

## **Development Permit and Rezoning Application Additional Submittal Requirements For Properties Zoned CC1 and CC1-E**

**Pursuant to the Whistler Village Density Policy,  
Zoning Amendment Bylaw (CC1 Zone Base Density Amendment) No. 1670  
and  
Zoning Amendment Bylaw (CC1-E Zone Base Density Amendment) No. 1832**

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The following additional submittal requirements apply to all development proposals for properties in Whistler Village that are zoned CC1 or CC1-E that trigger a development permit application or a rezoning application and alter the gross floor area.

### **Additional Submittal Requirements**

#### ***All applications:***

- All applicants should contact the Planning Department at 604-935-8170 to determine if a development permit application and/or rezoning application are required.

A development permit is required if the application:

- a) Affects the exterior of the building;
- b) Proposes to add density that is wholly contained within the existing building envelope and the additional density exceeds that permitted by an existing covenant registered on title that specifically restricts the maximum gross floor area of the property.

A rezoning application is required if the application:

- a) Proposes to add density beyond the base density<sup>1</sup> of the property.

- The applicant shall provide a calculation of existing gross floor area prepared by a member of the Architectural Institute of B.C. This calculation must be completed utilizing the definition of gross floor area contained in the municipality's Zoning and Parking Bylaw No. 303, 1983 and must be in the form of detailed overlays showing areas by occupancy, suite, floor level and building.

Any applications subsequent to the first approved calculation of existing gross floor area after the adoption of Bylaws 1670 and 1832 may utilize the first approved calculation of existing gross floor area, at the discretion of the Manager of Planning or the Manager of Building Services.

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<sup>1</sup> Base density refers to the maximum permitted gross floor area of a site/parcel as established by zoning Amendment Bylaw (CC1 Zone Base Density Amendment) No. 1670 and Zoning Amendment Bylaw (CC1-E Zone Base Density Amendment) No. 1832.



If the municipality is not wholly satisfied with the calculation of existing gross floor area prepared by the architect, a survey of gross floor area by a British Columbia Land Surveyor may be required.

- The applicant shall provide a letter certifying the existing gross floor area utilizing the proper form within the development permit and rezoning application packages.

***Applications for rezoning:***

In addition to the above, the following information requirements also apply to rezoning applications that propose to add density beyond the base density of the property:

- a) The applicant shall follow Section 4.0 Procedures of the Whistler Village Density Policy, attached as Appendix A.

**Contact**

Please direct any inquiries to the Planning Department at 604-935-8170.

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|  | <b>THE RESORT MUNICIPALITY OF WHISTLER<br/>COUNCIL POLICY</b> |
| <b>POLICY NUMBER:</b> <b>G-24</b>   | <b>DATE OF RESOLUTION: JUNE 16, 2008</b>                      |
| <b>WHISTLER VILLAGE DENSITY POLICY</b>  |   |

### 1.0 SCOPE OF POLICY

This policy applies to all rezoning applications for all parcels within the CC1 and CC1-E zones that propose to increase the permitted density for a parcel beyond the base density<sup>1</sup> for that parcel.

### 2.0 OBJECTIVES

The principal objective of this policy is to provide clear guidance to property owners, applicants, staff, Council and the public regarding the criteria and procedures for the municipality's consideration of any proposal to increase the base density for any parcel located within the CC1 and CC1-E zone.

The policy is intended to support a number of broader municipal objectives, which are identified in Section 3.0 Guiding Principles.

### 3.0 GUIDING PRINCIPLES

#### Historic Perspective

The municipality has pursued a carefully planned and controlled approach to the design and development of Whistler Village. This approach has sought to adhere to a number of design principles that were considered to be very important during the initial design of the Village in 1978, and were established in the Whistler Village Master Plan.

The quality of the pedestrian system and the location and scale of public places was the controlling fabric of the Village. Where possible, these spaces were to have sunlight even in winter months, views of mountains, a comfortable scale, architectural design that was appropriate to the mountain environment and the presence of a mountain landscape throughout. Within the original Village (represented by parcels within the CC1 and CC1-E zones), each building was to have individual character and personality; diversity was paramount. The desired size and general form of each building was established based upon the design principles.

Development of the Village followed a proposal call process, where the siting, scale, massing, volumetrics, density and uses were designated for each development parcel in concert with the Whistler Village Master Plan.

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<sup>1</sup> Base density refers to the maximum permitted gross floor area of a site/parcel as established by Zoning Amendment Bylaw (CC1 Zone Base Density Amendment) No. 1670, 2004 and Zoning Amendment Bylaw (CC1-E Zone Base Density Amendment) No. 1832, 2008.

Proposed designs were reviewed relative to the Whistler Village Design Guidelines, and were approved by the municipality by Development Permit. Approved Development Permits were registered on the title of each property, and the development of the parcel was restricted to the approved Development Permit through statutory covenants registered in favour of the municipality.

The result of this approach is an award-winning pedestrian oriented Village that has become a model of success for the design of mountain resort villages. The protection and pursuit of the Village design principles is considered to be critical to the guest experience and the economic success of the resort community. To remain competitive, the municipality must carefully consider and support proposals that support these principles and further resort community objectives related to the resort experience and the municipality's sustainability principles.

Development of the Village occurred through the early 1980's with many projects struggling to complete construction due to the economic recession and high interest rates of this period. As a result, many of the buildings developed during this period do not have an appealing design and were not designed or built to last. These buildings and properties have the potential to be redeveloped in a way that enhances the visual quality of the Village as experienced from the Village Stroll and the public spaces that are linked throughout the Village. There are also opportunities to make improvements that enhance building safety, the hospitality experience, operational efficiency, building durability and building efficiency.

### **Municipal Policy Context**

These opportunities for improvements to existing development in Whistler Village, which may involve changes to the volumetrics and density of a property, must be recognized as a benefit to Whistler. They must also be considered in the context of the higher-level principles, policies and initiatives of the municipality, which are:

- Whistler 2020, Moving Towards a Sustainable Future
- RMOW Official Community Plan
- RMOW Zoning and Parking Bylaw
- Whistler Village Development Permit Guidelines
- Whistler Village Enhancement Strategy
- Whistler Sustainable Retail Study

### **CCr Task Force Consensus**

In addition, this policy has been developed in consideration of a number of more specific principles that have been defined through the public consultation process and endorsed by the Council approved CCr Task Force. These principles provide insight and rationale for the policy and the future consideration of development applications seeking density increases.

- a) Ensure that the new policy supports Whistler's vision, priorities and directions as expressed in Whistler 2020.
- b) Recognize the value of Whistler Village as a key asset of the resort community.
- c) Recognize that Whistler Village must improve its quality and continue to evolve to remain competitive in the resort marketplace.
- d) Recognize that improved properties enhance the resort experience, support increased visitation, and are a measurable benefit to the resort community.

- e) Facilitate reinvestment in Whistler Village that enhances its quality and character, without negatively impacting the fundamental design principles of the original Whistler Village Master Plan.
- f) Maintain and reinforce the unique and authentic experience of Whistler Village:
  - Maintain the mountain village scale
  - Support variety and diversity
  - Maintain connections to the mountain environment
  - Protect views and solar access
  - Emphasize the pedestrian focus.
- g) Base approval decisions on good planning and design, and these approvals should not be compromised to achieve desired amenities.
- h) Additional density should not be granted as a necessity or solution to making reinvestment and upgrades occur.
- i) Require rejuvenation and enhancement to occur within the defined design parameters of this policy and the higher-level principles, policies and initiatives of the municipality referenced above.
- j) Recognize that the density for each parcel in Whistler Village is a function of location, context, site-specific characteristics and maintaining the fundamental design principles of Whistler Village, as established in the original Whistler Village Master Plan.
- k) From a design, aesthetic and experiential perspective, building volumetrics (massing, height, shape, form, scale, relationships, views, solar access) are a more relevant measure of development density than gross floor area. Gross floor area should not be the singular focus.
- l) There is limited potential to add additional density within Whistler Village; however, there are buildings that would be enhanced by modifications to their existing volumetrics.
- m) Where additional development density is determined to be acceptable, any requirements for further public amenities should be based on a predictable process with clear guidelines.
- n) Pursue development that encourages diversity and unique expressions of Whistler's mountain village character and culture.
- o) Seek to add diversity to the accommodation mix.
- p) Seek to support local unique businesses.
- q) Achieve buildings that are "built to last" through quality design, materials and construction.
- r) Recognize that in some cases demolition of existing buildings may be warranted, as compared to renovation.
- s) Develop good tools for analysis and standardize submission requirements and procedures for careful and consistent evaluation of proposed developments.
- t) Define, document and prioritize critical views and solar access for the Village as a whole based on a comprehensive analysis.
- u) Increase clarity and certainty in the development review and approval process; clearly establish the policies, procedures and guidelines.

#### 4.0 PROCEDURES

The following procedures and criteria shall apply to the municipality's consideration of any and all proposals for additional density within the CCI and CCI-E zones beyond the base density.

##### General Requirements

1. A rezoning is required for any proposed increase in development density beyond the base density. All rezonings are at the discretion of municipal Council.
2. The absolute maximum density for any parcel shall be no greater than a floor space ratio of 3.50 square metres of gross floor area per square metre of parcel area.
3. Any application that proposes an increase in density that would result in an increase in bed unit capacity shall be evaluated relative to the municipality's growth management policies and applicable criteria established within the municipality's Official Community Plan or any other related policy of the municipality.

The number of existing bed units for a property shall be established as the greater of the estimated bed unit allocation for the original approved development permit and the number allocated based on any subsequent development permit or building permit approved by the municipality.

4. Any application that proposes an increase in commercial uses excluding auxiliary uses, greater than 5 percent of the base density for the parcel or greater than a total gross floor area of 250 square metres shall be evaluated relative to the municipality's growth management policies and applicable criteria established within the municipality's Official Community Plan or any other related policy of the municipality.
5. As a general rule the maximum additional density shall be limited to no greater than 10 percent of the base density<sup>1</sup> established for the parcel.
6. All applications shall specify the resort community benefit achieved by the proposed density increase (refer to Schedule 1).
7. Proposals for increased density will be considered within two general categories, according to the procedures established for each category. The categories are:
  1. Proposed developments that seek to add density within the existing building envelope.
  2. Proposed developments that seek to add density through modifications to the existing building envelope.
8. For rezoning applications that are generally supported by this policy, the municipality will facilitate the application and review process as follows:
  - The municipality will accept and review development permit applications and building permit applications simultaneously with the processing of the rezoning application, at the applicants risk;
  - Waive the review of the application by the Advisory Planning Commission if the proposed development is consistent with the municipality's Official Community Plan;

- Waive the holding of a public open house;
- Waive the holding of a public hearing on the proposed bylaw if the proposed bylaw is consistent with the municipality's Official Community Plan, as permitted by Section 890(4) of the Local Government Act, and give notice that the public hearing is waived as per Section 893 of the Local Government Act;
- When a public hearing is required, waive individual notices of the public hearing if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration, as per Section 892(7) of the Local Government Act.

The procedures and criteria applicable to each category, and sub-categories within each, are presented as follows.

### **Applications for Additional Density within Existing Building Envelope**

1. The municipality will generally support requests for additional density for auxiliary uses that enhance the operations of the property (refer to Schedule 1), subject to:
  - a. The proposed addition will not be permitted to displace existing space used for the same purpose. This is intended to prevent substitution of existing space for commercial purposes.
  - b. The proposed location, use, rationale and amount of area for the additional space shall be clearly documented as part of the rezoning.
  - c. The zoning amendment shall restrict the additional space to the specified use.
  - d. The amount of additional area permitted for these uses shall be related to the density and use of the existing building, and shall generally not exceed 10 percent of the base density for the parcel or greater than a total gross floor area of 500 square metres.
2. The municipality will generally support requests for additional density for commercial uses and accommodation uses, subject to:
  - a. Any proposed additional density shall not compromise existing operation and maintenance requirements or existing public amenities.
  - b. Additional area proposed for accommodation use shall not increase the allocated bed unit capacity.
  - c. The amount of additional area permitted for these uses shall be related to the density and use of the existing building, and shall generally not exceed 5 percent of the base density for the parcel or greater than a total gross floor area of 250 square metres.

### **Applications for Additional Density that Modifies Existing Building Envelope**

1. Applications that seek to add density in a way that modifies the existing building envelope are subject to the same criteria as for applications for additional density within the existing building envelope and further are subject to a two-step design evaluation process as follows:
  - a. Step One: Initial Review
    - i. At a form and massing level of detail, evaluate the proposed design changes relative to the Whistler Village Design Guidelines, the Whistler Village View Protection

Guidelines and the Whistler Village Solar Access Protection Guidelines. Ensure the design meets the design guidelines relative to views, urban scale, solar aspect and context from public spaces within the Village. Utilize conceptual models for these evaluations – require physical models and 3-D computer models.

- ii. Staff and the municipal Advisory Design Panel review the conceptual models. Staff prepares an assessment of the proposed benefits and potential impacts and prepares a recommendation to Council.
- iii. Council shall consider the recommendation and pass a resolution as to whether or not it supports the application for further processing and detailed design development, and specifying any conditions of support where applicable.
  - If the proposed project violates any of the design principles in paragraph i then the project should not proceed.
  - If the proposed project does not violate the design principles in paragraph i and achieves targeted community benefits then the project shall be supported for further detailed design development and consideration.

b. Step Two: Detailed Design and Project Definition

- i. Complete the detailed design of the project.
  - ii. Evaluate the detailed design relative to the Whistler Village Design Guidelines, the Whistler Village View Protection Guidelines and the Whistler Village Solar Access Protection Guidelines. Ensure the design continues to meet the design guidelines relative to views, urban scale, solar aspect and context from public spaces within the Village. Maximize potential design improvements considering the improvements identified in Schedule 1.
  - iii. Review the final design with the Advisory Design Panel.
  - iv. Present the proposed final design to Council for consideration in conjunction with Council’s consideration of the zoning amendment bylaw required for the proposed density increase. Complete Development Permit consideration and processing in conjunction with processing of the zoning amendment bylaw.
2. Applications that add density strictly as a result of modifications to the building envelope to implement “rain screen” or other similar technologies that enhance building durability and efficiency will be generally supported provided they satisfy step two of the design review evaluation described above.

## 5.0 SCHEDULES AND FORMS

The following schedules and forms apply as referenced within this policy.

Schedule 1: Resort Community Benefits Associated with Improvements to Existing Developments in Whistler Village

Certified Correct:

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Shannon Story  
Corporate Officer

## **Schedule 1**

### **Resort Community Benefits Associated with Improvements to Existing Developments in Whistler Village**

Eldon Beck Associates conducted a design assessment of existing buildings and properties within Whistler Village in February 2005. This assessment highlighted a number of design conditions that detract from the quality and character of the Village and its appeal. These conditions represent opportunities for potential improvements to existing developments that could produce measurable benefits to the resort community. Further opportunities have been identified consistent with the Whistler Sustainable Retail Strategy, Whistler Village Enhancement Strategy and Whistler 2020 Moving Toward a Sustainable Future. Targeted improvements have been categorized and listed below to aid in the design and assessment of proposed redevelopment and renovation projects. This list is not considered to be comprehensive or exhaustive; other unidentified improvements may also be considered to be of measurable benefit to the resort community and should also be recognized within this policy.

#### **Urban Design and Architectural Improvements**

1. Enhancement of the pedestrian precinct
  - Changes of uses that promote social life in public spaces
  - Improvements in ease of access to stores
  - Improvements in storefront visibility, life, colour and interest
  - Changes to the base of buildings, improvement of the building connection to the land
  - Entrance improvements (shelter, welcoming, personality)
  - Preservation/creation of intimate, close up views
  - Preservation/creation of distant mountain views
  - Improvements in solar access, brightness, colour, delight
  - Improvements to the landscape
  - Year-round outdoor seating improvements (variety of seating for viewing and sun/shade opportunities)
  - Public art
2. Modification of roof forms
  - Forms better suited to mountain shapes and views
  - Resolution of snow dump issues (which impact on the form and usability of pedestrian spaces)
  - Improved forms that contribute to village visual harmony
  - Forms that protect the building envelope
3. Modification of building facades
  - Changes that promote horizontal rather than vertical forms
  - Windows and balconies that are direct, well shaped, not cute

- Surface colours and textures that catch the light, are not dull
- Facades that are weather resistant

### **Operational Improvements**

- Green building enhancements
- Customer service improvements such as public washrooms and front desk facilities (check-in and guest services)
- Operations and maintenance improvements such as storage facilities, maintenance workshops, recycling and composting space, loading, staff facilities, end of trip facilities, on-site laundry facilities and on-site office and administration facilities.
- Safety improvements (seismic, fire safety)
- Accessibility improvements
- Sound proofing