

April 17, 2024

To the Mayor and Council,

I am writing regarding Bill 44, the Small-Scale, Multi-Unit Housing Legislation (SSMUH).

According to the instructions on page 1 of the Small-Scale, Multi-Unit Housing - Provincial Policy Manual & Site Standards, I have [read the document in its entirety \(p1\)](#). It was an interesting read, from which I learned new ideas about affordable housing. I believe this policy introduces necessary changes that align with well-established principles and will benefit our community by facilitating the construction of more affordable housing, a key objective of this policy.

Link: <https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/housing-initiatives/smale-scale-multi-unit-housing>

I have provided feedback on the April 9th Whistler Staff Report (referred to in [blue](#)) and have cross-referenced it with the SSMUH Policy Manual (referenced in [purple](#)):

Staff Report:

["Proposed SSMUH Zoning Bylaw Amendment Approach and Bylaw Framework"](#) (p.10):

["4. Maintain existing maximum densities:](#)

[The current gross floor area and associated exclusions are deemed sufficient for up to four dwelling units, supporting more compact and affordable housing opportunities."](#)

Policy Manual Observations:

["FAR limits can undermine the feasibility of creating new housing units on a lot."](#)

The Act specifies:

["Municipalities must not unreasonably prohibit or restrict the use or density of use required under the new sections pertaining to small-scale multi-family housing."](#)

It appears unclear whether Bill 44 permits Whistler to maintain current density limits since the legislation allows provincial enforcement through a directive.

Property owners have expressed interest in utilizing additional density provided by the law to construct duplexes on properties that already house a main residence with a suite, as per our understanding of the Policy Manual.

The current staff approach would prevent these owners from adding new constructions on their lots to create new units, restricting them to merely reconfiguring their existing homes, which is unappealing and likely to limit construction significantly.

Without the allowance for extra density, private investments in Whistler is likely to continue replacing older homes with new residences in their place and continuing to promote basement construction, the most carbon-intensive type of building, thereby unreasonably restricting density.

Conversely, additional density and reduced setbacks would enable property owners to build new housing adjacent to their existing homes.

Staff Report:

"5. Review and confirm existing building setback requirements.

Existing setbacks maintain separation between properties and dwellings, allow for utility corridors, and facilitate snow clearing."

Policy Manual Recommendations:

"Setbacks may limit opportunities to address on-site geotechnical or environmental challenges and restrict housing design diversity and flexibility. Reducing particularly the rear and side yard setbacks is necessary to support a higher number of housing units on traditionally single-family or duplex lots."

"Local governments should consider reducing front yard setbacks to enhance street vibrancy through increased 'eyes on the street' effect and social interactions. A reduced front yard also allows for a larger backyard, enhancing livability (p.37)."

The current front and rear yard setbacks of 7.6m primarily cater to car parking, comprising a 1.5m parking setback and a 6.1m parking space. Preserving expansive front yards prioritizes maximum car spaces, undermining our climate goals of reducing car dependency.

Reducing setbacks would provide homeowners with more flexibility to build on their properties, especially in mountainous areas like ours, allowing construction on cost-effective flat zones.

Although snow management is a concern, the existing 3m side setback between houses in Whistler has proven effective. Therefore, reducing front and rear building setbacks to at least 3m seems feasible.

Staff Report:

"6. Maintain existing maximum building heights, allowing for three-story buildings.

The current height limit for detached and duplex dwellings is generally 7.6 metres, accommodating three-story structures based on design."

Policy Manual Insight:

"Restrictive height limits can adversely affect other desired outcomes for landowners and communities, such as reducing the potential number of units on a site, thereby increasing construction, purchase, or rental costs (p.30)."

The SSMUH advocates for increasing the maximum height to 11m to simplify achieving three stories without necessitating multiple roof planes, which increases costs and spreads the building over more of the lot, reducing usable interior space and increasing impervious surfaces.

Staff Report:

"7. Maintain off-street parking requirements at 2-4 spaces per unit."

Policy Manual Suggestion:

"Minimize parking requirements when updating zoning bylaws or consider removing them entirely for residential zones to optimize land use and building configurations (p.40)."

Over 50 cities in North America have eliminated parking minimums. Given that nowhere in Whistler is more than a 15-minute e-bike ride from the village, stringent parking requirements place an undue burden on homeowners and municipal staff.

<https://www.npr.org/2024/01/02/1221366173/u-s-cities-drop-parking-space-minimums-development>

At most, a property in Whistler should require two parking spots. Ideally, parking minimums should be eliminated to allow the market to adapt to future low-carbon transport technologies.

I appreciate the staff's efforts in preparing this report. However, the proposed policies seem to limit the development of new affordable housing. Meanwhile, the local government is clearing virgin forests for off-market housing, and many local businesses depend on employees commuting from Squamish or Pemberton, which carries environmental impacts.

I hope the council will consider directing staff to explore ways to increase density, allowing property owners to build additional housing alongside existing structures. This could prevent the unnecessary demolition of perfectly viable homes, promoting more sustainable development and increasing affordable housing availability in Whistler.

Regarding staff's comments that excluded basement allow expanded density, I would point to recent studies, including research by the City of Toronto, have shown that concrete basements contribute significantly to the carbon footprint of new constructions. Concrete basements are also expensive due to the excavation and retaining features required. By minimizing underground construction, we can substantially reduce the use of high-emission materials like concrete.

Link: <https://news.engineering.utoronto.ca/large-carbon-footprint-of-new-house-construction-mostly-due-to-concrete-basements/>

Thank you for considering these points. I look forward to seeing the Municipality adopt policies more closely aligned with the Provincial Policy Manual, ultimately leading to more affordable housing options for Whistler residents.

Kind regards,



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We gratefully acknowledge the land, now known as Whistler and Revelstoke, where we live create and play, in the unceded traditional lands of the Skwxwú7mesh and Lilwat7úl, the Sinixt, Ktunaxa, Secwepemc and Syilx