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**43. RTA26 Zone (Residential/Tourist Accommodation Twenty-Six) Bylaw No. 1741)****Intent**

- (1) The intent of this zone is to provide for medium-density market oriented dwelling units in townhouse and duplex form, and to provide density incentives earned by provision of amenities.

**Permitted Uses**

- (2) The following uses are permitted and all other uses prohibited:
- (a) auxiliary buildings and auxiliary uses;
  - (b) townhouse; and
  - (c) duplex
- (3) Notwithstanding any other provisions of this Bylaw, townhouse and duplex dwellings in the RTA 26 zone may be used for the temporary accommodation of not more than 2 guests per bedroom, to a maximum of 8 guests per dwelling, during periods when such dwellings are not occupied for residential use. (Bylaw No. 1838)

**Density**

- (4) The maximum permitted base density on any portion of a parcel, in this Zone is four dwelling units having an aggregate gross floor area not exceeding 900m<sup>2</sup>; provided that the density may be increased to a maximum of 41 dwelling units containing an aggregate gross floor area not exceeding 10,085m<sup>2</sup>, upon the owner of land in this zone providing the following amenities:
- (a) prior to construction of more than four (4) dwelling units on the RTA 26 portion of the parcel, all portions of the parcel zoned RTA 26 are charged by a s.219 Covenant in favour of the Resort Municipality of Whistler in the form and on the terms and conditions set out in Schedule "P";
  - (b) concurrently thirty-six (36) employee housing units are constructed on a portion of the same parcel zoned RM52, designated as employee housing in the manner required by the Resort Municipality of Whistler; and subject to a Housing Agreement pursuant to s.905 of the *Local Government Act* an Option to Purchase and a Right of First Refusal on the terms and conditions set out in Standard Change Terms filed in the Vancouver Land Title Office under No. ST060089 AND ST060090 and on those additional terms set out in Schedule "P";
  - (c) concurrently with the construction of more than four dwelling units on the RTA26 portion of the parcel the following are constructed:
    - (i) a bridge and bridge approaches in the locations and to the standards and specifications set out in Schedule "P" and in accordance with all approvals, permits, licenses and other requirements of all authorities

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having jurisdiction; and the Resort Municipality of Whistler shall contribute to the construction cost of the bridge an amount equal to the amount of Transportation Work Charges paid pursuant to Transportation Work Charge Bylaw No. 1190, 1996, by the owner of and in respect of the parcel on which the dwelling units and employee housing units authorized to be built in the RTA26 and RM 52 Zones are constructed:

- (ii) dykes and flood control works in the locations and to the standards and specifications that are in accordance with all approvals, permits and licenses and requirements of all authorities having jurisdiction including the Resort Municipality of Whistler and the Approving Officer;
- (d) the bridge and bridge approaches, and dykes and flood control works are certified fully complete and operational in accordance with all approvals, permits, licenses by the professional engineer who has supervised the construction and are accompanied by an Operation and Maintenance Manual prepared by the said professional engineer in accordance with good engineering practice and in accordance with all approvals, permits, licenses and requirements of all authorities having jurisdictions, including the Resort Municipality of Whistler and the Approving Officer;
- (e) the bridge, bridge approaches, dykes and flood control works as completed have been transferred to the Resort Municipality of Whistler either in fee simple free and clear of all charges and encumbrances, or alternatively at the option of the Resort Municipality of Whistler by statutory right of way having priority over all financial charges, leases, options and rights of first refusal.

#### **Minimum Floor Area of Dwelling Units**

- (5) No dwelling unit shall have a gross floor area of less than 55m<sup>2</sup>.

#### **Height**

- (6) The maximum permitted height of a Townhouse is 8m and of an auxiliary building or structure 5m.

#### **Parcel Size**

- (7) The minimum permitted parcel size is 1.2 ha.
- (8) The minimum parcel frontage is 1/10 of a parcel perimeter.

#### **Setback and Siting**

- (9) No building or structure shall be sited within 4.5m of any lot line abutting Highway 99, abutting Nancy Greene Way or abutting Lot 1, Plan 13243; and 7.25m from any other lot line. No building or structure shall be sited less than 4.5m from any portion of land within a statutory right of way.

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**Off-Street Parking and Loading**

- (10) Two off-street parking spaces shall be provided for each dwelling unit in accordance with the requirements of Part 6 of this Bylaw.

**Other Regulations** (Bylaw No. 1838)

- (11) Notwithstanding subsection (4), the maximum gross floor area may exceed 10,085 m<sup>2</sup> by the maximum amounts set out in the following table for the uses specified in the table, provided that the uses are located as specified:

Use	Gross Floor Area (m2)
Market storage lockers in the central area of the parking structure	662
Market storage at the north end of the parking structure	58
Recycling and garbage facility within the parking structure	42
<b>Total</b>	<b>762</b>