RESORT MUNICIPALITY OF WHISTLER

LAND USE CONTRACT TERMINATION BYLAW (1200 ALTA LAKE ROAD) NO. 2347, 2022

A BYLAW TO TERMINATE A LAND USE CONTRACT AND AMEND THE RESORT MUNICIPALITY OF WHISTLER ZONING AND PARKING BYLAW NO. 303, 2015

WHEREAS the Council may, by bylaw, terminate a land use contract;

AND WHEREAS the Council must not adopt a bylaw to terminate a land use contract unless it has adopted a zoning bylaw that will apply to the land on the date the termination bylaw comes into force;

AND WHEREAS the Council may, in a zoning bylaw pursuant to Section 479 of the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, regulate the use of land, buildings and structures within the zones, and may, pursuant to section 525 of the *Local Government Act* require the provision of parking spaces and loading spaces for uses, buildings, and structures;

NOW THEREFORE the Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited for all purposes as "Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022".

ZONING AMENDMENTS

2. Zoning and Parking Bylaw No. 303, 2015 (the Zoning Bylaw) is amended as follows:

    a) The RM72 Zone (Residential Multiple Seventy-Two) attached as Schedule 2 to this Bylaw is added to Part 13 of the Zoning Bylaw as section 73, immediately following section 72;

    b) The RM72 Zone (Residential Multiple Seventy-Two) is added to Part 7, section 1., subsection (1) of the Zoning Bylaw under the heading "R Zones", in continuing alphabetical and numerical order; and

    c) Schedule A to the Zoning Bylaw is amended by assigning the RM72 Zone designation to the areas labelled with that designation on the map attached to this Bylaw as Schedule 1, and by assigning the PAN1 Zone designation to the area labelled with that designation on the map attached to this Bylaw as Schedule 1.

LAND USE CONTRACT TERMINATION

3. The Land Use Contracts registered in the Land Title Office under charge No. A71524 and charge No. G2946, including any registered modifications, is terminated in respect of every parcel shown outlined in heavy black line on the map attached to this Bylaw as Schedule 1 (the Subject Lands), whether or not the Land Use Contract is registered as a charge against the title to a parcel.

4. The Corporate Officer shall notify:

    a) the Land Title Office in accordance with section 548 of the *Local Government Act*; and

    b) the owners of land in accordance with section 549 of the *Local Government Act*.

5. This Bylaw comes into force one year after the date the Bylaw is adopted.

6. If any section or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST AND SECOND READINGS this 11th day of January, 2022.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this 1st day of March, 2022.

SECOND READING RESCINDED this 5th day of April, 2022.

GIVEN SECOND READING AS REVISED this 5th day of April, 2022.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this 19th day of April, 2022.

GIVEN THIRD READING this 10th day of May, 2022.

Approved by the Minister of Transportation and Infrastructure this 7th day of June, 2022.

THIRD READING RESCINDED this 21st day of June, 2022.

GIVEN THIRD READING AS REVISED this 21st day of June, 2022.

Approved by the Minister of Transportation and Infrastructure this 23rd day of June, 2022.

ADOPTED by the Council this 28th day of June, 2022.

Jack Crompton,
Mayor

Pauline Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022".

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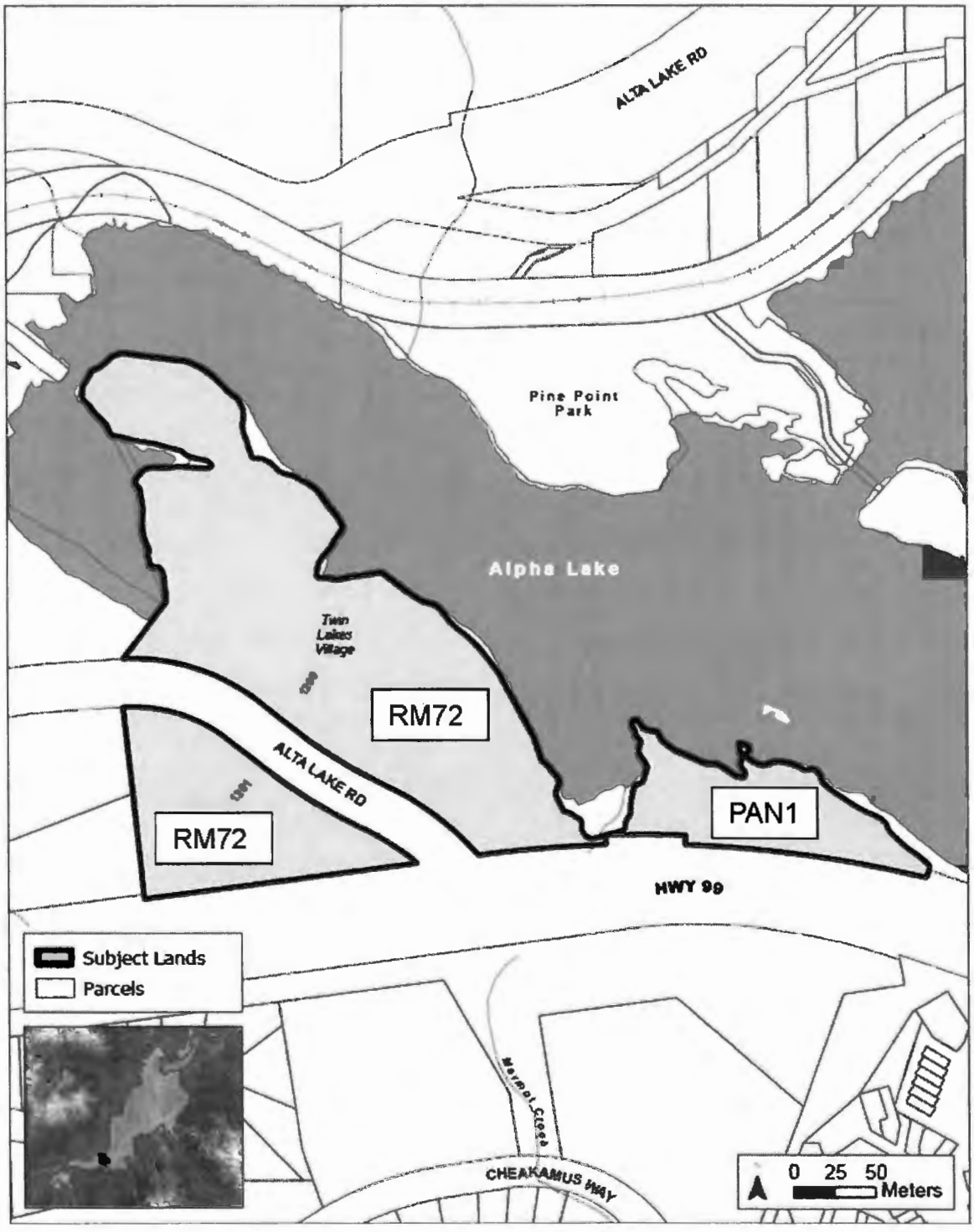
Schedule 1

Map Showing Subject Lands and Zoning Designations



Schedule 2

73. RM72 Zone (Residential Multiple Seventy-Two)

Intent

(1) The intent of this zone is to provide for the development of medium density townhouse dwellings.

Permitted Uses

(2) The following uses are permitted in Area A as shown on the key plan attached to this RM72 Zone and all other uses are prohibited:

(a) auxiliary buildings and auxiliary uses; and

(b) townhouse.

(3) The following uses are permitted in Area B as shown on the key plan attached to this RM72 Zone and all other uses are prohibited:

(a) auxiliary buildings and auxiliary uses;

(b) auxiliary residential dwelling unit;

(c) child care facility;

(d) convenience retail;

(e) personal service; and

(f) restaurant.

Density

(4) The maximum permitted number of dwelling units within Area A is 144.

(5) A maximum of one auxiliary residential dwelling unit, with a maximum gross floor area of 75 square metres, is permitted in Area B.

(6) The maximum permitted gross floor area within Area A as shown on the key plan attached to this RM72 Zone is 20,035 square metres.

(7) The maximum permitted gross floor area within Area B as shown on the key plan attached to this RM72 Zone is 315 square metres.

(8) Despite subsections (6) or (7), if the actual gross floor area of the buildings in the RM72 Zone, the construction of which was authorized by a building permit duly authorized by the Municipality prior to January 11, 2022, measured and calculated in accordance with this Bylaw, exceeded the amount specified in subsections (6) or (7), such actual gross floor area shall be deemed to be the

maximum permitted gross floor area for the zone.

(9) Despite subsections (6) or (7), if the actual gross floor area of the buildings in the RM72 Zone, the construction of which was authorized by a building permit duly authorized by the Municipality prior to January 11, 2022, measured and calculated in accordance with this Bylaw, is less than the amount specified in subsections (6) or (7), such actual gross floor area shall be deemed to the maximum permitted gross floor area for the zone.

(10) For the purposes of subsections (8) and (9), the Municipality may require a building permit applicant to provide a report by a British Columbia Land Surveyor, professional engineer licensed to practice in British Columbia or member of the Architectural Institute of B.C., certifying the actual gross floor area of buildings in existence in the zone, as of a date specified in the certification.

Height

(11) The maximum permitted height of a principal building within Area A is 10.7 metres.

(12) The maximum permitted height of a principal building within Area B is 7.6 metres.

Site Area

(13) The minimum required parcel area is 4.8 hectares.

Site Coverage

(14) The maximum permitted site coverage is 35 percent.

Setbacks

(15) The minimum permitted front setback, including for auxiliary buildings, is 7.6 metres.

(16) The minimum permitted side setback is 7.6 metres.

(17) The minimum permitted rear setback is 7.6 metres.

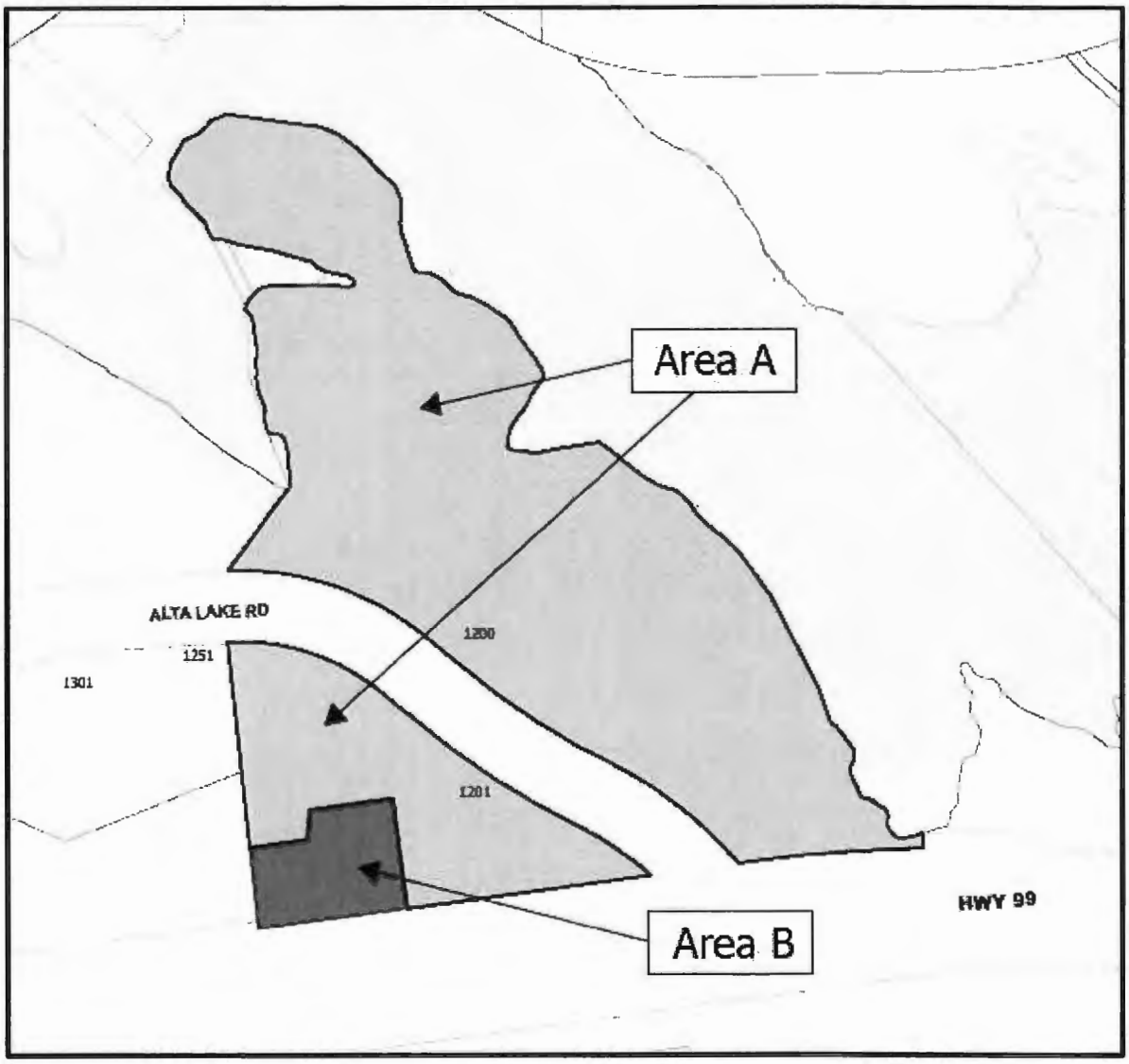
(18) The minimum permitted separation between principal buildings is 6 metres.

Off-Street Parking and Loading

(19) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw.

Other Regulations

(20) The minimum permitted gross floor area for a dwelling unit is 32.5 square metres.

(21) An auxiliary residential dwelling unit in Area B must be contained within a building that contains commercial uses.

(22) The key plan for the RM72 Zone is as follows: