limits set out in Sections (4) and (5) cannot be exceeded for each Area.
- (29) The maximum size of any apartment building in Lot 2A, Lot 2B, or Lot 5 is 3,500 square metres of gross floor area.
- (30) A landscape buffer shall be provided and maintained for Lot 5 located between the Area boundary with Mount Fee Road and any building, within which at least 50 percent of the area is retained or naturalized forest landscape.
- (31) A landscape buffer shall be provided and maintained in the Lot 3 side setback that is adjacent to Lot 4 that is landscaped with a variety of conifers and deciduous trees reflective of the naturalized forest landscape.
- (32) Naturalized landscaping shall be provided and maintained within the front setback for Parcels Lot 2A, Lot 2B, and Lot 3 equal to a minimum of 30 percent of the setback area.
- (33) Any references to a Lot in this zone relate to the Lot as identified in the Key Plan for this zone.
- (34) Key Plan for the RM-CD2 Zone:

