

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

RZ1146 was received in 2018 as part of the Private Employee Housing Initiative (PEHI), an initiative to encourage private development of rental housing for Whistler employees with below-market rental rates (see Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018). On September 18, 2018 Council reviewed nine applications that came forward through the PEHI and authorized further review and processing of several applications including RZ1146.

On March 26, 2019 Council received an update on the PEHI 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. The revised guidelines apply equally to any current rezoning application for employee housing and any received by the municipality following March 2019.

Since that time the applicant has been working to address previous concerns that were expressed by Council and staff on the proposed development. The applicant has provided a revised application submittal for RZ1146 that was received on March 12, 2020. This revised proposal is presented in this report and has been reviewed by staff based on the revised evaluation guidelines endorsed by Council.

Existing Conditions

The land at 7104 Nancy Greene Drive is 0.28 hectares in size and currently cleared and leveled. There is a treed section on the south east edge of the property, as well as rocky outcrops and a rock slab that border onto the neighbouring parcel, Fitzsimmons Walk. The 20 metre buffer along Highway 99 was cleared of vegetation in the past, similar to many of the parcels surrounding the Nesters commercial node. Fitzsimmons Walk is a multifamily townhouse development with market and employee housing. Other neighbouring parcels opposite the subject property on Nancy Greene Drive are developed with duplex and single family dwellings. Development across Highway 99, opposite the property development is characterized by single family and townhouse developments, with Nesters Market located to the north.

RZ1146 Revised Development Proposal

The revised application for RZ1146 proposes 38 employee-restricted rental dwelling units within a 3-story apartment building. A mix of units are proposed: one-bedroom, one-bedroom with a flex room (i.e. a study or storage room), two-bedrooms, two-bedrooms with a flex room, and a single three-bedroom unit. All units have in-suite laundry, a balcony, and a dining area. The revised architectural and landscape plans dated March 12, 2020 are attached in Appendices “B” and “C”.

The current proposal has been downsized from previous proposals to address staff and Council comments, in particular the new application submittal has:

- reduced the density and height to be more compatible with the neighbourhood;
- increased landscaped areas for socializing and screening the building; and
- increased the amount of parking proposed.

The following table provides an overview of the development statistics for RZ1146, comparing the existing zoning, previous application proposals, and the March 2020 proposal.

Table 1. RZ1146 Development Proposal and Current Zoning Requirements

	Dwelling Units	Bed Unit Allocation	Height	Floor Space Ration	Gross Floor Area
Current Zoning (RS-E1 Zone (Residential Single Estate One))	1 single family dwelling	6	Maximum 7.6 m	0.35	465 m ² maximum
May 2018 Proposal	65 apartment units	184	14.0 metres (5 stories + under-ground parking)	1.8	4, 954 m ²
August 2018 Proposal	47 apartment units	122	11.0 metres (4 stories + under-ground parking)	1.3	3,411 m ²
March 2020 Proposal	38 apartment units	104	8.5 metres (3 stories + under-ground parking)	0.95	2, 676 m ²

Table 2 below indicates that the building setbacks proposed are largely consistent with other multifamily developments in Whistler, such as, the RM1 (Residential Multiple One) zone, which has a 7.6 metre front and rear setback and a 3.0 metre side setback. The neighbouring Fitzsimmons Walk development has a 4.5 metre setback from all property lines above ground.

Table 2. Building Setbacks Proposed

	Above Grade Building	Below Grade Parking
Front setback	20.53 m	1.5 m
Rear setback	14.78 m	3.0 m
Side setback (Highway 99)	6 m	4.57 m
Side setback (Fitzsimmons Walk)	7.6 m	1.5 m

The proposed parking has been revised to include a minimum of one stall per dwelling unit, with guest parking and a loading bay. The proposal now has 41 underground parking stalls, one uncovered parking stall, and one uncovered loading bay, for a total of 42 stalls plus loading. Two of the parking stalls are accessible. Each of the proposed dwelling units will have the opportunity to rent a locked or open garage (there are 38 stalls available for 38 units). Four parking stalls will be set aside for visitor parking. The full parking requirement under Zoning Bylaw 303 is 52 stalls. A parking variance of 10 stalls is requested by the applicant in consideration of site constraints to provide additional parking and the favorable location of the development in close proximity to transit and easy walkability to Nesters

Market and Whistler Village. Out of the 42 parking stalls shown, 22 include secure storage space, and the development is proposed to have a secured bike storage accessory building.

A traffic study has been submitted and reviewed by the Province's Ministry of Transportation and Infrastructure (MoTI). No substantial issues have been raised regarding traffic impacts, although a right-in-right-out driveway may be required. Further discussions with MoTI will take place should the zoning amendment process continue. A preliminary servicing brief indicates that substantial servicing upgrades will not be required for the proposed development. A complete servicing study is outstanding.

The proposal has also been revised to include additional green space and social areas. Both the front and rear of the building have social areas. Lower floor units have private patios. The above ground portions of the building have been pulled back from the property line to allow for adequate landscape screening. As the rezoning proceeds, further assessment of the setback of underground structures and rock stack retaining wall are recommended to ensure adequate screening. The rock bluff and the mature trees on the south east edge of the property will be impacted by construction. A detailed remediation plan is also recommended as a requirement.

The proposed building is also planned to be built to a net zero energy ready standard, exceeding the RMOW's green building standards.

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 rental rates for the project. The proposed rents are \$1,307 to \$2,277 per month for one-bedroom units ranging in size from 378 ft² to 637 ft², and \$2,236 to \$2,742 per month for two-bedroom units ranging in size from 644 ft² to 940 ft² in square feet in area, plus utilities. The one three-bedroom unit proposed is 1,180 ft² in size with a proposed rent of \$3,014 per month. The proposed rents are considered to be below market and comparable to category five of WHA employee housing. This confidential pro forma information will be reviewed with an independent third party and will be used to verify that the proposed development is feasible and rental rents and returns are reasonable prior to Council consideration of a zoning amendment bylaw.

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. Staff also recommend that consideration be given to the Province's new rental only zoning regulations. Since 2018, BC's planning legislation has provided local governments with a new authority to zone for rental units. Local governments can:

- set different rules in relation to restricting the form of tenure of housing units for different zones and locations within a zone; and,
- require that a certain number, portion, or percentage of housing units in a building be rental.

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 use would be secured by a housing agreement placed on title restricting the total gross floor area of the apartment building (2676 m²) to below market, price restricted employee housing at set rental rates, with appreciation restricted to CPI, consistent with other private employee housing proposals.
- Eligible employees may come from the Whistler Housing Authority (WHA) waitlist, or other eligible employees meeting current employee definitions. These details will 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 Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018 for an analysis of the proposal against Whistler 2020 strategies. As the length of the economic disruption due to the COVID-19 pandemic and recovery is uncertain at this time, staff are bringing forward this rezoning application since it represents an opportunity to add to Whistler's employee housing stock.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw No. 303, 2015

Compliance with Zoning and Parking Bylaw No. 303, 2015 regulations and other RMOW policies will 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. A detailed evaluation against these criteria was provided in Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018.

The subject property is located within development permit area (DPA) No. 19 – Residential Estate Lands under the existing Official Community Plan, and is subject to the applicable development permit area guidelines for protection of the natural environment and protection of development from hazardous conditions. The design proposed generally meets the Guidelines for form and character and wildfire prevention under the existing OCP.

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 D. 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. On September 18, 2018 Council reviewed nine applications that came forward through the PEHI and authorized further review and processing of several applications including RZ1146. Correspondence in that staff report included letters of support and opposition for this proposed rezoning. No public input has been received on the current revised proposal.

For this type of proposal, a public information meeting would normally be conducted, the purpose being to provide the public with information on the proposed development and an opportunity for input. 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 RMOV 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 on RZ1146 a rezoning application brought forward by Vidorra Developments under the Private Employee Housing Initiative. The application requests an amendment to the permitted uses and density at 7104 Nancy Greene Drive in the White Gold neighbourhood. The proposed zoning amendment would provide for 38 units of rental employee housing in a new three-story apartment building.

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

Respectfully submitted,

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PLANNER

for
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GENERAL MANAGER OF RESORT EXPERIENCE