

**RESORT MUNICIPALITY OF WHISTLER**

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STAFF REPORT TO COUNCIL

PRESENTED: September 21, 2021
FROM: Planning
SUBJECT: RZ001165 - HOUSING AGREEMENT AMENDMENT BYLAW (CHEAKAMUS CROSSING PHASE 2) NO. 2332, 2021 REPORT

REPORT: 21-108
FILE: RZ001165

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION(S)

That Council consider giving first, second, and third readings to “Housing Agreement Amendment Bylaw (Cheakamus Crossing Phase 2) No. 2332, 2021”.

PURPOSE OF REPORT

This report requests consideration of first, second, and third readings for “Housing Agreement Amendment Bylaw (Cheakamus Crossing Phase 2) No. 2332, 2021”, associated with RZ001165. This Bylaw cancels the housing agreement for Lot 4 and allows it to be sold and developed for market housing.

☐ Information Report ☒ Administrative Report (Decision or Direction)

DISCUSSION

Background

The subject lands, referred to as the Cheakamus Crossing “Upper Lands” are a portion of the “Lower Cheakamus Community Land Bank Site” granted to the Resort Municipality of Whistler (RMOW) under the Community Land Bank Agreement (October 21, 2005), as a lasting legacy of the 2010 Winter Olympic and Paralympic Games (2010 Games) for providing affordable employee housing. Master planning of the Lower Cheakamus Community Land Bank Site identified the “Upper Lands” as the Phase 2 development area. Rezoning of the Phase 2 lands was completed in the spring of 2021, construction is underway on the first two employee housing buildings, and the lands are now ready for subdivision into 6 development parcels.

Five of these development parcels are allocated for affordable employee housing, while one, Lot 4, is intended for market sales. Lot 4 will be further subdivided into 23 strata lots, to be sold for market single-family and duplex dwellings. The designation of Lot 4 for market housing was established and understood through the adopted rezoning of the lands, and the Province has granted release from the

requirement to be developed as affordable employee housing. Revenue from the sales will financially offset the cost of infrastructure for the new neighbourhood.

A condition of adoption of the rezoning for the Cheakamus Crossing Phase 2 lands was registration of a housing agreement securing affordable employee housing on the lands. This was authorized in April 2021 through Housing Agreement Bylaw (Cheakamus Crossing Phase 2) No. 2312, 2021. Until the subdivision of the lands is completed, it has not been possible to exclude a portion of the lands from the housing agreement. Subdivision, and the subsequent adoption of Bylaw No. 2332, 2021, will allow the housing agreement to be registered only against the parcels intended for development as affordable employee housing, while excluding Lot 4 from this requirement, readying it for market sales. Housing Agreement Amendment Bylaw (Cheakamus Crossing Phase 2) No. 2332, 2021 will be brought back for adoption as soon as the block subdivision of the Phase 2 lands that creates Lot 4 has been finalized.

Analysis

The objectives of the Cheakamus Crossing Phase 2 development are to meet the current and future housing needs of the community by maximizing affordable employee housing while considering limited market housing. The Province has agreed to release the affordable employee housing requirement for Lot 4; Bylaw 2332, 2021 will enable this release by removing Lot 4 from the lands covered by the existing housing agreement. Sales of the market housing parcels on Lot 4 will generate revenue to offset the cost of infrastructure for the new neighbourhood area including the Mount Fee Road extension and necessary utilities.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

A housing agreement was registered on the lands by Bylaw approved by Council in April 2021. This satisfied a condition of adoption of RZ001165, and met the requirements of a no-build covenant (BA311773) to allow the RMOW to issue a development permit for construction of the first two employee housing buildings in the new Cheakamus Crossing Phase 2 neighbourhood. Bylaw No. 2332, 2021 ensures that the housing agreement remains in effect on the Phase 2 lands except for Lot 4, so that it can be sold and developed as market housing. The proceeds from the sale will financially offset the cost of infrastructure for the new neighbourhood area, as well as contribute to employee housing on Parcel A. The designation of Lot 4 for market housing was established and understood through the adopted rezoning of the lands.

The existing housing agreement on the remaining parcels will be removed and replaced with new agreements on a site by site basis as development proceeds. This will be facilitated by the proposed modification of covenant BA311773 presented for Council consideration under Report No. 21-109 Covenant Modification (Cheakamus Crossing Phase 2) Employee Restricted Housing. The covenant currently requires registration of a specific form of housing agreement, which is a schedule to the Community Land Bank Agreement (CLBA). This housing agreement template was created in 2007 and is now outdated, with terms and conditions that no longer align with current RMOW employee housing policy and guidance. The proposed modification, which has been agreed to by the Province, will remove the reference to the specific form of housing agreement. Following modification of the covenant, staff will bring forward new housing agreements with up-to-date terms to replace the housing agreement currently registered on these lands on a site by site basis. A new housing agreement for the Lot 1 buildings that reflects updated employee housing policy and site specific terms for sales prices is currently being drafted.

[Housing Agreement Bylaw \(Cheakamus Crossing Phase 2\) No. 2312, 2021 – Housing Agreement, Report No. 21-025, April 6, 2021](#)

[RZ1165 – Cheakamus Crossing Phase 2 – Zoning Amendment Bylaw \(Cheakamus Crossing Phase 2 Parcelization\) No. 2298, 2020, Consideration of Adoption Report No. 21-024 March 16, 2021](#)

Covenant Modification (Cheakamus Crossing Phase 2) Employee Restricted Housing Report No. 21-109, September 21, 2021 (included in Council package)

Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

Council Focus Areas

☒ Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

☐ Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

☒ Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

☐ Not Applicable

Community Vision and Official Community Plan

The Official Community Plan (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.

The proposed covenant modifications are consistent with the policies of the Official Community Plan (OCP), and are necessary for occupancy of future housing to be consistent with current Council policy.

The subject lands are designated as Residential – Reserve in Schedule A of the Official Community Plan. Residential – Reserve lands are: “Lands available for employee housing with a variety of housing forms and densities. These lands may be developed as needed to meet the municipality’s housing needs.”

The policies contained in Chapter 5 Land Use and Development, Residential Accommodation, provide further guidance for this designation and the development of these lands. Goal 5.1 is to meet Whistler’s long-term housing needs consistent with the growth management policies and land use designations in the OCP. The associated objectives (5.1.1 and 5.1.2) address the designation of lands for various forms of residential development to meet Whistler’s diverse housing needs, and the ongoing

commitment to house at least 75 percent of Whistler's workforce within the resort community in livable, appropriate and affordable housing.

This housing agreement bylaw is an important step in the build-out of the Cheakamus Crossing Phase 2 project, which will facilitate completion of affordable employee housing. The proposed covenant modification will ensure that future housing agreements are aligned with current municipal policies and goals for affordable employee housing.

BUDGET CONSIDERATIONS

The costs associated with the processing of the modified agreement is provided for under the rezoning file and cost recovery for staff time and legal fees.

LIL'WAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Lil'wat 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 Crown land planning; achieve mutual objectives; and enable participation in Whistler's resort economy. This section identifies areas where RMOW activities intersect with these relationships.

The lands that are the subject of the proposed housing agreement bylaw were granted to the RMOW as a legacy of the 2010 Games through the CLBA. The proposed uses and housing agreement are consistent with the intent of the CLBA.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

Under the provincial *Local Government Act*, a housing agreement bylaw does not require a Public Hearing or public notification

REFERENCES

Housing Agreement Amendment Bylaw (Cheakamus Crossing Phase 2) No. 2332, 2021 (included in Council package)

SUMMARY

This report requests consideration of first, second, and third readings for a housing agreement amendment bylaw associated with development of the Cheakamus Crossing Phase 2 lands. It cancels

the housing agreement for Lot 4 that was previously registered with the Land Title Office, a pre-requisite for market sale and development of these lands.

SIGN-OFFS

Written by:

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Reviewed by:

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