



**RESORT MUNICIPALITY OF WHISTLER**

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## STAFF REPORT TO COUNCIL

**PRESENTED:** April 8, 2025 **REPORT:** 25-021  
**FROM:** Planning Department **FILE:** 3900-20-2462  
**SUBJECT:** RZ001194 - ZONING AMENDMENT BYLAW (CHEAKAMUS CROSSING PHASE 2  
RM-CD2 ZONE) NO. 2462, 2025 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 first, second, and third readings to “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2462, 2025” (Proposed Bylaw); and

**That** Council direct staff to advise the owner that prior to adoption of the Proposed Bylaw the following matters respecting 1600 Mount Fee Road (Lot 3) must be resolved to the satisfaction of the General Manager of Climate Action, Planning and Development Services:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (RMOW) to:
  - a) ensure development is consistent with the development plans to be finalized prior to adoption;
  - b) establish a parking management plan outlining the use of resident and visitor parking in conjunction with rental tenancy;
  - c) secure registration of a housing agreement in favour of the RMOW to regulate employee occupancy and rental rates;
  - d) require completion of the Cheakamus Crossing Phase 2 neighbourhood park prior to occupancy of Lot 3; and
  - e) ensure the following green building features are delivered:
    - (i) Provision of electrical conduit with access to a circuit (i.e., electric vehicle ready) for all residential parking stalls; and
    - (ii) Provision of heating, ventilation, and air conditioning systems that achieve the minimum efficiency rating required by *Council Policy G-28: Green Building Policy* (Green Building Policy);

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- (iii) Provision of Energy Recovery Ventilators incorporating filters with a Minimum Efficiency Reporting Value of 13 and achieving heat recovery effectiveness consistent with the Green Building Policy; and
- (iv) Building energy efficiency and performance to meet or exceed BC Energy Step Code Step 4 with Strong Carbon Performance, as defined through the BC Energy Step Code and Zero Carbon Step Code.

## PURPOSE OF REPORT

This report presents “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2462, 2025” (Proposed Bylaw) for Council’s consideration of first, second, and third readings.

The Proposed Bylaw makes changes to the Residential Multiple – Comprehensive Development Two (RM-CD2) Zone applicable to Cheakamus Crossing Phase 2 (Phase 2) to optimize the proposed development at Lot 3 for higher-density development to support the creation of more employee-restricted housing units.

The Proposed Bylaw also updates the zoning applicable to the River Run Place (Lot 4) parcels to permit accessory residential dwelling units (ARDUs) in half-duplexes. The Proposed Bylaw also brings amendments to the allowable uses for the Lot 4 parcels to reflect the intended development and parcelization of the existing RM-CD2 Zone. The Proposed Bylaw specifies permitted uses for each Strata Lot and provides a plan of the 23 strata lots. For consistency with adopted Small-Scale Multi-Unit Housing (SSMUH) regulations, the proposed amendment also requires that the ARDU be subject to a residential rental tenure (RRT) restriction, establishes a statutory declaration for this restriction, and specifies a minimum parking requirement of one space per dwelling unit.

The report also presents conditions to be addressed prior to any Council consideration of adoption of the Proposed Bylaw.

Information Report

Administrative Report (Decision or Direction)

## DISCUSSION

### Background

Rezoning of the Phase 2 lands was initiated in February 2020 and completed in early 2021 (see [Administrative Report No. 21-024](#)). The applicable RM-CD2 Zone tailored the zoning parameters for each of the development lots consistent with a master development plan to achieve a successful extension of the original Cheakamus Crossing neighbourhood, and established zoning parameters for townhouses for employee housing up to three storeys, with a total gross floor area (GFA) of 4,300 square metres and maximum floor space ratio (FSR) of 0.50 for Lot 3.

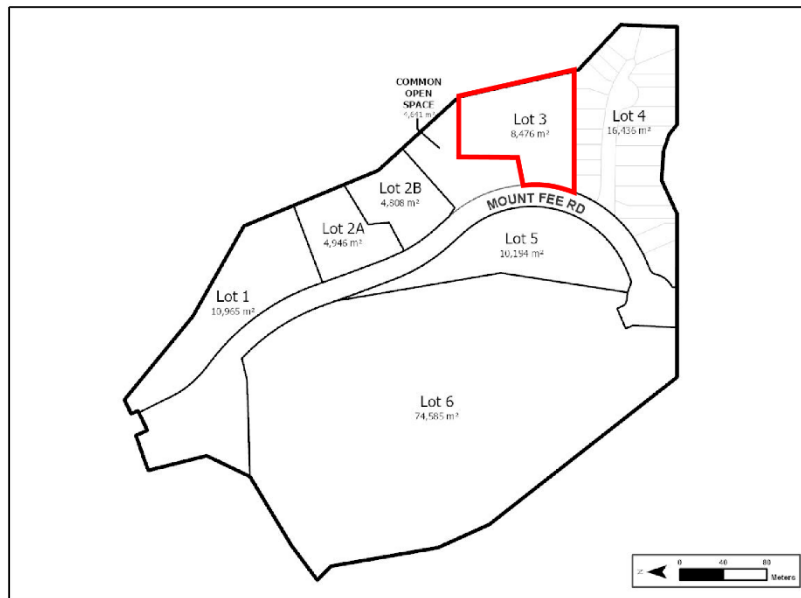
The Whistler 2020 Development Corp (WDC) submitted rezoning application RZ001194 for the development of Lot 3 on November 21, 2024, and on February 25, 2025, staff presented the Lot 3 Project Plan submitted by WDC to Council. The intent was to obtain Council’s provisional endorsement of the Project Plan and to develop a shared understanding of the funding sources for this project (see [Administrative Report No. 25-010](#)). At that meeting, Council endorsed the Project Plan and provided direction on items related to the rental framework, housing agreement, and recommended approach to financing the project.

## Analysis

### Description of Proposed Development on Lot 3

Lot 3 is a 0.85-hectare (8,477.34 m<sup>2</sup>) parcel on the eastern side of Mount Fee Road that is completely cleared and partially excavated in anticipation of its future development. It is located between the future neighbourhood park, the Cheakamus River, Mount Fee Road and the single-family/duplex Lot 4 development. It is located across from 1475 Mount Fee Road (Lot 5), which is currently being developed as two apartment buildings containing a total of 105 employee restricted units. The property is zoned RM-CD2; the current permitted land use is “townhouses for employee housing”.

**Figure 1 - 1600 Mount Fee Road Location Map**



RZ001194 for Lot 3 proposes the construction of a five-storey apartment building with 105 dwelling units, comprised of:

- 14 studio units (including ten accessible units) with an average floor area of 37.87 m<sup>2</sup> (408 ft<sup>2</sup>);
- 75 one-bedroom units with an average floor area of 49.10 m<sup>2</sup> (529 ft<sup>2</sup>); and
- 16 two-bedroom units (including three accessible units) with an average floor area of 72.47 m<sup>2</sup> (780 ft<sup>2</sup>).

The proposal also includes 20 three-bedroom townhouses in four two-storey blocks. The townhomes are approximately 113 m<sup>2</sup> (1,221 ft<sup>2</sup>) in floor area.

The development plans are attached as Appendix A. The proposed buildings reflect a similar architectural style and scale as the existing apartment buildings in the Phase 2 neighbourhood. All apartment units are provided with a balcony. All apartments and townhouses have a storage room within the unit, and in addition, accessible units will be provided an additional locker in the parkade. The apartment building has two elevators; accessibility is addressed on all floors with wider corridors. A common laundry room is provided on the ground floor of the building, meeting the BC Housing Design Guidelines and Construction Standard. The southern end of the apartment building features a modulated roof and is set back and reduced in height from five to three storeys, aligning with the scale of the adjacent Lot 4 single-family/duplex development. This design integration enhances the overall transition between the building types.

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The apartment building and townhouses will be built over a common parkade containing 145 resident parking spaces, including four universally accessible spaces located close to the elevator and 32 small car spaces. A total of 15 visitor parking stalls, including one accessible stall, are located at grade in front of the buildings. The parkade also contains a bicycle storage facility, private storage/locker rooms for resident use and a waste management room.

### Proposed Bylaw

The Proposed Bylaw amends the existing zoning regulations for Lots 3, 4 and 6 in Phase 2 by replacing the existing RM-CD2 Zone with the following changes:

#### 1. Lot 3

The Proposed Bylaw will make the following amendments to facilitate the development of Lot 3 proposed under RZ001194:

- A change in use from “townhouses for employee housing” to “apartments and townhouses for employee housing”;
- GFA increase of 4,600 m<sup>2</sup> (from 4,300 to 8,900 m<sup>2</sup>);
- FSR increase of 0.55 (from 0.5 to 1.05 FSR);
- Building Height increase of 8.3 m and two additional storeys (from 10.7 to 19 m and three to five storeys);
- Site Coverage increase of 15 per cent (from 20 to 35 per cent);
- Minimum Building Separation reduction from 6 m to 1.5 m;
- Parking requirement of one stall per apartment unit. Parking for townhouses and visitor parking will be provided per parking bylaw requirements (two stalls per townhouse and 15 visitor parking stalls); and
- Allow a higher proportion of visitor parking to be provided as surface parking (from 10 to 20 per cent of the total number of dwelling units on the site).

The density and scale proposed is consistent with the Phase 2 neighbourhood. Furthermore, the development of Lot 3 will advance Council’s goal in the 2023-2026 Strategic Plan to complete Phase 2 by 2026 and is consistent with Whistler’s Official Community Plan (OCP) and growth management policies. An evaluation of the proposed rezoning against the applicable rezoning evaluation criteria from the OCP is presented in Appendix B.

#### 2. Lot 6

The Proposed Bylaw will reduce the GFA on 1825 Mount Fee Road (Lot 6) by an equal amount to what is added to Lot 3, so that the overall density of the Phase 2 lands remains unchanged. The request to reduce the parking requirement and allow more units reduces the construction costs by bringing down the per-square-foot building cost, thus making the project more financially viable while supporting affordability of the employee housing units. Adding additional floor area also brings down the per-square-foot building cost.

#### 3. Lot 4

The Proposed Bylaw also brings amendments to the allowable uses for the Lot 4 parcels to reflect the intended development and parcelization of the existing RM-CD2 Zone, specifically that 10 of the parcels contain a one-half duplex dwelling and not a duplex dwelling. As such the Proposed Bylaw specifies permitted uses by Strata Lot as either detached dwelling or one-half

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duplex and reduces side setbacks for one-half duplex to 0 m. The Proposed Bylaw also provides a plan of the 23 strata lots.

Properties where only one-half duplexes are permitted exceed the density requirements to qualify as a restricted zones as per the SSMUH legislation and therefore the SSMUH regulations in Part 5 section 35 of "Zoning and Parking Bylaw No. 303, 2015" (Zoning Bylaw) do not apply. Properties subject to SSMUH are permitted to construct a duplex dwelling with two ARDUs. Whereas currently in the RM-CD2 Zone, an ARDU is not permitted in a duplex. Allowing each one-half duplex to have an ARDU creates additional opportunities for infill housing, beyond the legislative requirements, consistent with that recently adopted by Council for the RM70 Zone, another zone permitting one-half duplexes. For consistency with adopted SSMUH regulations, the proposed amendment also requires that the ARDU be subject to a RRT restriction, establishes a statutory declaration for this restriction, and specifies a minimum parking requirement of one space per dwelling unit.

### **Advisory Design Panel Review**

The Advisory Design Panel (ADP) reviewed RZ001194 on January 15, 2025. The ADP was supportive of the rezoning application and proposed new zoning parameters. The minutes of the January 15, 2025 ADP meeting are attached as Appendix C.

At that meeting, ADP members recommended adjusting the visitor parking layout to improve circulation and preserve privacy of the apartment units. The ADP also recommended revising the pedestrian pathways to ensure accessibility, prioritize pedestrian space and reduce vehicular dominance to create a more welcoming space and improve safety.

Since January 2025, the visitor parking layout has been redesigned to position it further from the residential balconies. This reconfiguration not only enhances privacy but also maximizes the green space in the courtyard. A new pathway, complete with seating and a picnic area, has been added for increased outdoor enjoyment. Additionally, the fire access was rerouted, and the back entry height was lowered, which facilitated lower grading on the north and east sides of Building 1. As a result, all retaining walls have been lowered accordingly. The pathway to the park has been removed and replaced with a wider planting buffer that separates the park from the development. Furthermore, all pedestrian pathways have been widened to a minimum of 1.6 m, with designated letdowns at key locations to ensure accessibility.

Review from ADP for Development Permit application DP002023, associated with Lot 3, happened on March 26, 2025. Design development to address ADP comments is not expected to impact the zoning amendment parameters, and staff recommend proceeding with the rezoning. Revised drawings will be presented to Council at the DP approval stage, along with the minutes of March 26, 2025 ADP meeting.

### **Conditions of Rezoning**

As a condition of adoption of the Proposed Bylaw, staff recommends registration of a development covenant in favour of the RMOW to secure development on Lot 3 consistent with the supported development plans, establish a parking management plan outlining the use of resident and visitor parking in conjunction with rental tenancy, secure registration of a housing agreement in favour of the RMOW to regulate employee occupancy and rental rates, and require completion of the Phase 2 neighbourhood park prior to occupancy of Lot 3.

Staff also recommends adding the following green building requirements to the development covenant in addition to the existing green building requirements registered under Covenant CA9354647:

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- Provision of electrical conduit with access to a circuit (i.e. electric vehicle (EV)-ready) for all resident parking stalls (in addition to the existing covenanted requirement to provide Level 2 chargers for 20 percent of parking stalls);
- Provision of Heating, Ventilation, and Air Conditioning systems that achieve the minimum efficiency rating required by *Council Policy G-28: Green Building Policy* (Green Building Policy); and
- Provision of Energy Recovery Ventilators incorporating filters with a Minimum Efficiency Reporting Value of 13 and achieving heat recovery effectiveness consistent with the Green Building Policy.

Covenant CA9354647 was registered as a condition of the initial rezoning of the Phase 2 lands in 2021 and establishes green building requirements for all the parcels within the Phase 2 lands. The covenant requires that new buildings must be built one step above the current RMOW bylaw requirements for BC Energy Step Code (in this case, the building must meet Step 4 of the BC Energy Step Code). The covenant requires that new buildings must be connected to Whistler's District Energy System for provision of domestic hot water and that they cannot be connected to natural gas for any purpose. The covenant also requires that Level 2 EV charging infrastructure must be provided for a minimum of 20 per cent of the required parking stalls.

#### Housing Agreement

The proposed development is required to be employee restricted rental housing, and a housing agreement is to be registered on the title of the property to restrict the use to eligible employees and to restrict the maximum rents. A housing agreement/covenant will be brought forward in a separate report to Council to secure tenant eligibility and unit rents through a housing agreement bylaw.

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## **POLICY CONSIDERATIONS**

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

[February 25, 2025, Administrative Report No. 25-010: Cheakamus Crossing Phase 2 – 1600 Mount Fee Road Lot 3 Project Plan Endorsement](#) – sought Council's provisional endorsement of the Phase 2 Lot 3 Project Plan submitted by the WDC, and to develop a shared understanding of the funding sources for this project. The report also sought Council's direction on items related to the rental framework, housing agreement, and recommended approach to financing the project.

[June 15, 2021, Administrative Report No. 21-067: DP001817 – 1340-1360 Mount Fee Road – Cheakamus Crossing Phase 2 Development – Subdivision](#) – presented DP001817, required to authorize the subdivision of the Phase 2 lands.

[March 16, 2021, Administrative Report No. 21-024: RZ001165 – Cheakamus Crossing Phase 2 – Zoning Amendment Bylaw \(Cheakamus Crossing Phase 2 Parcelization\) No. 2298, 2020, Consideration of Adoption](#) – presented "Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 Parcelization) No. 2298, 2020" (Bylaw 2298) to Council for consideration of adoption. The report also provided a summary and review of the conditions of adoption.

[February 16, 2021, Administrative Report No. 21-019: RZ001165 – Cheakamus Crossing Phase 2 – Zoning Amendment Bylaw \(Cheakamus Crossing Phase 2 Parcelization\) No. 2298, 2020 Summary Report of Public Hearing and Third Reading Consideration](#) – presented Bylaw 2298 to Council for consideration of third reading.



[December 15, 2020, Administrative Report No. 20-127: RZ001165 – Cheakamus Crossing Phase 2 – Zoning Amendment Bylaw \(Cheakamus Crossing Phase 2 Parcelization\) No. 2298, 2020, First and Second Reading](#) – presented Bylaw 2298 for Council consideration of first and second readings, along with conditions to be addressed prior to any Council consideration of adoption of the Proposed Bylaw.

[September 15, 2020, Administrative Report No. 20-089: RZ001165 – Cheakamus Crossing Phase 2 – Upper Lands parcelization Plan](#) – presented a rezoning application from WDC for the rezoning of lands referred to as the Cheakamus Crossing Upper Lands. The report recommended Council endorse further review and processing of the proposed rezoning.

### **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.

Review of the Proposed Bylaw relative to the policies of the OCP indicates that the Proposed Bylaw is consistent with the principal policies of the OCP and does not require an OCP amendment.

OCP Objective 4.1.6 provides a list of criteria to be used to evaluate all proposed amendments to the OCP and the Zoning Bylaw for the purposes of allowing development or a change in land use. RZ001194 is consistent with the criteria described in OCP Objective 4.1.6. Evaluation of the proposed rezoning against these criteria is provided in Appendix D.

In addition, the recommended resolution included within this report is consistent with the goals, objectives and policies included within the OCP. Specifically, the Proposed Bylaw supports the following OCP goals:

- |     |      |   |
|-----|------|---|
| 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. |
|-----|------|---|

- 5.1 Goal Meet Whistler’s long-term housing needs consistent with the growth management policies and land use designations in this OCP.
- 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.
- 5.4 Goal Reduce the environmental and energy impacts of residential neighbourhoods to improve the quality of life and sustainability of the resort community.

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 describes 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 specifies (Objective 5.1.2) a target to strive for the addition of 1,000 new employee beds over the next five years (2019 – 2023). The Proposed Bylaw addresses this target.

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

- 5.1.1.2 Policy Maximize utilization of Residential Reserve lands for employee housing and phase development as required to support Whistler’s employee housing needs.
- 5.1.2.2 Policy Strive to add 1,000 new employee beds within the next five years.
- 5.1.2.4 Policy Pursue development of Residential Reserve lands in Cheakamus Crossing within the next five years, as one of the primary opportunities for new employee housing.
- 5.1.2.8 Policy Ensure employee housing is occupied consistent with restrictions related to price, use, resale, eligibility, and other conditions.
- 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.
- 5.3.1.3 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.
- 5.4.1 Objective Encourage environmentally friendly and energy-efficient design, construction and renovation standards for both new development and redevelopment of residential areas.
- 5.4.1.1 Policy Encourage all new buildings and renovations to be built with environmentally sustainable methods, standards, and technologies including by implementing the BC Energy Step Code.

The Proposed Bylaw will facilitate the completion of secure affordable employee housing in Whistler and is consistent with Whistler’s OCP and growth management policies.



### OCP Development Permit Area Guidelines

The subject parcel is within the Protection of Sensitive Ecosystems, Multi-Family Residential, and Wildfire Protection (Wildland) Development Permit Areas (DPA). Preliminary review of the proposal relative to the applicable OCP DPA Guidelines is attached as Appendix B to this report.

Development permit application DP002023 has been submitted by the applicant for the proposed development and DP002023 is being processed concurrent with RZ001194. Staff will bring DP002023 to Council for approval of issuance after Council's consideration of adoption.

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### **BUDGET CONSIDERATIONS**

Application fees for rezoning applications cover the cost of staff processing and associated direct costs.

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### **LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS**

The RMOW is committed to working with the Lílwat 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 planning on unceded territories, as currently managed by the provincial government; achieve mutual objectives and enable participation in Whistler's resort economy.

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

Section 464(3) of the *Local Government Act* (LGA) specifies that a local government must not hold a public hearing on a proposed zoning amendment bylaw if:

- (a) An OCP is in effect for the area that is the subject of the zoning bylaw,
- (b) The bylaw is consistent with the official community plan,
- (c) The sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
- (d) The residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

The required notice was mailed out and advertisement made to advise the public that no public hearing will be held for the Proposed Bylaw.

Consistent with section 30 of the "Land Use Procedures Bylaw No. 2205, 2022", an information sign has been posted on the property within 14 days of submission of the rezoning application.

Correspondence from the public regarding Rezoning Application RZ001194 was received on February 24, 2025 (see Appendix E). The correspondence expressed concern with the application and the proposed new zoning parameters. The correspondence also expressed concern that no public hearing

will be held. To mitigate the concerns and address the transition between building types, the site plan places townhouse buildings 2 and 3 along Lot 4 boundary, matching the height and scale of the single-family/duplex homes. Additionally, the southern end of the apartment building steps down from five to three storeys, matching height of the townhouses and Lot 4 zoning. Regarding the concern that no public hearing will be held, as per the requirements described in the LGA, the required notice was mailed out and advertisement made in the local newspapers to advise the public that no public hearing will be held for the Proposed Bylaw.

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## REFERENCES

Appendix A – Architectural and Landscape Plans  
Appendix B – OCP DPA Guidelines Review  
Appendix C – January 15, 2025 ADP meeting minutes (excerpt)  
Appendix D – Rezoning Criteria Summary Evaluation  
Appendix E – Correspondence from the public

“Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2462, 2025” (included in Council Package).

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## SUMMARY

This report presents “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2462, 2025” for consideration of first, second and third readings.

The Proposed Bylaw has been prepared to enable development of additional employee housing units and refine the parking requirements for the proposed development at Lot 3. The Proposed Bylaw will change the allowable land use from townhouse to apartment, increase the maximum building height, GFA, FSR, and site coverage, resulting in a larger project delivering more housing. The site Proposed Bylaw also reduces the minimum building separation and the parking minimum at one stall per apartment (which is the same as the other projects in the Phase 2 neighbourhood) and two stalls per townhouse, with additional visitor parking provided. Increasing the density provides for additional employee-restricted units, makes the proposed development more economically viable, and supports affordability of the units. Reducing the number of required parking stalls provide cost savings without compromising expected parking needs and site character and enhances project feasibility.

The Proposed Bylaw also updates the zoning on Lot 4 to account for accessory residential dwelling units (ARDUs), brings amendments to the allowable uses for the Lot 4 parcels, and provides a plan of the 23 strata lots. For consistency with adopted SSMUH regulations, the proposed amendment also requires that the ARDU be subject to a RRT restriction, establishes a statutory declaration for this restriction, and specifies a minimum parking requirement of one space per dwelling unit.

Staff is supportive of the proposed rezoning and have prepared the Proposed Bylaw for Council consideration subject to specified conditions.

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**SIGN-OFFS**

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