



**RESORT MUNICIPALITY OF WHISTLER**

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## STAFF REPORT TO COUNCIL

**PRESENTED:** December 5, 2023 **REPORT:** 23-121  
**FROM:** Planning - Development **FILE:** 3060-20-1902  
**SUBJECT:** DP001902 - 5298 ALTA LAKE ROAD EMPLOYEE, MARKET AND TOURIST  
ACCOMMODATION HOUSING DP ISSUANCE REPORT

### RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the General Manager of Climate Action, Planning and Development Services be endorsed.

### RECOMMENDATION(S)

**That** Council approve the issuance of Development Permit DP001902 for the proposed townhouse development at 5298 Alta Lake Road, location attached as Appendix A of Administrative Report to Council No. 23-121, of 21 employee housing units, 11 market housing units, 11 tourist accommodation housing units and associated amenities, with permit terms and conditions as follows:

1. The site planning, architecture and landscape shall be completed in accordance with the architectural and landscape plans attached as Appendix B and listed for reference as Appendix C to this Administrative Report to Council No. 23-121;
2. The civil works, site servicing and stormwater management shall be completed in accordance with the civil plans attached as Appendix D and listed for reference in Appendix C to this Administrative Report to Council No. 23-121, and in addition, the sanitary routing from Buildings 4 to 7 to the connection point adjacent to the CN Railway line shall be field fit to minimize impact to mature trees and their critical root zones;
3. The Resort Municipality of Whistler "Zoning and Parking Bylaw No. 2303, 2015" (Zoning Bylaw) is varied to permit tandem parking for the proposed townhomes as illustrated on the architectural plans attached as Appendix B and listed for reference as Appendix B to this Administrative Report to Council No. 23-121;
4. All outdoor lighting shall have full cut-off and fully shielded fixtures to reduce glare;
5. The gradient of the accessible parking stall shall adhere to the Zoning Bylaw requirements;
6. Prior to any construction of new buildings proposed on the architectural plans attached as Appendix B and listed for reference as Appendix B to this Administrative Report to Council No. 23-121, provide a landscape security in the amount of \$305,217.45 to ensure that the hard and soft landscaping works are carried out consistently with the terms and conditions of the

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Development Permit, with security to be administered in accordance with *Council Policy G-9: Landscape Security for Development Permit*, and further

7. To ensure additional screening of the development, plant a total of 20 additional deciduous trees on the south side and east side of the townhouse development footprint. A portion of the landscape security above will be held back until the additional required tree planting is completed.

## PURPOSE OF REPORT

This report presents Development Permit DP001902 (DP001902) for Council consideration of approval. DP001902 is for the proposed development of 21 employee residential units, 11 market residential units, 11 tourist accommodation units in a townhouse style complex arranged in seven buildings, a check-in/recreation building, a solid waste storage building and fully serviced roads on the western portion of the lands located at 5298 Alta Lake Road. The northern and eastern portion of the lands will be developed as park and will include an extension of the Valley trail from the south property line of the lands to the north property line of the lands.

The proposed development is subject to the Resort Municipality of Whistler's (RMOW) Official Community Plan (OCP) development permit (DP) area guidelines for Protection of Riparian Ecosystems, Commercial/Industrial, Multi-Family Residential and Wildfire Protection (Moderate), and also includes a variance to permit tandem parking for the townhouses and a height variance for a retaining wall associated with the proposed Valley trail.

This report provides Council with an analysis of the proposed development and recommends that Council approve the issuance of DP001902.

Information Report

Administrative Report (Decision or Direction)

## DISCUSSION

### Background and Site Context

DP001902 proposes the development of 21 employee townhouse units, 11 market townhouse units, 11 tourist accommodation townhouse units and associated amenities, as well as park and Valley trail development, all located at 5298 Alta Lake Road. The proposed development is in response to the municipality's Private Sector Employee Housing Initiative to allow the private development of resident restricted housing on underdeveloped private lands.

The subject lands are a 3.91-hectare (ha) parcel located on the west side of Nita Lake that is accessed from Nita Lake Drive, a municipal street (See Appendix A – Location Map). The lands are bounded by Nita Lake Estates residential subdivision to the south, Tyrol Lodge to the north, BC Hydro transmission lines to the west, and CN Rail to the east which runs between the subject lands and Nita Lake.

The subject lands are forested and are currently developed with a small cabin and barn structure occupying the centre of the parcel, and a gravel road from Nita Lake Drive to the north property line that includes a wooden bridge spanning Gebhart Creek. There is also an underground municipal water main located beneath the gravel road.

Recent invasive species and tree removal work was completed on the lands in conformance with delegated DP001902, approved and issued by staff on September 21, 2023. Delegated DP001902 also

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approved the proposed subdivision plans for the lands, consistent with the applicable TA17 zoning of the lands, wherein a 1.44 ha portion of the lands will be transferred to the municipality for nature conservation park and community park and a 0.5 ha portion of the lands for future employee housing. At the time of writing this report, the subdivision plans have not been registered in the Land Title Office.

## **Analysis**

### **Description of Proposed Development**

The proposed development is illustrated on the architectural and landscape plans attached as Appendix B and the civil plans attached as Appendix D.

The proposed development is described as follows:

#### **Site Planning and Access**

- Development of 21 employee residential units, 11 market residential units, and 11 tourist accommodation units in a townhouse style complex arranged in seven buildings, as well as an amenity building and a solid waste building accessed by a shared strata road on a 1.91 ha portion of the lands.
- The siting of the proposed townhouses and access roads responds to the physical character of the lands, following an existing watermain alignment and the sloping terrain. All buildings respect the required 20 metre building setback from the parcel line of adjacent Strata Plan BCS556 (Nita Lake Estates) to the south.
- The site plan of the buildings and road and required tree removal reflects the natural assets of the site, notably protection of riparian areas.
- Surface parking includes driveway parking for the townhouses in addition to some parallel parking on the strata road.
- The development includes an off-site sidewalk connection from the terminus of the existing sidewalk on Nita Lake Drive to the street entrance to the townhouse complex. A dedicated pedestrian isle continues along the strata road through the townhouse complex to terminate with a pathway that descends into the adjacent park and to the Valley trail.

#### **Employee residential, market residential, and tourist accommodation**

- The 21 employee residential townhouse units are contained in three buildings, with seven units per building. There are 12 2-bedroom units and nine 3-bedroom units, with unit sizes ranging from 59 square metres to 138 square metres. The nine 3-bedroom units each have a garage, and the twelve stacked 2-bedroom units do not have a garage, but have a dedicated bike storage room adjacent to each front entry.
- Each employee residential townhouse building is 7.0 metres in building height and 664 square metres in gross floor area. The roofs are flat but varied through the elevations with many roof levels for each building. Each building steps from three levels to two levels on the building ends to reduce massing.
- The 11 market residential and 11 tourist accommodation townhouse units are contained in four buildings, with either five or six units per building. All units are 3-bedroom units with a garage. Unit sizes range from 181.2 to 181.7 square metres in gross floor area.
- Each market residential and tourist accommodation townhouse building is 10.91 metres in building height and range in size from approximately 905 square metres to 1,086 square metres

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in gross floor area. The roofs are flat but varied through the elevations with many roof levels for each building. The buildings step with each unit to respond to the terrain to further reduce massing.

- The townhouse building materials include standing seam metal siding, hardi board and batten and hardi-panel and Douglas Fir braces, posts and beams. The market townhouse buildings also have some stone siding. Combined, the materials and grey and brown colour palette create an attractive and integrated development.

### Amenity Buildings

- A check-in/recreation building for the tourist accommodation units is located at the entrance to the townhouse complex, with direct access from the sidewalk via a ramp to the building entrance.
- A solid waste building is also located at the entrance to the townhouse complex with direct, at-grade, access from the sidewalk.
- The building materials on the check-in /recreation building are consistent and complementary to the townhouse building materials.

### Landscape

- The proposed landscaping is integrated with the project design. Street trees area provided, in addition to shrubs and perennials at building entrances. All areas of disturbance will be rehabilitated. Limited conifer trees are proposed distant from the buildings, and consistent with applicable Wildfire Protection guidelines, to blend with the existing forest surrounds.
- Through the associated rezoning process the applicant agreed to provide a permanent split rail fence to separate the nature conservation parcel from the townhouses. As the detailed design progressed, there is now a retaining wall ranging in height from two to four metres on the downslope side of the townhouses between the townhouses and the nature conservation park. This retaining wall is considered sufficient to limit access and a split rail fence is not proposed. A retaining wall located below the lower slope buildings will restrict access beyond the retaining walls into adjacent riparian areas.

### Site Servicing and stormwater management

- A stormwater management plan (SWMP) incorporating run-off from hard surfaces (roof, driveway and road surfaces) has been provided. The SWMP identifies that the flat landscape areas around the buildings will assist in slowing down run-off.
- All stormwater will be directed through an oil and grit separator to cleanse contaminants from runoff before being discharged to either the wetland pool in the southeast corner of the lands or the side channel which will include rainwater gardens for additional contaminant filtration and infiltration.
- The proposed stormwater input to the wetland pond will enter the pond's streamside protection and enhancement area (SPEA). Alternatives were not considered feasible, requiring pumping and additional resources. These works within the SPEA will be subject to notification and project review of the provincial *Water Sustainability Act* and the federal *Fisheries Act*.
- An existing sanitary line exists within the 30-metre riparian enhancement and protection area (REPA) for Nita Lake along the CN Rail right of way. The project proposes to connect the sanitary sewer system servicing the townhouse development and the proposed park washroom

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to this existing sanitary with one connection point. The proposed sanitary line is buried, and except for the sanitary route that will run underneath the proposed Valley trail, the area of disturbance will be revegetated.

- The proposed sanitary alignment will follow an existing bench near the bottom of the slope to the east of the proposed townhouses and will coincide with the proposed Valley trail alignment. Alteration of land related to the construction of the Valley trail is larger than the impacts related to the development of the sanitary alignment due to required Valley trail width.
- The Environmental Impact Studies provided recommend 1:1 habitat mitigation for the works encroaching into riparian areas.

### Community Park and Valley trail

- The community park development includes a Valley trail with lighting, replacing an aging bridge over Gebhart Creek with a Valley trail standard bridge, park trails, a washroom building, relocating an existing cabin, a large flat lawn area, a playground, and landscaping.
- The Valley trail has been located to use an existing bench across the lower slope of the site and has been field fit to avoid encroaching on trees as much as possible.
- Park development is not applicable under provincial RAPR.
- Some details like playground structures are pending, and are addressed in a development covenant registered on the property title, ensuring their implementation. The developer is responsible for constructing the park and Valley trail and a security for completion of these works will be taken with the subdivision servicing documents.

### **OCP Development Permit Area Guidelines**

The provincial *Local Government Act* (LGA) establishes municipalities' authority to establish DP areas through an OCP, and outlines activities on these lands that require a DP. All development within a designated DP area requires a DP, unless exempted.

The subject property lies within the Commercial/Industrial, Multi-Family Residential, Protection of Riparian Ecosystems and Wildfire Protection (Moderate) DP areas. The Manager of Development Planning has approved the aspects of this DP related to Protection of Riparian Ecosystems and Wildfire Protection (Moderate) as authorized by "Land Use Procedures and Fees Bylaw No. 2205, 2022" (Procedures Bylaw) and DP001902 will also include conditions related to compliance with these applicable DP area guidelines, they are as follows:

1. All development shall be undertaken and completed in accordance with the recommendations and environmental due diligence measures contained in the Hillman Development: Environmental Impact Study prepared by PGL Environmental Consultants, dated July 2023, the Hillman Park: Environmental Impact Study prepared by PGL Environmental Consultants, dated July 2023 (Hillman Park Environmental Impact Study), and the Riparian Areas Protection Regulation Assessment Report prepared by PGL Environmental Consultants, dated September 20, 2023;
2. The park and valley trail development shall be completed in accordance with the park plans prepared by Tom Barratt Ltd., dated July 21, 2023;
3. The "Zoning and Parking Bylaw No. 303, 2018" (Zoning Bylaw) is varied to provide a height variance from 1.22 metres to 3.7 metres for the retaining walls in the park;

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4. Prior to issuance of a site alteration permit for the works associated with DP001902, the applicant will provide the following to the satisfaction of the Manager of Development Planning:
  - a. An Erosion and Sediment Control Plan;
  - b. A planting plan for the park, including a 1:1 habitat compensation plan by a qualified environmental professional for the works encroaching into riparian areas, and provide a security for 110 per cent of the value of the compensation works;
5. Remove invasive species identified in the Hillman Park Environmental Impact Study prior to initiating any works associated with DP001902;
6. For the duration of construction activities on the land, signs shall be posted on the lands demarking the sensitive riparian ecosystem protection areas and streamside protection and enhancement areas identified in the Hillman Park Environmental Impact Study and all construction and laydown areas must be kept outside of these areas; and
7. Use clean, locally sourced fill only to prevent introduction of invasive species through soil/fill deposits.

A detailed evaluation of the proposed development relative to the applicable Commercial/Industrial and Multi-Family Residential guidelines that Council needs to consider is presented in Appendix E. The proposed development is consistent with the applicable guidelines.

### **Zoning and Parking Bylaw No. 303, 2015**

The subject property is zoned Tourist Accommodation Seventeen (TA17). The zone is an amenity zone, requiring delivery of amenities prior to some of the development density. The proposal is consistent with the zoning.

The proposal development satisfies the Zoning Bylaw requirements for the minimum number of on-site parking and loading stalls, though a variance is required to allow for the proposed tandem parking for the townhouse units. 74 stalls are required, 74 stalls are provided of which one is a required accessible stall. Seven additional temporary parking stalls are provided. One loading stall is required and one is provided.

Parking is provided in front of every townhouse unit as surface parking, or a combination of surface plus garage parking, as well as parallel parking along the strata road with snow managed as part of the strata operation of the road.

### **Advisory Design Panel Review**

DP001902 was presented to the municipal Advisory Design Panel (ADP) on December 14, 2022. The ADP supported the site planning, and felt the proposal was very good in terms of building form, character and massing, with good continuity between the employee and market buildings. The ADP passed a motion supporting the proposal and requested the applicant to work with staff to address ADP's detailed comments respecting visitor parking, circulation connectivity, stepping individual units, building colour and landscape. The ADP minutes are attached as Appendix F.

The applicant subsequently revised and refined their proposal to the satisfaction of staff to reflect many of the ADP recommendations. There has been adjustment to the site planning and building location for the amenity building and solid waste building, a designed pedestrian linkage has been added connecting from the terminus of the sidewalk on Nita Like Drive through to the park, the floor elevation



of the market buildings have been lowered and stepped to reduce grading impacts, the park landscape plan has been developed and the Valley trail alignment was flagged onsite with RMOW staff to minimize impact on existing trees.

## **POLICY CONSIDERATIONS**

### **Relevant Council Authority/Previous Decisions**

DP001902 is subject to Council approval under the [Procedures Bylaw](#) as the development lies within the Commercial / Industrial and Multi-Family DP Areas and proposes building development greater than 100 square metres in floor area. Section 490 of the LGA authorizes a local government by resolution to issue a DP that varies a land use regulation bylaw (i.e., the [Zoning Bylaw](#)).

There are no previous Council decisions related to DP001902.

### **2023-2026 Strategic Plan**

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

#### **Strategic Priorities**

Housing

*Expedite the delivery of and longer-term planning for employee housing*

Climate Action

*Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan*

Community Engagement

*Strive to connect locals to each other and to the RMOW*

Smart Tourism

*Preserve and protect Whistler's unique culture, natural assets and infrastructure*

Not Applicable

*Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs*

### **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.

As noted in the Analysis section of this report, the subject parcel lies within DP areas designated under the OCP. The proposal is consistent with the applicable DP guidelines. A detailed evaluation of the proposal relative to the OCP DP area guidelines that Council needs to consider is attached as Appendix E.

In addition, the proposal aligns with the following residential accommodation and natural environment policies of the OCP.

- Strive to add 1,000 new employee beds within the next five years.

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- Ensure all neighbourhoods are well-connected to local transit, trails, green space, amenities and services.
- Strive to concentrate any new development or human activities to the least environmentally sensitive lands.
- Encourage the use of native plant species that minimize the necessity for significant watering as a means of protecting local biodiversity and adapting to climate change.

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## BUDGET CONSIDERATIONS

There are no atypical budget considerations with this application. DP application fees provide for recovery of costs associated with the processing of this application.

Costs for onsite and offsite infrastructure and park and trail improvements will be paid for by the applicant.

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## LÍ'WAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líl'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. This section identifies areas where RMOW activities intersect with these relationships.

There are no specific considerations to include in this report.

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## COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform     Consult     Involve     Collaborate     Empower

Comment(s):

A DP information sign is posted on the property per DP application requirements. No further community engagement is required for a DP.

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## REFERENCES

Location: 5298 Alta Lake Road  
Legal: Lot B (Reference Plan 2643) except part dedicated road on Plan BCP7865 District Lot 2246 Group 1 NWD  
Owner: Empire Club Development Corporation Inc.

Appendix A - Location Map  
Appendix B - Architectural and Landscape Plans  
Appendix C - Drawing List  
Appendix D - Civil Plans



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Appendix E - OCP DPA Guidelines Evaluation

Appendix F- Advisory Design Panel Minutes, December 14, 2022

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## **SUMMARY**

This report presents DP001902 for the proposed development at 5298 Alta Lake Road for 21 employee townhouse units, 11 market townhouse units, 11 tourist accommodation townhouse units, and associated amenities, as well as park and Valley trail development and describes how the proposed development meets the applicable OCP DP Area guidelines.

Staff recommend that Council approve the issuance of DP001902 as laid out in the recommendations of this report.

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## **SIGN-OFFS**

### **Written by:**

Melissa Laidlaw,  
Manager, Development Planning

### **Reviewed by:**

Dale Mikkelsen,  
General Manager of Climate Action, Planning  
and Development Services

Virginia Cullen,  
Chief Administrative Officer