



# WHISTLER

## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** May 5, 2020  
**FROM:** Resort Experience  
**SUBJECT:** RZ1144 – 2077 GARIBALDI WAY – PRIVATE EMPLOYEE HOUSING

**REPORT:** 20-042  
**FILE:** RZ1144

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the General Manager of Resort Experience be endorsed.

### RECOMMENDATIONS

**That** Council endorse further review and processing of RZ1144, a revised application to rezone the lands located at 2077 Garibaldi Way from Residential Single Estate One (RS-E1) to a site specific multi-family zone to provide for 20 townhouse units of mixed employee and market housing as described in this Report and shown in Appendices “B” and “C”; and

**That** Council authorize staff to schedule an online public information and input opportunity, as described in this Report, for the proposed development and rezoning; and further,

**That** Council authorize staff to prepare a zoning amendment bylaw for the proposed development for Council consideration.

### REFERENCES

Location: 2077 Garibaldi Way  
Legal Description: Lot 3, DP 5412, Plan 16634  
Owners: 1116130 BC Ltd  
Appendix “A” – Location Key Map  
Appendix “B” – Site Plan and Cross Sections  
Appendix “C” – Unit Plans  
Appendix “D” - Applicant Project Description  
Appendix “E” - Applicant Rationale per PSEHI Guidelines  
Appendix “F” - Evaluation of Proposed Development Re: Guidelines for Evaluating Private Sector Rezoning Proposals for Employee Housing

### PURPOSE OF REPORT

This Report provides an update and revised application submittal for RZ1144, a rezoning application brought forward by 1116130BC Ltd. under the Private Sector Employee Housing Initiative. The application requests Council’s consideration to rezone the lands located at 2077 Garibaldi Way to allow for 20 townhouse units comprising a mix of employee and market housing. The subject property is located in the Nordic Estates neighbourhood, adjacent to, and to the north of, the Whistler Creek

commercial core (please see Appendix “A” – Location Key Map). The revised proposal has been evaluated for Council consideration relative to the Council endorsed Guidelines for Evaluating Private Sector Rezoning Proposals for Employee Housing, as well as other applicable municipal policies and regulations.

This report recommends that Council endorse further review of the application, authorize staff to schedule an online public information and input opportunity, and authorize staff to bring forward a zoning amendment bylaw for Council consideration.

## **DISCUSSION**

### **Background**

RZ1144 was received in November 2017, and was the first application to be brought forward under the Private Sector Employee Housing Initiative (PSEHI), which was initially developed as one of the recommendations of the Mayors Task Force on Resident Housing to encourage private development of 100 percent employee rental housing with below-market rental rates, and to provide a comparative framework for evaluating alternative rezoning proposals. At that time the application responded to the initiative that had been endorsed by Council, with a proposal for three four-storey apartment type buildings with 74 dwelling units, all for below market employee rental housing.

The proposal was first reviewed by Council on December 19, 2017 (see Administrative Report to Council 17-142) and evaluated against the initial Guidelines for Evaluating Rezoning Proposals for Private Sector Employee Housing Developments. Council passed a resolution authorizing further review and processing of the application.

Subsequently there was significant neighbourhood opposition to the proposed development, and following staff and Advisory Design Panel review, on August 18, 2018, the applicant submitted a revised proposal for two three-storey stacked townhouse type buildings with 48 units, still for 100 percent below market employee rental housing, consistent with the evaluation guidelines.

On September 18, 2018 Council reviewed the revised application along with eight other applications that came forward through the PSEHI (see Administrative Report to Council 18-117). Council again authorized RZ1144 for further review and processing, along with several other applications. As part of the further review process, staff recommend a public information meeting be held respecting each application, in advance of bringing forward a zoning amendment bylaw for consideration of first and second readings by Council. The public open house for RZ1144 was held on February 19, 2018, and was well-attended with a significant majority of attendees in opposition to the proposed development. A significant amount of correspondence was also received in opposition to the proposed development, primarily related to traffic generation concerns, density of proposed development, form of development (apartment type dwellings) and tenure (100 percent rental).

On March 26, 2019 Council received an update on the PSEHI and endorsed revised Guidelines for Evaluating Private Sector Rezoning Proposals for Employee Housing. The revised guidelines provided for greater flexibility with respect to tenure of housing, flexibility for a market component, and for the form of housing. The revised guidelines introduced some flexibility for consideration of variances to parking requirements and additional guidelines regarding the character and fit of proposed developments to surrounding conditions.

Subsequent to this, the applicant has taken time to engage in discussions with members of the existing neighbourhood in an effort to find solutions to previously expressed concerns. The updated application for RZ1144 reflects these discussions. The project has changed significantly, and is now proposed to be a mixed market and employee ownership townhouse development, with just 20 units in four buildings (two seven-plexes and two triplexes).

## RZ1144 Development Proposal Description

As described above, the application has gone through several iterations with reductions in proposed densities in each case as shown in the following table:

Submission Date	Council Review	Report No.	Unit Count	GFA (sq. m)	Floor Space Ratio	Storeys	Bed Units
Sep 2017	Dec 2017	17-142	74	6490	0.66	4	222
Aug 2018	Sep 2018	18-117	48	3523	0.40	4 (top floor in roof space)	144
Feb 2020	May 2020	20-042	20	2782	0.32	3	74

Further, the proposal has changed from 100 percent employee housing to a mix of market and employee housing, has changed from rental housing to ownership housing, has changed from apartment type buildings to townhouse buildings, and has reduced the unit count to 20 units in total. The applicant's project description and project rationale relative to the PSEHI guidelines, are presented in Appendices "D" and "E" respectively.

The following provides further details on the proposed development.

### Site Planning

As shown in Appendix "A", the subject property, 2077 Garibaldi Way, is a large triangular parcel located at the western terminus of Garibaldi Way. The parcel is bounded by Highway 99 to the northwest, the Aspen Court and Aspen Drive duplexes and triplexes to the south, and the Wayside Condos to the east. The Garibaldi Way approach to the subject parcel is primarily comprised of single family detached dwellings on both sides of the road. The current zoning on the subject parcel is RSE1 (Residential Single Estate One), which allows for development of one detached dwelling.

The property is significantly lower and relatively isolated from adjacent properties. The lower elevation in relation to neighbouring properties means that any new buildings on this site would be constructed at a lower elevation relative to the neighbours, with limited on views or solar access.

As shown on the Site Plan and Cross Sections in Appendix "B", the revised proposal results in improved site planning, with considerable space between buildings and reduced building heights providing a very different experience compared to previous proposals. The buildings are arranged in a triangular configuration with a central surface parking area and a vegetated site perimeter. This plan allows for a 20 metre setback buffer to highway 99 and 7.6 metre setbacks on the other two sides. An outdoor play area is indicated in the southeast corner between the triplexes. On the opposite side, the firetruck turnaround doubles as a second, re-enforced turf, play area. The access driveway from Garibaldi Way would require some minor retaining in the east side setback to allow for the change in grade as the driveway drops from the Garibaldi Way elevation down to the building site.

### Project Building Summary:

Appendix "C" provides plans for both resident and market units.

- Proposal is for 20 three bedroom units for ownership, not rental
- 14 (three bedroom) WHA units contained in two 7-plexes (each building is 871 m<sup>2</sup>)

- 6 (three bedroom) market units contained in two tri-plexes (each building is 521 m<sup>2</sup>)
- WHA units are sized:
  - A = 133 m<sup>2</sup> x 2 units
  - B = 123 m<sup>2</sup> x 10 units
  - C = 125 m<sup>2</sup> x 2 units
- Market units are sized;
  - D = 174 m<sup>2</sup> x 6 units
- Total GFA = 2782 m<sup>2</sup>
- All Buildings are 3 storeys (10.6 m) with flat roofs

The following table summarizes the revised development program:

	No of Units	GFA	BU	Parking Required
Restricted	14	1741 m <sup>2</sup>	56 BU	14 x 2 = 28 spaces
Market	6	1041 m <sup>2</sup>	18 BU	6 x 2 = 12 spaces
<b>Totals</b>	<b>20</b>	<b>2782 m<sup>2</sup></b>	<b>74 BU</b>	<b>40 spaces required (43 provided)</b>

All the units have three bedrooms and include laundry facilities, balconies, dining areas, generously sized rooms, and garages. The market units have double garages while the WHA units have single garages. The remaining parking is on the surface and a firetruck turnaround is provided. Variances would be required to allow for the proposed tandem parking for the WHA units (one stall in the garage and one stall in the driveway).

This revised and downsized concept is considered to be more consistent with the existing building heights and densities of neighbouring multi-family developments.

The choice to pursue an ownership model rather than rental is in keeping with neighbourhood feedback. The employee units would be made available for sale through the WHA purchase waitlist.

A pro forma has been received for this proposal. The pro forma sets out development costs, operating costs, projected revenues, projected return on investment, and proposed sale rates for the project. The proposed unit prices are \$520 per square foot for the employee units, so given the proposed unit sizes, the average price per unit for the employee units is \$696,000 (1,340 square feet), and are considered to be below market prices. The confidential pro forma information will be reviewed with an independent third party and will be used to verify that the proposed development and sales prices are feasible and returns are reasonable prior to Council consideration of a zoning amendment bylaw.

### Additional Considerations

A concern identified with the previous proposals was related to traffic and access to the southbound lane on Highway 99 from Nordic Drive. The preliminary traffic study submitted by the applicant, conducted for peak hour traffic, suggested that the proposed development will not affect the current level of service at the intersection of Nordic Drive and Highway 99, and for the three local road intersections in the vicinity of the proposed development. However, the wait time for the southbound turn movement onto Highway 99 from Nordic Drive is currently performing below a desirable level of service, and the wait time was expected to increase with the proposed development. The traffic study recommended further review to provide improved left turn access to Highway 99 and mitigate impacts to the neighbourhood.

Staff had subsequent correspondence with the applicant regarding traffic considerations during their preparation of their revised development proposal. Staff expressed concern over the additional wait time and potential related safety concerns associated with the previous proposal as drivers seek to access the highway, both at Nordic Drive and Whistler Road. It was noted that there is on-going work between MoTi and the RMOW on traffic modelling and highway corridor access issues. This work was to identify priority locations of concern and potential improvements. Generally, where improvements are required, RMOW will seek funding from MoTi, and where necessary, development projects will typically share in costs based on the scale of the project and proportionate trip generation.

Subsequently, the potential traffic impacts have been further mitigated by the significant reduction in development density from 48 units down to 20 units and the proposed development is expected to have a very insignificant impact on traffic accessing the highway.

A preliminary Engineering Design Brief has been submitted in support for the proposed development. This brief has identified:

- Water review is preliminary only, infrastructure sizing and building fire flow demands to be determined.
- Sanitary review is preliminary only with a detailed analysis still required.
- Sanitary pump station design TBD
- Storm drainage features to be designed at a later date.

Staff would require a full engineering review and design as part of the further review and processing of the application, should this be approved by Council.

### **Zoning Amendment Bylaw**

The proposed development would require Council approval of a zoning amendment bylaw that would replace the existing RSE-1 zone with a new custom zone establishing the permitted uses, maximum density of development, building heights, and setbacks for the property. These would be developed based on the proposed application and further review including consideration of public input on the revised proposal (as describe in the Community Engagement and Consultation section below), review by the Advisory Design Panel, and the third party evaluation of the development pro forma. Subsequent to this process a recommended zoning amendment bylaw would be presented to Council for consideration.

Prior to any consideration of zoning amendment bylaw adoption, the proposed development would be subject to applicable public hearing requirements, and the following additional details would be implemented through the zoning process:

- The employee housing units would be secured by a housing agreement placed on title specifying the number of employee units and their size, restricting the initial sales price of the units and the permitted price appreciation restricted to CPI, as well as the employee eligibility criteria.
- Eligible employees may come from the Whistler Housing Authority (WHA) waitlist. These details would be specified in the housing agreement.
- A development covenant would be placed on title prior to bylaw adoption establishing the approved design concept.

## WHISTLER 2020 ANALYSIS

See Administrative Reports to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018 for an analysis of the proposal against Whistler 2020 strategies.

## OTHER POLICY CONSIDERATIONS

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

Compliance with Zoning and Parking Bylaw No. 303, 2015 regulations and other RMOW policies would continue to be assessed as part of the zoning amendment process.

### Official Community Plan

Whistler's existing OCP outlines specific items for review with respect to rezoning applications. Detailed evaluation against these criteria was provided in Administrative Reports to Council 17-142 and 18-117.

The subject property is located within Development Permit Areas 2 (Residential Estate Lands) and 19 (Whistler Creek Area) in Whistler's OCP. Analysis for the originally proposed multi-family development relative to applicable -development permit area guidelines was provided in report 17-142. The revised design proposed generally meets the applicable DP Area 2 Form and Character Guidelines as indicated in the following table:

DP Area 2 Guideline	RZ1144 Proposal
All development shall maximize sun penetration to pedestrian levels and to neighbouring public and private spaces to provide for outdoor activity areas.	The project provides for sun penetration by separating the buildings as much as reasonably possible while protecting the 20 metre highway buffer.
Roof design must establish effective snow management and have a sloped appearance. Whistler's extreme freeze/thaw cycle and frequent large accumulations of snow are to be considered in design and material selection. All pedestrian and vehicle access points must be protected from snow shed and ice accumulation.	The building design and materials will respond to Whistler's climate conditions. This will be addressed through further detailed design development.
Building materials, colours and facade modulation shall be consistent with the mountain character. Building materials including stone, wood, acrylic, stucco and treated/textured concrete are appropriate. Building colours should be muted and consist of natural colours found in the Whistler setting. Building materials must be sufficiently durable and shall be detailed to withstand Whistler's harsh climate.	Proposed building materials will be consistent with this guideline. This will be addressed through further detailed design development.
Building design should reflect the importance of separating vehicular and pedestrian circulation. Service bays, recycling containers and garbage storage should be contained within the building and suitably screened.	Further development of these details is required.

All surface parking areas shall be screened by a combination of walls, fencing, landscaping and berms. Parking areas must provide adequate areas for snow storage and drainage.	There is some natural screening on the site. Additional screening will be provided. Snow storage areas are not currently indicated.
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The proposed development would be subject to further review and design development with review by the Advisory Design Panel. Prior to any consideration of adoption of a zoning amendment bylaw, a final supported design would be established and then registered on title by development covenant. The proposed development would also be subject to development permit approval, which would be concurrent with the rezoning process.

### **Guidelines for Evaluating Private Sector Rezoning Proposals for Employee Housing**

The revised application submittal for the proposed development has been evaluated based on the revised evaluation guidelines endorsed by Council, as shown in Appendix “F”. Based on the evaluation criteria and the staff analysis to date, staff recommend that this application be considered for further review and processing.

### **BUDGET CONSIDERATIONS**

All costs associated with individual rezoning applications, including staff review time, public meetings, notices, and legal fees will be paid by the applicant.

### **COMMUNITY ENGAGEMENT AND CONSULTATION**

At the time a rezoning application is submitted and received by the Planning Department, a rezoning application sign must be posted on the property within seven days. Consistent with standard practice, these applications are also identified in the applications register posted on the municipal website. Any correspondence received from members of the public becomes part of the rezoning application file for staff and Council consideration.

A public information meeting was held on February 19, 2018. This meeting was well attended and members of the public expressed concerns regarding the proposed density and use. Given the extent of changes to the development proposal, staff recommends that a further opportunity be provided for public input prior to Council consideration of a zoning amendment bylaw.

Given the current Covid-19 pandemic and restrictions on public meetings, staff propose that an online information and input opportunity be provided. This opportunity would be advertised in the newspaper and posted on the municipality’s web-site and would be held in advance of bringing forward a zoning amendment bylaw for consideration by Council. Development information would be provided in a mail out to all adjacent properties within 100 metres of the subject site; and there would be two consecutive advertisements in the Pique Newsmagazine. All application information that has been presented to Council for consideration, including previous public correspondence to Mayor and Council, is available on the RMOW Active Development Toolbox. This Council report and the staff presentation that will be made will also be made available for public review as part of the development application information. Staff propose a 30 day period to allow for public review and submission of any public comments. All

correspondence received and a summary of public input received would then be provided in a follow-up Council report along with recommendations for a proposed zoning amendment bylaw.

Any proposed zoning amendment bylaw would be also be subject to Public Hearing requirements, adhering to provincial regulations.

## **SUMMARY**

This Report provides an update and revised application submittal for RZ1144 a rezoning application brought forward by 1116130BC Ltd. under the Private Sector Employee Housing Initiative. The application requests an amendment to the permitted uses and density at 2077 Garibaldi Way in the Nordic Estates neighbourhood. The proposed zoning amendment will provide for 14 units of employee housing and six units of market housing contained in four townhouse buildings.

This report recommends that Council endorse further review of the application, authorize staff to conduct and online public information and input opportunity, and authorize staff to bring forward a zoning amendment bylaw for Council consideration.

Respectfully submitted,

Roman Licko  
SENIOR DEVELOPMENT PLANNER - ACTING

for  
Toni Metcalf  
GENERAL MANAGER OF RESORT EXPERIENCE