

RZ001157 – 5298 Alta Lake Road Rezoning / OCP Amendment for Employee/ Market Housing

Council Presentation

December 1, 2020

RESORT MUNICIPALITY OF WHISTLER

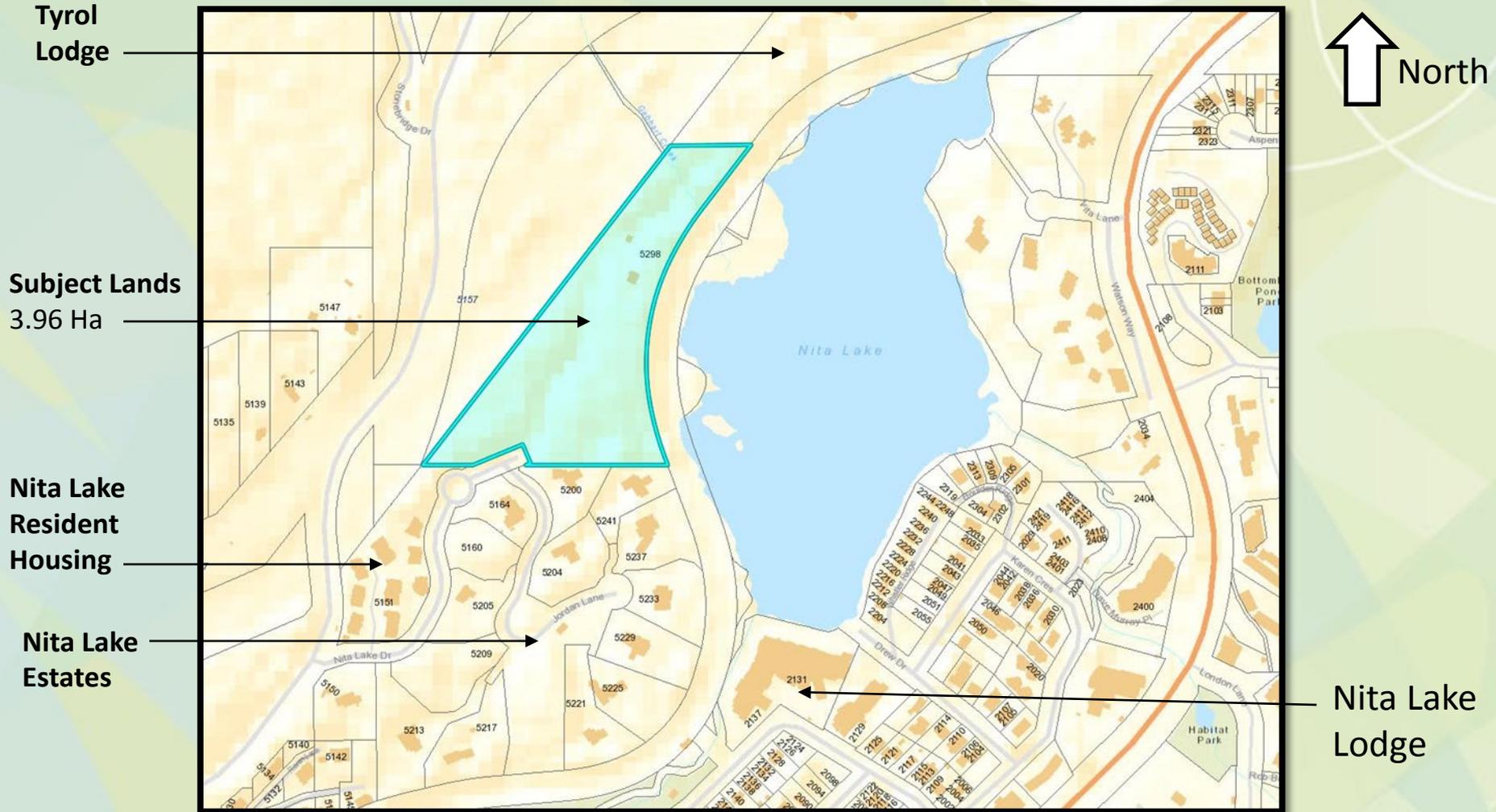
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Purpose

- **To present** Bylaws for Council consideration related to the proposed mixed use residential housing and tourist accommodation development at 5298 Alta Lake Road.
- **To present** “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” for Council consideration of first and second readings.
- **To request** Council’s consideration to rescind first and second readings to “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020” and give new readings to “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as amended.
- **To request** that Council direct staff to schedule a Public Hearing for both proposed Bylaws and further identifies conditions for the applicant to address prior to consideration of adoption of the proposed Bylaws.

Subject Lands



Discussion - Background

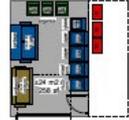
- Application was received in response to Council's Private Sector Employee Housing Initiative.
- Lands are currently zoned TA17 which allows a mix of tourist accommodation and employee housing.
- Application proposes to amend the TA17 zone as noted:
 - ✓ Delete the existing Hotel, Arts Facility and Indoor / Outdoor Recreation uses;
 - ✓ Replace the existing Tourist Accommodation cabin use with eleven Tourist Accommodation townhomes and eleven Market Residential townhomes;
 - ✓ Replace the existing Employee Housing cabin use with 21 Employee townhomes;

Discussion - Benefits

Benefits to the greater community can be summarized as follows:

- Construction of all 21 price restricted employee housing units;
- Land transferred to the municipality at no cost for:
 - ✓ park and protected natural area (1.44 Ha) of;
 - ✓ future employee housing (0.54 Ha);
- Construction of a paved illuminated trail and bridge spanning Gebhardt Creek all to RMOW Valley Trail standards;
- Design and development of the dedicated Park parcel including restoration of the existing cabin and barn and relocation of the cabin to this new Park.

Diagram – RZ1157 Site Plan



Solid Waste Management
43 units require:
 Mixed Containers 2 x 95 gal. tote
 Mixed Paper 2 x 95 gal. tote
 Glass 1 x 65 gal. tote
 Organics 3x 65 gal. tote
 Cardboard 1 x 3 yds
 Garbage 1 x 4 yds

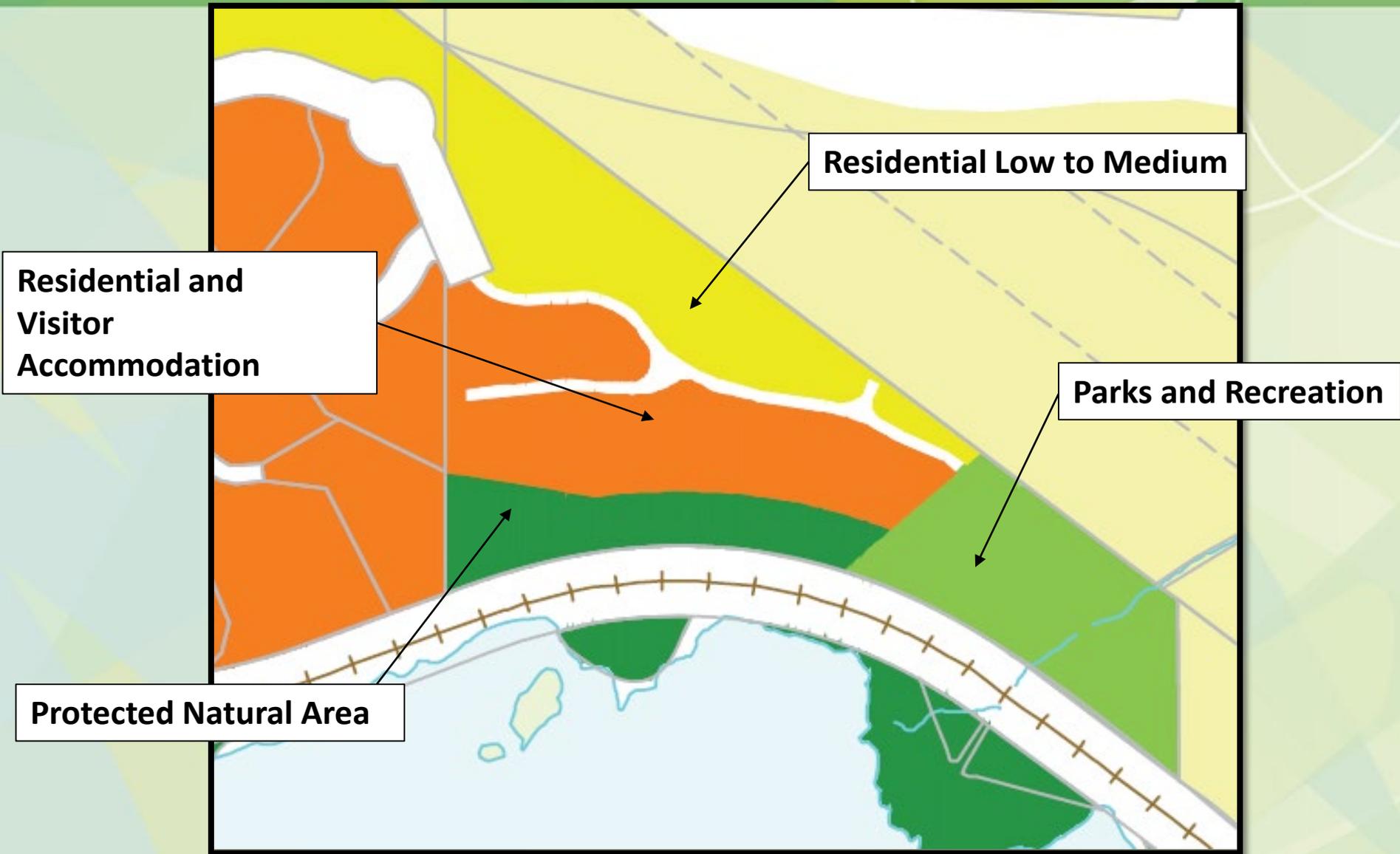
Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020

- Bylaw was originally given first and second readings on July 23, 2020.
- Staff are requesting that Council consider rescinding these readings and give first and second readings to amended bylaw.
- Revised bylaw now includes the following:
 - ✓ Incorporates 20 m setback to Strata Plan BCS556 (Nita Lake Estates).
 - ✓ References current Valley Trail standards.

Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020

- Proposal was considered consistent with the former OCP.
 - ✓ Consisted of a mix of tourist accommodation and employee housing and would not have required an OCP amendment.
- Proposal was also considered to be consistent with the new OCP.
 - ✓ Through the negotiation process, and in response to neighbourhood input, 11 of the 22 proposed market tourist accommodation units were changed to market residential as this was considered to have a lower effect on the existing neighbourhood.
- Land Use Map (OCP Schedule “A”) designates the lands as **“Visitor Accommodation”**
 - ✓ includes employee housing along with visitor accommodation.
 - ✓ requires amendment to reflect the addition of market residential and park dedication and elimination of auxiliary commercial use.
- All other aspects of this proposal are considered to be consistent with Whistler’s new OCP.

Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020



Policy Consideration - Framework Agreement

- The RMOW is party to a Framework Agreement with Squamish and Lil'wat Nations.
 - ✓ Outlines land use considerations associated with the Lil'wat Nation and Squamish Nation.
- Article 7.3 states: “The RMOW will provide the First Nations with early and ongoing opportunities to express their interests in future RMOW OCPs through an engagement process consistent with the *Local Government Act* as it pertains to engagement on official community plans between indigenous peoples and other local governments in British Columbia.”

Policy Consideration – Framework Agreement

- Staff notified both Nations in writing with a description of the proposed OCP amendment.
 - ✓ Invited each to confirm in writing, within 30 days, that the amendment does not affect their interests.
- The Lil'wat Nation's written response states that they do not have any comments at this time.
 - ✓ However, if any new information were to arise that indicates there may be impacts on Lil'wat aboriginal rights, title or interest, that they would expect to receive notice and to have an opportunity to provide input at that time.
- To date no reply has been received from Squamish Nation.

Policy Consideration

Local Government Act

The Municipality must also consider consultation under s. 475 of the *Local Government Act*, which is mentioned in the Framework Agreement, but creates a separate obligation to consider consultation with First Nations on all OCP amendments.

- Section 475 requires the Municipality to provide one or more opportunities it considers appropriate for consultation with First Nations, and to consider whether or not consultation should be early and ongoing.
- Provided notification and consultation is done pursuant to the Framework Agreement, the Municipality may also rely on that process in satisfaction of its obligation to consider consultation with First Nations under s. 475

Traffic Study

- The Traffic Impact Study concluded that no further improvements are required to the existing road network as a result of this application.
- Receipt of an updated Traffic Impact Study that considers traffic movement during peak traffic periods and implementation of any traffic mitigation measures recommended in that study is included as a condition to be resolved prior to adoption of both bylaws.
 - ✓ This study is pending.

Community Engagement and Consultation

- A sign describing the details of rezoning application RZ001157 is posted on the property.
- RZ001157 is identified in the applications register posted on the municipal website.
- Per PSEH Guidelines, Council authorized a public information meeting to receive comments from the public.
 - ✓ Two meetings were held on October 24, 2019
 - one at the Whistler Conference Centre, and
 - one at the Athlete's Centre in Cheakamus Crossing.
- Per the Framework Agreement, staff sent referrals to both the Lil'wat Nation and the Squamish Nation.
- Correspondence received from the public will become part of the rezoning application file for Council consideration.
- "Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020" and "Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020" are subject to a Public Hearing adhering to statutory public notice requirements, prior to Council consideration of third reading.

Recommendation

That Council consider giving first and second readings to “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020”; and

That Council consider rescinding first and second readings to “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”; and

That Council consider giving first and second readings to “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as amended; and

That Council authorize staff to schedule a Public Hearing for “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” and “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as amended;

Recommendation

That Council direct staff to advise the applicant that before consideration of adoption of “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” and “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as amended, the following matters must be resolved to the satisfaction of the General Manager of Resort Experience:

Recommendation

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (“RMOW”) to secure development on the lands consistent with the terms described in Administrative Report to Council No. 20-119, Administrative Report to Council No. 20-057 and Development Permit plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW to regulate purchase rates and to define qualified employees;
3. Registration of a green building covenant consistent with *Council Policy G-23: Green Building Policy*;
4. Receipt of development plans for the proposed park;
5. Submission of a waste and recycling plan consistent with “Solid Waste Bylaw No. 2139, 2017”;
6. Modification of existing covenant BT215121 currently registered on title to reflect the revised development scheme;
7. Confirmation that a Riparian Areas Assessment report regarding Gebhart Creek has been submitted to and approved by the Provincial Authority;
8. Receipt of an updated Traffic Impact Study that considers traffic movement during peak traffic periods and implementation of any traffic mitigation measures recommended in that study; and further

That Council authorize the Mayor and Municipal Clerk to execute the necessary legal documents associated with this application.

Staff Note:

- **The following slides contain background information.**

Ortho Photo 2003



Ortho Photo 2009



Ortho Photo 2012



Ortho Photo 2018



Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020

- OCP Amendment Bylaw 2289 designates the lands as follows:
 - ✓ Riparian area / nature conservation park –
 - Dark Green: “Protected Natural Area”
 - ✓ Park parcel that will contain relocated cabin –
 - Light Green: “Parks and Recreation”
 - ✓ Market Parcel (includes TA and residential components along with the associated pool area –
 - Orange: “Residential and Visitor Accommodation”
 - ✓ Employee Parcel plus Future Employee Housing Parcel –
 - Yellow: “Residential Low to Medium”
- All other aspects of this proposal are considered to be consistent with Whistler’s new OCP.

Definitions

- **Riparian area / nature conservation park – Dark Green: “Protected Natural Area”**
 - ✓ *“**PROTECTED NATURAL AREA:** Lands that have high environmental sensitivity or importance and are protected by zoning, development permit area conditions, covenants, provincial regulations or other means. Supported land uses include nature conservation, passive open space uses, conservation buffers and low impact recreation with limited development including trails, interpretive signage and viewing platforms.”*
- **Park parcel that will contain relocated cabin – Light Green: “Parks and Recreation”**
 - ✓ *“**PARKS & RECREATION:** Lands designated for public enjoyment and active recreation as well as private recreational facilities such as golf courses. Parks and recreation areas generally support indoor and outdoor recreation, outdoor gathering and assembly use, sports fields, and may allow institutional uses and facilities. These lands may contain pedestrian or cycling trails, auxiliary buildings, playgrounds and other structures or recreational facilities, and may also provide water access for recreation use.”*
- **Market Parcel (includes TA and residential components along with the associated pool area – Orange: “Residential and Visitor Accommodation”**
 - ✓ *“Lands permitting residential and visitor accommodation use in various dwelling types.”*
- **Employee Parcel plus future employee parcel – Yellow: “Residential Low to Medium”**
 - ✓ *“**RESIDENTIAL - LOW TO MEDIUM (DETACHED/MULTIPLE):** Lands for detached and duplex dwellings characterized by low to medium density lot sizes, and lands for medium density multiple residential development, the latter of which is generally located close to commercial, recreational, institutional, transit and trail connections.”*

Background – TA17 Zone

- Existing TA17 Zone Summary:

	Existing TA17 Zone
Market Tourist Accommodation Uses	2,100 m² (Hotel - 7 rooms utilizing 500 m ²) 1,400 m² (contained in up to 25 cabins) <hr/> 3,500 m² Total GFA (1900 m ² accommodation)
Employee Housing	800 m² (contained in up to 7 cabins)
Max GFA for arts facility	<u>250 m²</u>
Parcel - Total maximum GFA	4,600 m² (Includes Hillman cabin estimated at 250 m ²)

Discussion – Density Summary

	RZ1157 Proposal
Market Tourist Accommodation	11 3-B/R TA townhomes @ 191 m ²
Market Residential	11 3 – B/R market residential townhomes @ 191 m ²
Total Market GFA	4202 m²
Employee Housing	21 units (applicant proposed to maintain one unit for on-site staff) 12 2 – B/R @ 58 to 65 m ² 9 3 –B/R @ 141 m ² Note: exact sizes of units will be further developed in the detailed design.
Total Employee GFA	2000 m²
Amenity Building / Check in Facility m2	40 m²
2 Auxiliary Buildings	56 m² each per Part 5 general regulations

Discussion – Dedications Summary

<p>Proposed Land Acquisition</p>	<p>1. Park Dedication:</p> <ul style="list-style-type: none"> - Hillman cabin site: (0.877 Ha) and riparian areas (0.563 Ha) - <u>Total: 1.44 Ha</u> <p>1. Future Housing Site:</p> <ul style="list-style-type: none"> - Propose to dedicate area at site entrance to WHA for future housing. - <u>Total: 0.509 Ha</u>
<p>Total Dedications</p>	<p><u>1.95 Ha</u> (50% of parent parcel)</p>
<p>Public Recreation Infrastructure</p>	<p>Construction of illuminated Valley Trail to lands beyond, enabling the future West Side Connector.</p> <p>New bridge to Valley Trail standards</p> <p>Move and restore building to ensure no further RMOW investment required</p> <p>Restore existing barn as above</p>

Bed Unit Allocation

- Employee Bed Units represent 65 % of increase.
 - All 21 units will now be available to the Whistler workforce community whereas under the current TA17 zone zero were available.

	Covenant BT215121 and TA17 Zone	RZ1157 Proposal	Increase
Market BU	64 BU per covenant (this is the governing value) 96 BU per zoning (Covenant governs)	22 x 4 BU = 88 BU	24 BU
Employee BU	7 x 4 BU = 28 BU (not counted in 2003)	9 x 4 BU = 36 BU <u>12 x 3 BU = 36 BU</u> EBU Subtotal: 72 BU	44 BU
Total	92 BU	160 BU	68 BU