

RESORT MUNICIPALITY OF WHISTLER

**LAND USE PROCEDURES AND FEES AMENDMENT BYLAW (DEVELOPMENT PERMITS, DEVELOPMENT VARIANCE PERMITS AND APPLICATION FEES)
NO. 2404, 2023**

**A BYLAW TO AMEND THE LAND USE PROCEDURES AND FEES BYLAW
NO. 2205, 2022**

WHEREAS the Council has adopted “Land Use Procedures and Fees Bylaw No. 2205, 2022”;

AND WHEREAS the Council deems it necessary and expedient to amend the Resort Municipality of Whistler “Land Use Procedures and Fees Bylaw No. 2205, 2022”;

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 the Resort Municipality of Whistler “Land Use Procedures and Fees Amendment Bylaw (Development Permits, Development Variance Permits and Application Fees) No. 2404, 2023.”

AMENDMENTS

2. “Land Use Procedures and Fees Bylaw No. 2205, 2022” is amended as follows:

- a) by adding the following as section 38(d) and consecutively renumbering the subsequent sections:

“(d) on behalf of the *Resort Municipality*, execute any modification of a section 219 covenant that requires the preservation of trees, provided the modification results in no net loss to the size of the tree preservation area;”;

- b) by deleting at the end of the old section 38(d) the word “and”;

- c) by adding at the end of the old section 38(e) the following: “; and”;

- d) by deleting the old section 38(f);

- e) by adding the following as section 38(g):

“(g) issue minor development variance permits based on the criteria set out in Schedule E and provided that in deciding whether to issue a development variance permit the *General Manager, Director of Planning* or *Manager of Planning* considers the guidelines set out in Schedule E.”;

- f) by deleting and replacing section 39(a) with the following:

“(a) issue development permits for land within the Whistler Village Development Permit Area, the Whistler Creek Development Permit Area, the Commercial/Industrial Development Permit Area, the Multi-Family Residential Development Permit Area and the Industrial Development Permit Area , designated under the *Official Community Plan*, to the extent described in Schedule B;”;

- g) by deleting section 39(b) and consecutively renumbering the subsequent sections;
- h) by adding at the end of the old section 39(c) the word “and”;
- i) by deleting at the end of the old section 39(d) the wording “; and” and replacing with “.”;
- j) by deleting the old section 39(e);
- k) by adding at the end of section 46(c) the word “and”;
- l) by adding in SCHEDULE A APPLICATION FEES the following new row and wording after the heading “Development Applications”:

Development Permit, Approval of Development Plan or Development Approval under the Blackcomb Land Use Contract, Development Permit under Land Use Contract – delegated and removal or addition of trees or vegetation on the land only	\$1,000.00
--	------------

- m) by deleting and replacing SCHEDULE B DELEGATED DEVELOPMENT PERMIT CRITERIA with the following:

SCHEDULE B

DELEGATED DEVELOPMENT PERMIT CRITERIA

Development permits authorizing:

1. subdivision of land;
2. alteration of land including soil removal or deposit, tree cutting or vegetation removal;
3. construction of, addition to or alteration of a structure without a roof;
4. construction of, addition to or alteration of landscaping, trails, pathways, walkways, sidewalks, patios, roads, driveways, signs, lighting, bollards, fences, retaining walls, rockstack walls, stairs, decks, guardrails, planters and utilities;

5. construction of a building, or structure with a roof, up to 20 m² in floor area and additions to a building, or structure with a roof, where the total floor area is increased by 20 m² or less in the Whistler Village Development Permit Area and the Whistler Creek Development Permit Area;
 6. construction of a building, or structure with a roof, up to 100 m² in floor area and additions to a building, or structure with a roof, where the total floor area is increased by 100 m² or less in the Commercial/Industrial Development Permit Area, the Multi-Family Residential Development Permit Area and the Industrial Development Permit Area;
 7. construction of, or addition to a detached dwelling or duplex dwelling with any floor area;
 8. construction of, addition to or alteration of solid waste separation and storage facilities with any floor area in compliance with Resort Municipality of Whistler Solid Waste Bylaw No. 2133, 2017;
 9. alteration of a structure with a roof, or alteration of a building except the alteration of more than one side of a building in the Whistler Village Development Permit Area;
 10. alteration of more than one side of a building in the Whistler Village Development Permit Area for any of the following:
 - a. exterior painting;
 - b. exterior roofing materials; or
 - c. exterior communications equipment, chimneys, mechanical equipment, eavestroughs, downspouts, and other appurtenances;
 11. demolition of a building or structure; and
 12. interior renovations that enclose storefront windows with display walls or cabinets that impede views into a store.”
- n) by italicizing all references to “General Manager”, “Official Community Plan” and “Zoning Bylaw”, where applicable, in SCHEDULE C CROWN REFERRAL RESPONSE GUIDELINES;
- o) by deleting in SCHEDULE E DELEGATED DEVELOPMENT VARIANCE PERMIT CRITERIA AND GUIDELINES at the end of section A.1.(g) the word “or”;

- p) by adding in SCHEDULE E DELEGATED DEVELOPMENT VARIANCE PERMIT CRITERIA AND GUIDELINES the following as section A.1.(h):

“(h) fence height regulations, provided that permitted height is not increased by more than 25%; or”.

GIVEN FIRST, SECOND and THIRD READINGS this ___ day of _____, 2023.

ADOPTED this ___ day of _____, 2023.

J. Crompton,
Mayor

P. Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Land Use Procedures and Fees Amendment Bylaw (Development Permits, Development Variance Permits and Application Fees) No. 2404, 2023."
