



## RESORT MUNICIPALITY OF WHISTLER

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November 8, 2019

Dear Sir or Madam,

**Re: Bayshores Land Use Contract Termination (File No. LUC00003)**

Provincial legislation automatically terminates all Land Use Contracts (LUCs) in British Columbia on June 30, 2024 and requires municipalities to zone all lands regulated by LUCs by June 30, 2022.

On September 17, 2019, RMOW Council authorized staff to prepare the necessary bylaws to zone lands subject to the Bayshores LUC and to terminate the Bayshores LUC pursuant to sections 547 and 548 of the *Local Government Act*. A map of the properties subject to the Bayshores LUC is included on page 2 of this letter. The Bayshores LUC regulations are registered on the titles of these properties.

On September 17, 2019, staff also presented Council with a draft of the zone that is being proposed to replace the Bayshores LUC. This draft zone is entitled "RMB Zone – Residential Multiple Bayshores" and is attached to this letter for your information. The proposed RMB Zone is intended to mirror the regulations established by the LUC, applicable permits, and covenants for each lot within the LUC area. It also applies the general regulations from *Zoning and Parking Bylaw No. 303, 2015*, which provide for auxiliary residential dwelling units and gross floor area exclusions.

The RMOW will be holding an open house on the proposed RMB Zone for affected property owners. At this open house, staff will present an overview of the proposed RMB Zone and be available for questions about the draft zone and the LUC termination process. This open house will be held on **Monday, November 25, 2019** from 5 p.m. to 7 p.m., with a presentation from RMOW staff beginning at 5:30 p.m. It will take place in the Garibaldi Room in the lower level of the **Whistler Conference Centre** at 4010 Whistler Way, Whistler.

The RMOW is also providing the opportunity for written comments on the draft RMB Zone, which must be received by 4 p.m. on **December 15, 2019**. You may email your comments to [planning@whistler.ca](mailto:planning@whistler.ca) or mail them to: Planning Department, Resort Municipality of Whistler, 4325 Blackcomb Way, Whistler, BC, V8E 0X5. **Any written comments received will become publicly available as they will be included in a future Administrative Report to Council.** Your letter will appear with your name in the public Council package, but your personal contact information will be redacted.

After December 15, 2019, staff will consider any comments received. Staff will then make recommendations to Council regarding the Land Use Contract Termination Bylaw for the Bayshores LUC. In accordance with the *Local Government Act*, a Public Hearing will be held on the Land Use Contract Termination Bylaw before Council's final consideration of the bylaw. Notification of the Public Hearing will include notice in the local newspaper and a further mail out to property owners. As part of the Public Hearing process, the public will be able to make oral and written representations to Council.

Additional information about the termination of the Bayshores LUC and other LUCs in Whistler can be found on the project website at [www.whistler.ca/landusecontracts](http://www.whistler.ca/landusecontracts).

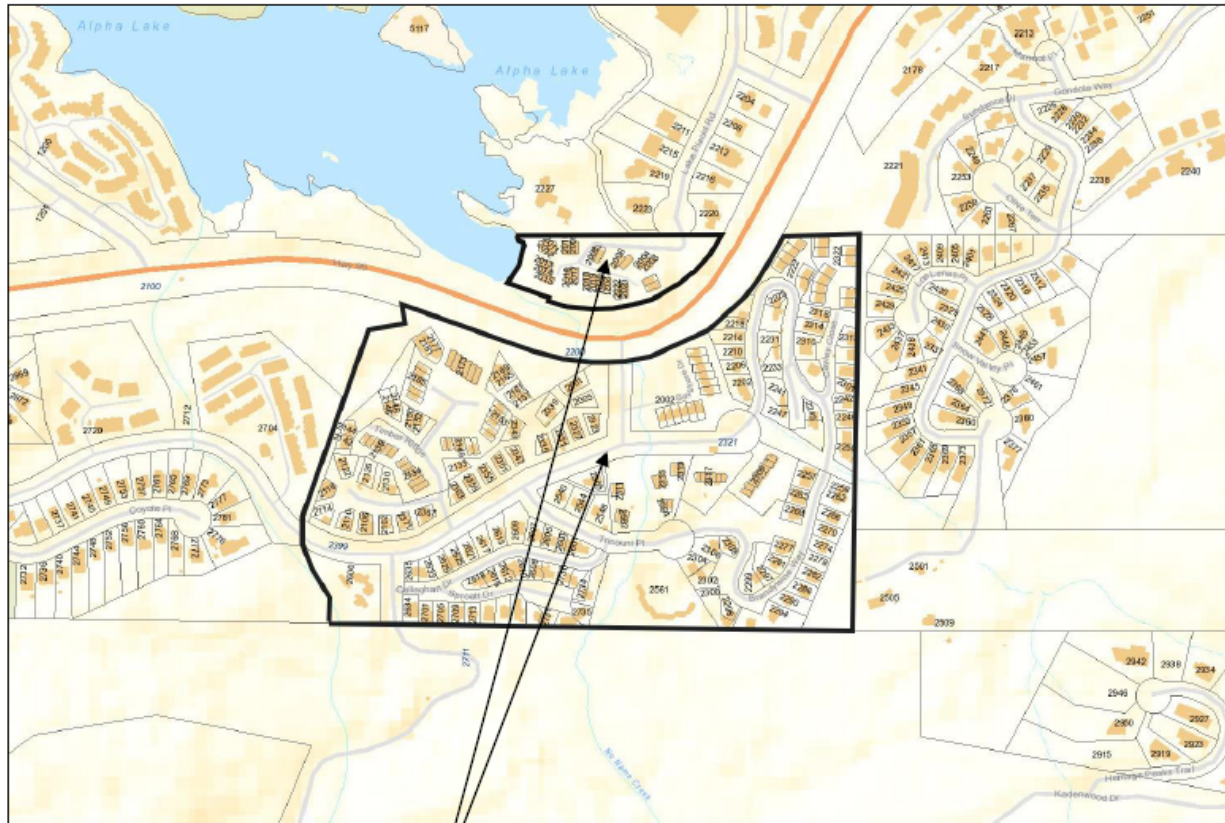
If you have any questions, please contact the Planning Department at 604-935-8170.

Yours sincerely,

Roman Licko  
 Acting Director of Planning

Encl.

## Bayshores LUC Map



Subject properties

## **DRAFT PROPOSED ZONE TO REPLACE BAYSHORES LAND USE CONTRACT**

### **71. RMB Zone - Residential Multiple Bayshores**

#### **Intent**

- (1) The intent of this zone is to permit the development of detached, duplex, townhouse and multiple residential dwellings.

#### **Permitted Uses**

- (2) The following uses are permitted only at the locations specified in Schedule x *[Amending Bylaw Schedule B]*, and all other uses are prohibited:
- (a) Detached dwellings
  - (b) Duplex dwellings
  - (c) Townhouses
  - (d) Auxiliary buildings and auxiliary uses
  - (e) Auxiliary residential dwelling unit provided it is contained within a detached dwelling.

#### **Density**

- (3) In the RMB zone:
- (a) the maximum number of detached dwellings is 69;
  - (b) the maximum number of townhouse dwellings is 95;
  - (c) the maximum number of duplex dwellings is 43;
  - (d) and the maximum gross floor area of any dwelling is set out in Schedule x.
- (4) Despite subsection 3, if the actual gross floor area of a townhouse on any site, the construction of which was authorized by a building permit duly authorized by the Municipality exceeded the amount specified in Schedule x, such actual gross floor area shall be deemed to be the maximum permitted gross floor area for the site.

#### **Height**

- (5) The maximum permitted height of buildings and structures is as set out in Schedule x.

#### **Setbacks**

- (6) The minimum permitted setbacks for each lot into which the Lands will be subdivided or strata titled are as set out in Schedule x.
- (7) Despite subsection 3, if the actual setbacks of a building on any site, the construction of

which was authorized by a building permit duly authorized by the Municipality is less than the distance specified in Schedule x, such setback distance shall be deemed to be the allowable distance for the site.

**Off-Street Parking and Loading**

- (8) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw, notwithstanding, parking spaces required in respect of the use of a parcel within a bare land strata may be located on strata roads.

**Other Regulations**

- (9) Notwithstanding subsection 3(3) of Part 5, the maximum permitted floor area for an auxiliary building is:
  - (a) 70 square metres on a parcel with a detached dwelling; and,
  - (b) 50 square metres on a parcel with a duplex dwelling.
- (10) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 90 square metres and no less than 32.5 square metres.
- (11) In no case shall the gross floor area of the auxiliary residential dwelling unit exceed 40 percent of the gross floor area on a parcel.

## SCHEDULE X

### LAND USE PLAN OF RMB ZONE WITH TABLE OF HEIGHTS, DENSITIES AND SETBACKS

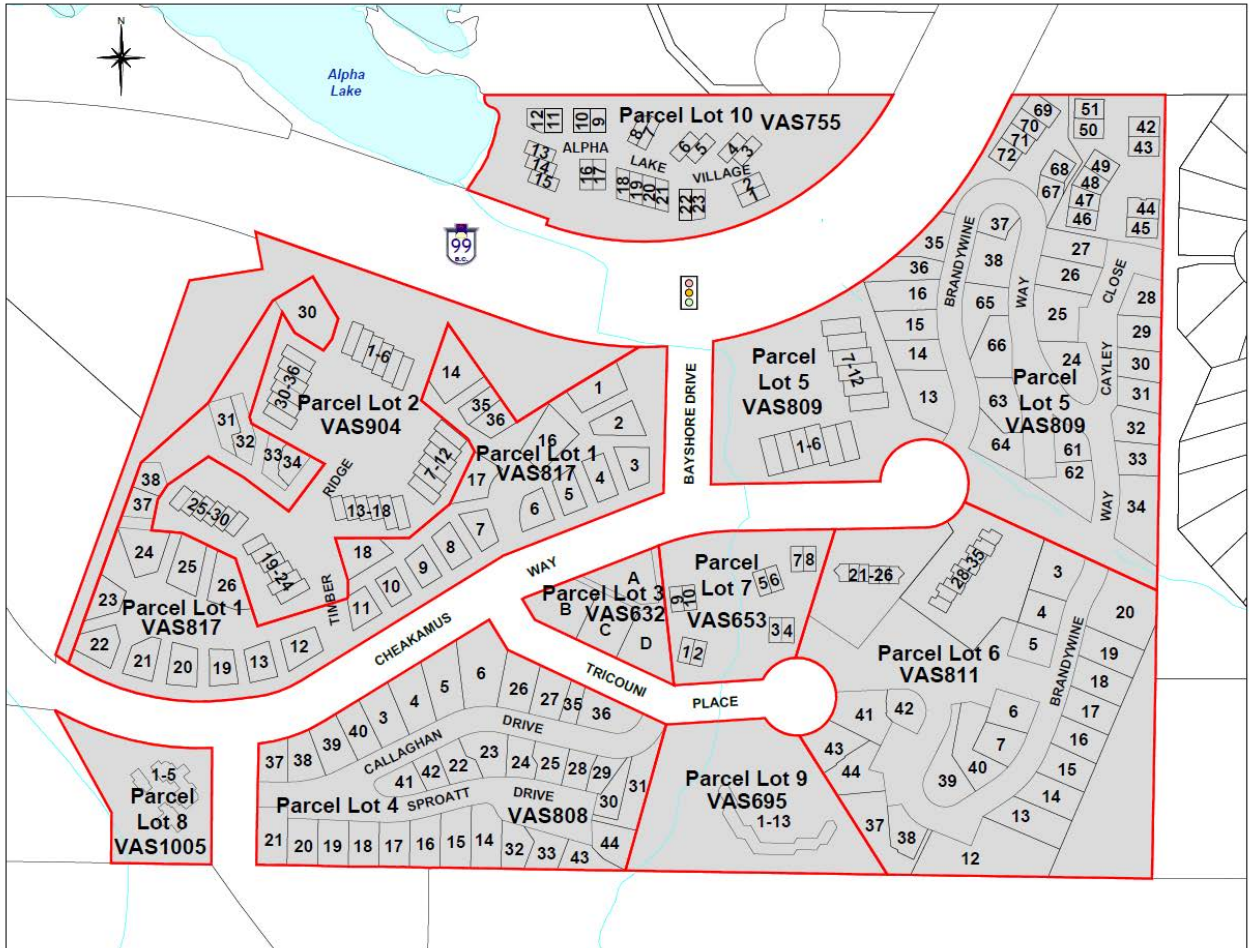


Table of Heights, Densities and Setbacks

| Strata Lot                                | Land Use                                | Maximum GFA (sq. m) | Setback                        | Maximum Height   |
|---|---|---------------------|--------------------------------|--|
| <b>Parcel Lot 1 (Strata Plan VAS 817)</b> |   |                     |                                |  |
| SL 1 – 13<br>and 16 - 26                  | Detached Dwelling                       | 232                 | 0 metres to a strata lot line. | 7.6 metres.  |
| SL 14, 30                                 | Duplex                                  | 372                 | 0 metres to a strata lot line. | 7.6 metres.  |
| SL 31-38                                  | One half duplex dwelling per strata lot | 186                 | 0 metres to a strata lot line. | 7.6 metres.  |
| <b>Parcel Lot 2 (Strata Plan VAS 904)</b> |   |                     |                                |  |
| S.L. 1-6                                  | Townhouses                              | 183 per unit        | 0 metres to a strata lot line. | The maximum permitted height of a townhouse building is 10.7 metres. |
| SL -7-12                                  | One half duplex dwelling per strata lot | 186 per unit        | 0 metres to a strata lot line. | The maximum height of a duplex building is 7.6 metres.               |
| SL 13-18                                  | One half duplex dwelling per strata lot | 186 per unit        | 0 metres to a strata lot line. | The maximum height of a duplex building is 7.6 metres.               |
| SL 19-24                                  | Townhouses                              | 183 per unit        | 0 metres to a strata lot line. | The maximum permitted height of a townhouse building is 10.7 metres. |

|   |   |                           |  |  |
|---|---|---------------------------|--|--|
| SL 25-30                                  | One half duplex dwelling per strata lot | 186 per unit              | 0 metres to a strata lot line.   | The maximum height of a duplex building is 7.6 metres. |
| SL 31-36                                  | One half duplex dwelling per strata lot | 186 per unit              | 0 metres to a strata lot line.   | The maximum height of a duplex building is 7.6 metres. |
| <b>Parcel Lot 3 (Strata Plan VAS 632)</b> |   |                           |  |  |
| Lots A - D                                | Detached dwelling                       | 232 per detached dwelling | 7.6 metres from the front or rear lot line and 3 metres from the side lot line.  | 7.6 metres.  |
| <b>Parcel Lot 4 (Strata Plan VAS 808)</b> |   |                           |  |  |
| SL 3-6, 14-21                             | Detached Dwelling                       | 232                       | 1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than 30%, then the front property setback is 3 metres.<br>2. 3 metres from the side or rear lot lines. | 7.6 metres.  |
| SL 22-33, 35-44                           | One-half duplex dwelling per strata lot | 186                       |  | 7.6 metres.  |

| Strata Lot                                | Land Use                                | Maximum GFA (sq. m) | Setback  | Maximum Height |
|---|---|---------------------|--|----------------|
| <b>Parcel Lot 5 (Strata Plan VAS 809)</b> |   |                     |  |                |
| SL 1-12                                   | Townhouses                              | 232                 | 1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than | 10.7 metres.   |
| SL 13-16, 24-34                           | Detached dwelling                       | 232                 |  | 7.6 metres.    |
| SL 35-38, 42-45, 50-51, 61-68             | One-half duplex dwelling per strata lot | 186                 |  | 7.6 metres.    |
| SL 46-49, 69-72                           | Townhouses                              | 183                 |  | 10.7 metres.   |

|                                    |   |              |  |              |
|------------------------------------|---|--------------|--|--------------|
|                                    |   |              | 30%, then the front property setback is 3 metres.<br>2. 3 metres from the side or rear lot lines.  |              |
| Parcel Lot 6 (Strata Plan VAS 811) |   |              |  |              |
| SL 3-7, SL 12-20                   | Detached dwelling                       | 232          | 1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than 30%, then the front property setback is 3 metres.<br>2. 3 metres from the side or rear lot lines. | 7.6 metres.  |
| SL 37-44                           | One-half duplex dwelling per strata lot | 186          |  | 7.6 metres.  |
| SL 21-26, 28-35                    | Townhouses                              | 183 per unit |  | 10.7 metres. |
| Parcel Lot 7 (Strata Plan VAS 653) |   |              |  |              |
| SL 1-10                            | One-half duplex dwelling per strata lot | 186          | 7.6 metres from the front or rear lot line and 3 metres from a side lot line.  | 7.6 metres   |



| <b>Strata Lot</b>                          | <b>Land Use</b>    | <b>Maximum GFA (sq. m)</b> | <b>Setback</b>                                     | <b>Maximum Height</b>                                 |
|--|--------------------|----------------------------|--|---|
| <b>Parcel Lot 8 (VAS 1005)</b>             |                    |                            |  |   |
| SL 1-5                                     | Townhouses (5)     | 1746                       | 7.6 metres from the front, rear or side lot line.  | 10.7 metres.  |
| <b>Parcel Lot 9 (Strata Plan VAS 695)</b>  |                    |                            |  |   |
| SL 1-13                                    | Townhouses (13)    | 0.4 Floor Site Ratio       | 7.6 metres from the front, rear or side lot lines. | 10.7 metres.  |
| <b>Parcel Lot 10 (Strata Plan VAS 755)</b> |                    |                            |  |   |
| SL 1-23                                    | Duplex, Townhouses | 0.4 floor site ratio       | 7.6 metres from the front, rear or side lot lines. | 7.6 metres for duplexes; 10. 7 metres for townhouses. |