



RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V8E 0X5 TF 1 866 932 5535
whistler.ca FAX 604 935 8109

STAFF REPORT TO COUNCIL

PRESENTED: June 11, 2024 **REPORT:** 24-065
FROM: Planning Department **FILE:** 3360-20-1182, 3900-20-2437
SUBJECT: HOUSING AGREEMENT BYLAW (5298 ALTA LAKE ROAD) NO. 2437, 2024
THIRD READING 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 consider giving third reading to “Housing Agreement Bylaw (5298 Alta Lake Road) No. 2437, 2024”, as revised.

PURPOSE OF REPORT

This report requests consideration of third reading for “Housing Agreement Bylaw (5298 Alta Lake Road) No. 2437, 2024”, as revised (Proposed Bylaw).

The Proposed Bylaw will enable the Resort Municipality of Whistler (RMOW) to enter into a housing agreement and covenant for the proposed 21 employee townhouses located at 5298 Alta Lake Road to increase the maximum initial sales price from \$425 to \$495.28, increase the maximum rent amounts to reflect the Consumer Price Index (CPI) increase since registration of the existing housing agreement adopted by Council on September 12, 2023 and registered on the property title on [September 28, 2023 \(Existing Housing Agreement\)](#) and replace the Existing Housing Agreement.

Information Report Administrative Report (Decision or Direction)

DISCUSSION

Background

The Proposed Bylaw applies to the proposed 21 employee townhouse dwelling units proposed at 5298 Alta Lake Road.

At the Regular Council Meeting of [May 28, 2024](#), Council passed a resolution giving first and second readings to the Proposed Bylaw and further directed staff to review the room rental rates in relation to increased CPI since the registration of the Existing Housing Agreement and bring back potential amendments for Council consideration with third reading of the bylaw.

Analysis

The Proposed Bylaw has been prepared for Council consideration of third reading, and contains the following revisions to the Proposed Bylaw given first and second readings by Council on May 28, 2024:

- Increases the maximum room rental rate from \$800.00 per month to \$806.26 per month;
- Increases the original maximum rent from of \$2.75 per square foot to \$2.77 per square foot; and
- Increases the rental rate for the 3-bedroom units from \$3,695.00 to \$3,723.90 per month.

All the above revisions incorporate the CPI for Canada increase since September 28, 2023 (as permitted by the Existing Housing Agreement), consistent with the CPI increase granted to the maximum initial sales price as described in the [May 28, 2024 Administrative Report No. 24-056](#), such that the CPI increase from registration of the Existing Housing Agreement to registration of the new housing agreement is captures for both the sale and rental of the employee units.

Of the 21 employee units, 20 will be available for sale to Qualified Persons (as defined in the Proposed Bylaw) through the Whistler Housing Authority (WHA) waitlist and one will be retained by the owner as a rental unit to an Employee or Retiree. Qualified Persons must obtain mortgage pre-approval to purchase an employee unit, and the Revised Bylaw requires each employee unit to be occupied as a permanent primary residence by an Employee or Retiree, in addition to one or more relatives or spouses, and in addition permits rental of one or more rooms to Employees or Retirees. Further, an owner may rent the entirety of the employee unit to Employees or Retirees for up to six months less one day in each calendar year. If an owner occupying the employee unit chooses to rent a room, the maximum room rental rate represents 30 per cent of the income for a single person working at minimum wage, thereby supporting a range of affordability options in Whistler.

If renting the entire employee unit, in addition to the maximum allowable rent, the Proposed Bylaw permits the owner to charge an additional \$75.00 per month if the employee unit is fully furnished and an additional \$25.00 per month if the employee unit contains a fully functioning washer and dryer. These extra charges have been standard charges in housing agreements since 2007, and do not increase with CPI.

The Proposed Bylaw also attaches the Schedule A Development Plans. The Proposed Bylaw does not change any of the other terms of the Existing Housing Agreement which includes occupancy and eligibility restrictions, subsequent sale price restrictions, rental restrictions and administration and management for the proposed 21 employee townhouse dwellings units, which are consistent with RMOW affordable employee housing policies and standard terms.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

Section 483 of the *Local Government Act* (LGA) provides the authority for local governments to enter into agreements for affordable housing that restrict the occupants and address matters including the form of tenure, rents and leases, sale prices, and administration and management of the housing units. Previous Council decisions related to the proposed development at 5298 Alta Lake Road are listed below:

[May 28, 2024: Administrative Report No. 24-056](#), Housing Agreement Bylaw (5298 Alta Lake Road) No. 2437, 2024 Report

[December 19, 2023: Administrative Report No. 23-128](#), RZ001182 – Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2423, 2023 Report

[September 12, 2023: Administrative Report No. 23-094](#), RZ001157 – 5298 Alta Lake Road Employee, Market and Tourist Accommodation Housing Zoning Adoption Report

[June 21, 2022: Administrative Report No. 22-095](#), RZ001157 – Public Hearing Summary and Third Reading Consideration for “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” and “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”

[June 21, 2022: Administrative Report No. 22-096](#), RZ001157 – Housing Agreement Bylaw (5298 Alta Lake Road) No. 2329, 2022 Report

[March 8, 2022: Administrative Report No. 22-033](#), RZ001157 - “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” and “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020” – Rescind Third Reading Report

[June 15, 2021: Administrative Report No. 21-066](#), RZ001157 – Public Hearing Summary and Third Reading Consideration for “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” and “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”

[February 02, 2021: Administrative Report No. 21-012](#), RZ001157 – 5298 Alta Lake Road Zoning Amendment for Employee Housing

[December 01, 2020: Administrative Report No. 20-119](#), RZ001157 – 5298 Alta Lake Road Rezoning/OCP Amendment for Employee/Market Housing

[June 23, 2020: Administrative Report No. 20-057](#), RZ001157 – 5298 Alta Lake Road Rezoning - Employee/Market Housing

[February 18, 2020: Administrative Report No. 20-019](#), RZ001157 – 5298 Alta Lake Road Rezoning - Employee/Market Housing

[September 17, 2019: Administrative Report No. 19-118](#), RZ001157 – 5298 Alta Lake Road Rezoning – Market/ Employee Housing

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 Official Community Plan (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 OCP specifies a target to strive for the addition of 1,000 new employee beds over the next five years (2019 to 2023). Further, 5.1.3.1 Policy calls for the RMOW to “Maintain an inventory of employee housing in perpetuity, for rental and ownership tenures, to be available for employees.”

The use of housing agreements is an essential tool in achieving the RMOW’s OCP goals and objectives related to securing and maintaining affordable employee housing for the RMOW. The following OCP policies also provide guidance for the development of these agreements:

5.1.3.2. Policy: Use housing agreements, covenants and bylaws to ensure housing is occupied as intended for employee housing; and

5.1.2.8. Policy: Ensure employee housing is occupied consistent with restrictions related to price, use, resale, eligibility and other conditions.

The Proposed Bylaw will ensure that the development proposed for 5298 Alta Lake Road facilitates the creation of employee housing in perpetuity aligned with current municipal policies and goals for affordable employee housing.

BUDGET CONSIDERATIONS

Costs associated with development of project specific housing agreements for proposed developments, are recovered through rezoning and development application fees. Costs associated with administering housing agreements are provided for through RMOW and WHA operating budgets.

LÍŁWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líłwat 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

Under the LGA, a housing agreement bylaw does not require a Public Hearing or public notification.

REFERENCES

Housing Agreement Bylaw (5298 Alta Lake Road) No. 2437, 2024, as revised (included in Council Package).

SUMMARY

This report requests consideration of third reading for the Proposed Bylaw, as revised, to authorize registration of a new housing agreement to increase the maximum initial sales price from \$425 to \$495.28, increase the maximum rent amounts to reflect CPI increase since registration of the Existing Housing Agreement for the proposed 21 employee townhouses located at 5298 Alta Lake Road and replace the Existing Housing Agreement.

The Proposed Bylaw does not change any of the other terms of the Existing Housing Agreement which includes occupancy and eligibility restrictions, subsequent sale price restrictions, rental restrictions and administration and management for the proposed 21 employee townhouse dwellings units, which are consistent with the RMOW's affordable employee housing policies and standard terms.

SIGN-OFFS

Written by:

Melissa Laidlaw,
Director of Planning

Reviewed by:

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

Virginia Cullen,
Chief Administrative Officer