

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING NOTICE

LAND USE CONTRACT TERMINATION BYLAW (BLACKCOMB MULTI-
FAMILY) NO. 2344, 2022

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: Blackcomb Land Use Contract -LUC00005
Date: Tuesday, March 15, 2022 2:53:00 PM
Attachments: [image001.jpg](#)

Hi Andrew,

Thank you for your inquiry regarding LUC00005 and specifically the proposed maximum gross floor area for Crystal Ridge.

Under the proposed RTA35 Zone, Crystal Ridge (4873 Painted Cliff Road) is identified as area "J" on the Key Plan.

Crystal Ridge is located within Zone 2 of the Blackcomb Land Use Contract. Under Zone 2 of LUC Modification [charge no. GB77455](#) all other buildings, aside from single residential buildings and duplex residential buildings, shall not exceed in the aggregate of any one site a floor space ratio of 1.5. Please note that the LUC Modification also specifies that building permits shall be issued in accordance with and after development approval, registered on title as a restrictive covenant. The detailed provisions of the development permits and covenants tailor the general requirements of the LUC to the particular site, further specifying applicable land use regulations. Development covenant [charge no. GC69173](#) is registered on title which references the associated development approval (DP#21) which includes approved plans. The entire regulatory framework is used for these sites as the baseline for preparation of replacement zoning regulations.

Staff use the building permit plans to calculate the existing permitted gross floor area of each development. After receiving your comments, Staff have re-evaluated the proposed maximum gross floor area for area "J" based on approved development permits, DP#21 and DP#616 and agree the maximum gross floor area should be increased to "2733 square metres" from "2668 square metres". This is an addition of 54 square metres or 700 square feet which accounts for the permitted (DP#616), but currently unconstructed gross floor area.

Once the LUC is discharged, other potential development scenarios for these properties will be subject to the usual permitting requirements, just as they would have been subject to development approval under the LUC.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Andrew Grant [REDACTED]
Sent: Wednesday, February 16, 2022 4:48 PM
To: Planning <planning@whistler.ca>
Cc: Tim Grant [REDACTED] Brian Reid [REDACTED] Ken Williams [REDACTED] Hector Mackay-Dunn [REDACTED]

Subject: Blackcomb Land Use Contract -LUC00005

CAUTION: This email originated from outside of the RMOW. Do not click links or open attachments unless you verify that the sender is legitimate and know the content is safe.

We own strata unit #8 in Crystal Ridge 4873 Painted Cliff Rd. , VR2512 and designated J on your map. I have just returned to Vancouver from out of town and have your letter of Jan 13/22, as a result of my travel this is my first opportunity to ask questions.

I was part of the group that purchased the land originally in approx.. 1988 and we obtained the development approvals and then constructed Crystal Ridge. In 2005/06 we made revisions to our approved plan and obtained a Development Permit (I believe No. 616) to enable expansion of all units of which 12 of 16 did so and 4 units and others less so, only partially expanded with the understanding they could do the remaining improvements later. Regrettably Kat Sullivan the designer for the expansion has passed away and we do not have access to her files now.

My question relates to the proposed maximum gross floor area. Site J is identified for 2668 sq. meters which is approx..28,718 sq. ft., our survey shows that 28,532 sq. ft. exists now and I think approx.. 1500 sq. ft. remains unbuilt under the 2006 Development permit . so it seems that at least 30,032 sq. ft should be allocated to lot J ? But Kat in her submission to the Municipality in 2005 noted the permitted density under the original development (back in 1988/89) permit #21 was 185 sq. m per townhouse which is approx. 1991 sq. ft and for 16 units is 31,861 sq ft. Kat also noted the our proposed FSR in 2005/6 was only .54 and was well under the maximum density of 1.5 referring to the LUC GBo77455. Although I don t have the site area calculations I wonder why that measure does not remain as the maximum gross floor area. When we designed Crystal Ridge we did not do so with an intent of maximizing FSR (it was a different time!) and there was never a suggestion either then or with the subsequent expansion development permit that we would lose this permitted maximum in the LUC. But it now seems it is being taken away?

The maximum height in the proposal I believe is consistent with the original LUC, so I have no comment.

I look forward to hearing from you.

Regards

Andrew Grant

Andrew Grant



From: [Joanna Rees](#)
To: "Colin Scarlett"
Subject: RE: File No. LUC00005
Date: Thursday, March 3, 2022 12:37:00 PM
Attachments: [image001.jpg](#)

Hello Colin,

We appreciate your concerns with regard to the replacement zoning and we recognize that there is some uncertainty for property owners and that you wish to understand the implications for your properties.

The creation of replacement zoning is complex and staff have worked to ensure that the proposed zoning provides for the existing development.

The setbacks and parking have been standardized for all locations within the zone. Also, the zone provides adequate height for the existing developments.

The permitted uses and development of the site is per development covenant [charge no. GB86028](#) providing for a residential townhouse project containing not more than 36 units. The proposed permitted use and maximum number of dwelling units in the zoning provides for the development per the registered covenant.

Best regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Colin Scarlett [REDACTED]
Sent: Wednesday, February 2, 2022 2:32 PM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: File No. LUC00005

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Thanks Joanna, while I appreciate this you still haven't answered my question which is what the material differences are per my note below. I'd imagine this is fairly easy information for you or someone at the RMoW to provide.

Cheers,

Colin

On Wed, 2 Feb 2022 at 14:15, Joanna Rees <jrees@whistler.ca> wrote:

Hi Colin,

Thank you for your patience. Please find the applicable LUC, Covenants and Plans available for your review on the [RMOW website](#).

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Colin Scarlett [REDACTED]
Sent: Monday, January 24, 2022 6:36 PM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: File No. LUC00005

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Thanks Joanne, but you still haven't answered my question. What are the material differences. I don't believe it's fair for you to require people to hire, at great expense, professionals to tell owners what's different. You will know what the exact material differences are (height restrictions, density, parking, etc...).

Kindly provide.

Many thanks,

Colin

On Mon, 24 Jan 2022 at 16:47, Joanna Rees <jrees@whistler.ca> wrote:

Hi Colin,

Staff use the best available information to create the replacement zoning. The general principle applied when developing the proposed zoning is to make it generally consistent with the existing development controls which apply to the land including the land use contract, development permits, and building permits. The RMOW also recommends that owners undertake their own assessment or seek advice from professionals as necessary. We are happy to receive specific comments on the draft proposed zone should you have any.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Colin Scarlett [REDACTED]
Sent: Friday, January 21, 2022 10:11 AM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: File No. LUC00005

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Thanks Joanna, I understand the shift in the LUC to zoning, but am curious to know the

material differences that will be enacted that may impact our property. For example, will there be more or less density, different height restrictions, etc...

Kindly let me know.

Thanks,

Colin Scarlett

On Fri, Jan 21, 2022 at 8:58 AM Joanna Rees <jrees@whistler.ca> wrote:

Hi Colin,

Thank you for your inquiry regarding LUC00005.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable, and may be obtained from the BC [Land Title and Survey Authority](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

For general information and status updates please visit the [RMOW webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way

Whistler, B.C. V8E 0X5
T: 604-932-5535 X8665
whistler.ca

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The Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lil'wat People, known in their language as Liłwat7úl, and the Squamish people, known in their language as Skwxwú7mesh. We respect and commit to a deep consideration of their history, culture, stewardship and voice.

From: Colin Scarlett [REDACTED]

Sent: Monday, January 17, 2022 8:37 AM

To: Planning <planning@whistler.ca>

Subject: File No. LUC00005

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Hello, I own a unit in the Villas complex - 4725 Spearhead Drive and have received your letter of January 13, 2022.

Could you please outline how the proposed new zoning for the complex differs from the current LUC. I'm not looking for a definition of LUC vs. zoning, rather I'm looking for the differences in the how the two will impact the property and what can be done on it.

Many thanks,

Colin Scarlett
[REDACTED]

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From: [Joanna Rees](#)
To: "shannon frame"
Subject: RE: Email about LUC
Date: Tuesday, February 15, 2022 4:24:00 PM

Hi Shannon,

Thank you for your follow up email.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The applicable LUC, covenants and plans that regulate your property are available for your review on the [RMOW website](#).

The RTA35 zone is the proposed replacement zoning to take effect once the LUC is terminated. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Please let me know if you have any specific questions regarding the RTA35 zone.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: shannon frame [REDACTED]
Sent: Thursday, February 10, 2022 1:13 PM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: Email about LUC

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Hi Joanna,

Sorry I have been in meetings when you call.

I just want to know what this all means. It's complete gibberish to me. Does it affect anything specific that I should be concerned about? I have no clue what RTA35 Zone (Residential/Tourist Accommodation Thirty-Five means. Can you elaborate and explain the differences from what it is now.

Thanks,
Shannon

From: Joanna Rees <jrees@whistler.ca>
Sent: February 9, 2022 6:50 PM
To: [REDACTED]

Subject: RE: Email about LUC

Hi Shannon,

Thank you for your inquiry regarding LUC00005, I am sorry I haven't been able to connect with you via phone call.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council.

Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

For general information and status updates please visit the [RMOW LUC webpage](#); additionally, there is an [FAQ page](#) for your information.

Please let me know if you have any additional questions.

Kind regards,

Joanna Rees (she/her)

RESORT MUNICIPALITY OF WHISTLER

T: 604-932-5535 ext. 8665

From: shannon frame [REDACTED]
Sent: Thursday, February 3, 2022 2:40 PM
To: Planning <planning@whistler.ca>
Subject: Email about LUC

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Hi there,

I received a letter about the LUC termination. My file is LUC00005.

Can someone please phone me to explain what this is.

Thanks,
Shannon

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: RMOW Blackcomb LUC Termination - LUC00005
Date: Tuesday, February 15, 2022 11:02:00 AM

Hi David,

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

As noted in the letter, there will be opportunity to provide comment during the Public Hearing process. For general information and status updates please visit the [RMOW LUC webpage](#); additionally, there is an [FAQ page](#) for your information.

Please let me know if you have any additional questions.



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, B.C. V8E 0X5
T: 604-932-5535 ext. 8665
whistler.ca

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From: David Blake-Knox [REDACTED]
Sent: Saturday, February 12, 2022 9:13 AM
To: Rand Whittleton [REDACTED]
Cc: 'Dale Bekar ([REDACTED]) Greg Grostick [REDACTED]
[REDACTED] Ewa Blake-Knox - PM Consulting Inc.
[REDACTED] Planning <planning@whistler.ca>
Subject: RMOW Blackcomb LUC Termination - LUC00005

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Hi Rand,

Waiting for me in North Vancouver on Wednesday was a letter from RMOW pertaining to subject issue. As it was sent "Lettermail" there is no postmark so it is not possible to ascertain when it was mailed. Sometimes mail takes a long time to get from Whistler to NVan. Wonder if there is some way to get the Muni to mail things to Whistler during the ski season and to our primary residence the rest of the year? I have attached scanned copy.

The letter indicates that we have 30 days to make comments which come to an end this Monday 14 Feb 2022. As best as I can figure there do not seem to be any impacts on our property, but I may be missing something.

What is your assessment of the subject? Any idea if the Muni is extending their deadline due to late notification of owners?

David (in North Van for the weekend)

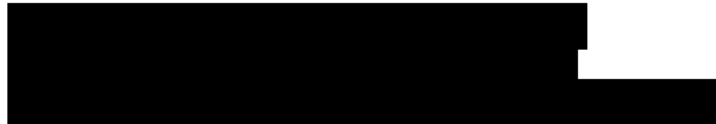
David and Ewa Blake-Knox

#19 Forest Trails

4737 Spearhead Drive

Whistler, BC

Canada, V8E 1E7





RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V8E 0X5 TF 1 866 932 5535
whistler.ca FAX 604 935 8109

Sent via Regular Mail

January 13, 2022

Dear Sir or Madam,

**Re: Blackcomb Land Use Contract (LUC) Termination
Multi-family Residential Properties
File No. LUC00005**

The Resort Municipality of Whistler (RMOW) is providing this letter to inform you that your property is subject to the municipality's Land Use Contract (LUC) termination process described in this letter.

The purpose of the LUC termination process is to establish zoning regulations for all properties within municipal boundaries that are currently regulated by a LUC. The process is required as a result of provincial legislation whereby all LUCs in British Columbia will automatically terminate on June 30, 2024. Municipalities are required to enact zoning regulations for all properties affected by LUCs by June 30, 2022.

The zoning that is being established for each property is based on the currently applicable LUC regulations, as well as existing development approvals, permits and registered charges and agreements, such as covenants, for each property.

Your property is currently within the Blackcomb LUC area. This LUC is registered on affected titles as charge No. G2520 and modifications as applicable. A map of the subject lands is included as Attachment A to this letter. The subject lands consist of most of the multi-family properties within the Blackcomb LUC area.

The RMOW intends to establish a new RTA35 Zone (Residential Tourist Accommodation Thirty-Five) for all strata lots and common property within the subject lands. The proposed zoning that has been developed is included as Attachment B to this letter. The zoning provides for the existing developments and includes residential and tourist accommodation uses.

Prior to Council consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. The zoning adoption process will also include a statutory public hearing where members of the public are provided the opportunity to make verbal and written submissions to Council. All owners will receive notice of the public hearing by mail in advance of the hearing, and the hearing will also be advertised in the local newspaper.

Should you have any questions or comments on the LUC termination process and proposed zoning for your property, please submit these by email to planning@whistler.ca or by mail to: Planning Department, Resort Municipality of Whistler, 4325 Blackcomb Way, Whistler, BC, V8E 0X5. Please reference File No. LUC00005. Note that all correspondence received will become



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part of the LUC termination file and will be included in a future report to Council along with your name and address. Personal contact information will not be included. Any submissions for the initial 30-day comment period must be received by February 14, 2022 to be considered.

Further information on the LUC termination process may be found on the RMOW website at www.whistler.ca/landusecontracts. You may also contact the Planning Department at 604-935-8170 for questions you may have.

Yours sincerely,

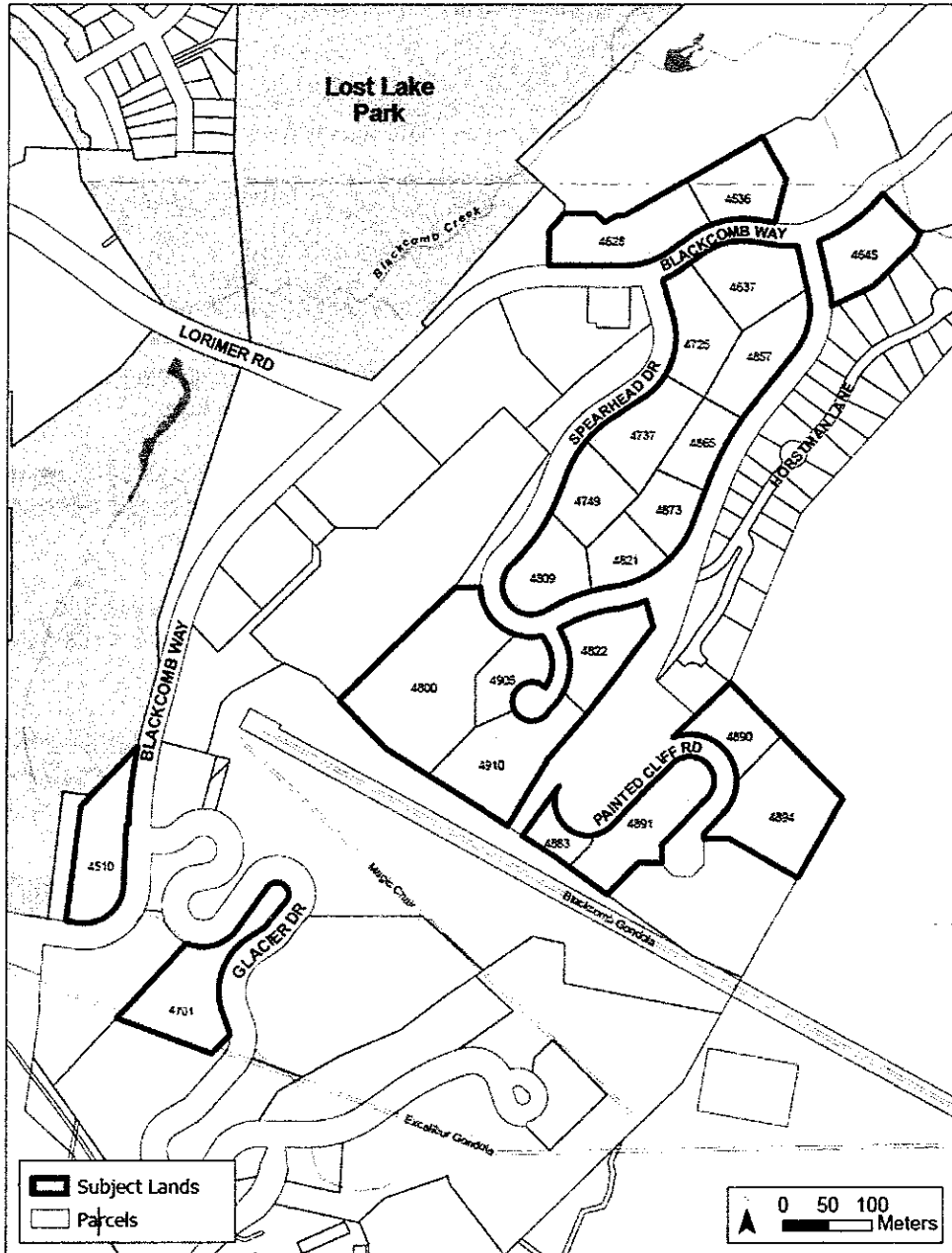
RMOW Planning Department

Encl.

Attachment A

Subject Lands

(Outlined in heavy black line and shaded grey)



Attachment B

Draft Proposed Zone

RTA35 Zone (Residential/Tourist Accommodation Thirty-Five)

60. RTA35 Zone (Residential/Tourist Accommodation Thirty-Five)

Intent

- (1) The intent of this zone is to provide medium density residential development for townhouses and apartments, which are also available for tourist accommodation.

Permitted Uses

- (2) The following uses are permitted in the RTA35 Zone and all other uses are prohibited:
 - (a) auxiliary buildings and auxiliary uses, including front desk facilities that may provide both onsite and offsite property management services;
 - (b) townhouses, but the location of which is restricted to specific strata lots, as set out in Table 12A, with the general location of the strata lots shown for reference only in the key plan for the RTA35 Zone; and
 - (c) apartments, but the location of which is restricted to specific strata lots, as set out in Table 12A, with the general location of the strata lots shown for reference only in the key plan for the RTA35 Zone.
- (3) Notwithstanding any other provisions of this Bylaw, townhouse dwelling units and apartment dwelling units in the RTA35 Zone may be used for temporary accommodation when not occupied for residential use.

Density

- (4) The maximum permitted gross floor area of each site shown on the key plan for this RTA35 Zone is as shown in Table 12A.
- (5) Despite subsection (4), if the actual gross floor area of buildings in any Key Plan Area, the construction of which was authorized by a building permit duly authorized by the Municipality prior to March 16, 2022, measured and calculated in accordance with this Bylaw, exceeded the amount specified in subsection (4), such actual gross floor area shall be deemed to be the maximum permitted gross floor area for that Key Plan Area.
- (6) Despite subsection (4), if the actual gross floor area of the buildings in any Key Plan Area, the construction of which was authorized by a building permit duly authorized by the

Municipality prior to March 16, 2022, measured and calculated in accordance with this Bylaw, is less than the amount specified in subsection (4), such actual gross floor area shall be deemed to be the maximum permitted gross floor area for that Key Plan Area.



- (7) For the purposes of subsections (5) and (6), 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

- (8) The maximum permitted height of each site shown on the key plan for this RTA35 Zone is as shown in Table 12A.

Setbacks

- (9) The minimum permitted setback from a highway is 7 metres.
- (10) The minimum permitted setback from all other parcel boundaries is 3 metres.

Off-Street Parking and Loading

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

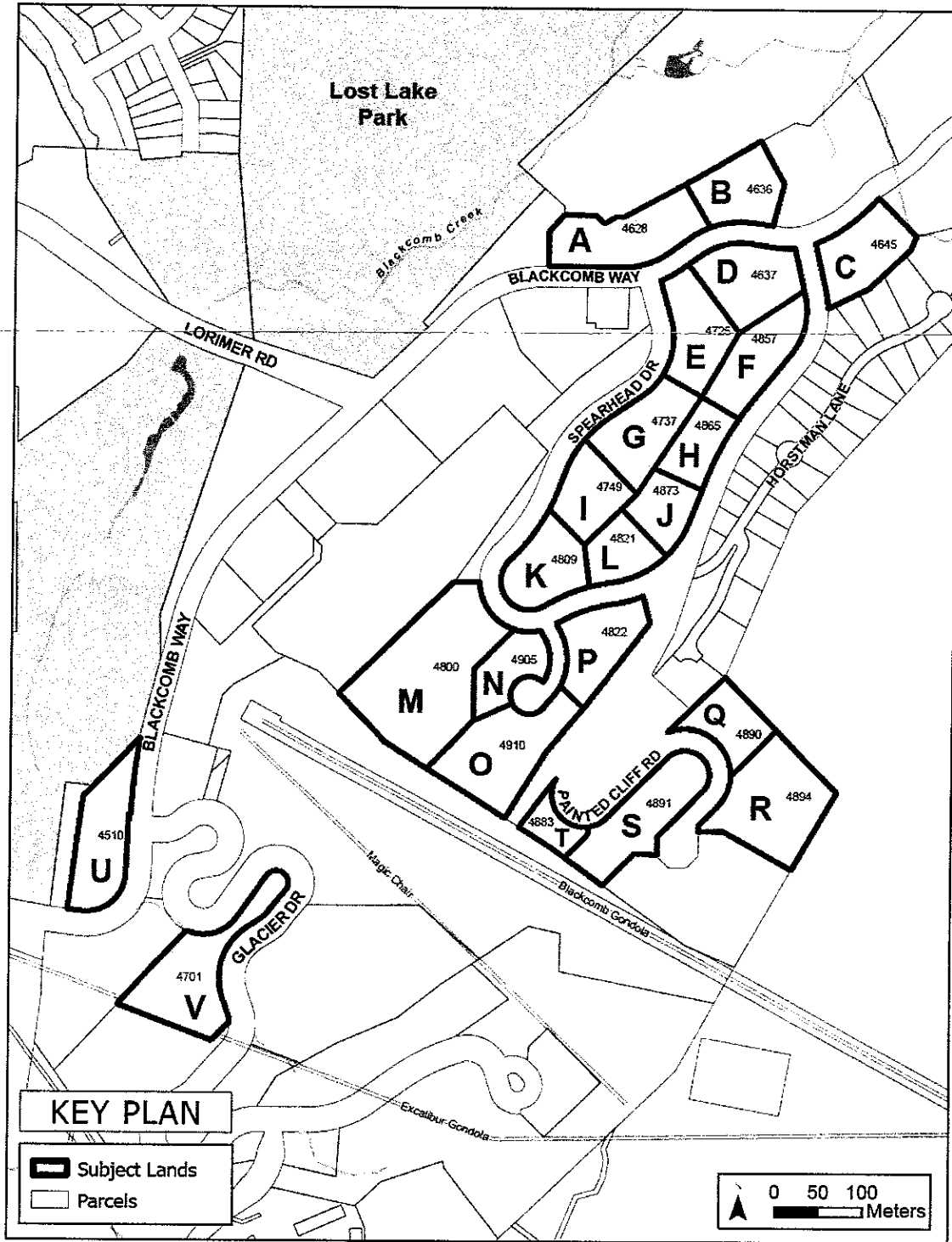
Other Regulations

- (12) Land in the RTA35 Zone may not be subdivided.
- (13) Table 12A – Permitted Uses, Dwelling Units, Densities, and Height for the RTA35 Zone:

Key Plan Area	Permitted Use	Maximum Dwelling Units	Maximum Gross Floor Area	Maximum Height
A	Townhouse	32	3,914 square metres	13.7 metres or 4 storeys, whichever is less.
B	Townhouse	33	4,120 square metres	13.7 metres or 4 storeys, whichever is less.
C	Townhouse	22	3,553 square metres	13.7 metres or 4 storeys, whichever is less.
D	Townhouse	36	4,277 square metres	13.7 metres or 4 storeys, whichever is less.
E	Townhouse	36	4,277 square metres	13.7 metres or 4 storeys, whichever is less.

F	Townhouse	36	4,277 square metres	13.7 metres or 4 storeys, whichever is less.
G	Townhouse	40	4,236 square metres	13.7 metres or 4 storeys, whichever is less.
H	Townhouse	23	3,552 square metres	13.7 metres or 4 storeys, whichever is less.
I	Apartment	51	4,120 square metres	13.7 metres or 4 storeys, whichever is less.
J	Townhouse	16	2,668 square metres	13.7 metres or 4 storeys, whichever is less.
K	Apartment	107	9,222 square metres	19.8 metres or 6 storeys, whichever is less.
L	Apartment	32	3,838 square metres	13.7 metres or 4 storeys, whichever is less.
M	Apartment	233	19,746 square metres	13.7 metres or 4 storeys, whichever is less.
N	Apartment	50	6,485 square metres	13.7 metres or 4 storeys, whichever is less.
O	Apartment	85	10,977 square metres	19.8 metres or 6 storeys, whichever is less.
P	Townhouse	32	3,340 square metres	13.7 metres or 4 storeys, whichever is less.
Q	Townhouse	22	2,135 square metres	13.7 metres or 4 storeys, whichever is less.
R	Townhouse	28	3,661 square metres	13.7 metres or 4 storeys, whichever is less.
S	Townhouse	52	5,363 square metres	13.7 metres or 4 storeys, whichever is less.
T	Townhouse	6	1,353 square metres	13.7 metres or 4 storeys, whichever is less.
U	Townhouse	64	6,208 square metres	13.7 metres or 4 storeys, whichever is less.
V	Townhouse	16	1,478 square metres	13.7 metres or 4 storeys, whichever is less.

(14) The key plan for the RTA35 Zone is as follows:



From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC00005
Date: Friday, February 4, 2022 4:11:00 PM
Attachments: [image001.png](#)

Hi Linda,

Thank you for your inquiry regarding LUC00005.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property and identifies the proposed permitted uses. Under the proposed draft RTA35 Zone, townhouse and apartment dwelling units may be used for temporary accommodation when not occupied for residential use.

The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#). For general information and status updates please visit the [RMOW webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Linda McCurdy [REDACTED]
Sent: Friday, February 4, 2022 9:42 AM
To: Planning <planning@whistler.ca>
Subject: LUC00005

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Hello,

I am in receipt of your letter regarding Blackcomb Land Use Contract Termination File No. LUC00005. Can you please tell me if it intended that the permitted use will change. We are allowed nightly rentals and I want to confirm that it is not anticipated that this will change. Many thanks for your help here.

Linda

Linda McCurdy

[REDACTED]



[REDACTED]

[REDACTED]

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC Termination
Date: Thursday, February 3, 2022 2:49:00 PM

Hi Anita and Bill,

Thank you for your inquiry regarding LUC00005.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property.

As you noted, under Table 12-A of the draft proposed RTA35 Zone, The Gables (4510 Blackcomb Way) is located in Key Plan Area "U". Key Plan Area "U" permits townhouse as a permitted use and allows for a maximum of 64 dwelling units with a maximum gross floor area of 6,208 square metres with a maximum height of 13.7 metres or 4 storeys, whichever is less.

Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

For general information and status updates please visit the [RMOW webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
Whistler, B.C. V8E 0X5

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From: Anita Skoog [REDACTED]
Sent: Thursday, January 20, 2022 2:00 PM
To: Planning <planning@whistler.ca>
Subject: LUC Termination

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Whistler Planning

We just received your Jan 13, 2002 letter about zone changes to Blackcomb.

As a lay person I have no idea what the letter says except it appears that if rebuilt, The Gables (area U) could be 4 stories, instead of the current 3 stories?

As to Maximum Gross Floor area – 6208 sq meters – I have no idea how that relates to existing floor area. Please explain.

Are there other changes?

Thank you

Anita & Bill Neil
Gables

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC00005
Date: Thursday, February 3, 2022 2:32:00 PM

Hi Judy and Gary,

Thank you for your patience. Please find responses to your questions below.

Will this rezoning change our property tax classification and then our tax rate?

Staff are unable to advise on your property tax classification and subsequent tax rate.

Also we were planning on bumping out our unit (similar to other units that have added space at Cedar Hollow) and when we inquired there was allowable square footage available. Will this change that?

Any space addition as you have described is currently subject to municipal approval through the blackcomb permit application process and modification of existing development covenants that restrict existing development. You may apply, consistent with this process, up until one year after the new zoning is adopted. After that, the GFA provisions in the proposed RTA35 zone would apply if the zone is ultimately adopted by Council.

The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#). For general information and status updates please visit the [RMOW LUC webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

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-----Original Message-----

From: Judy Keith [REDACTED]

Sent: Monday, January 24, 2022 1:00 PM

To: Planning <planning@whistler.ca>

Cc: Gary Keith [REDACTED]

Subject: LUC00005

CAUTION: This email originated from outside of the RMOW. Do not click links or open attachments unless you verify that the sender is legitimate and know the content is safe.

We just received the letter regarding Blackcomb Land Use Contract Termination for LUC00005. We tried to call with our questions but were told to send an email to Planning.

Our property is at 4701 Glacier Dr (Key Plan V) on your map. There are 16 properties affected.

Will this rezoning change our property tax classification and then our tax rate?

Also we were planning on bumping out our unit (similar to other units that have added space at Cedar Hollow) and when we inquired there was allowable square footage available. Will this change that?

Please respond to this email or call Gary at [REDACTED]

Thank you

Judy and Gary Keith

From: [Joanna Rees](#)
To: "Whistlerfun"
Subject: RE: Blackcomb Land Use Contract Termination (File No. LUC00005)
Date: Thursday, February 3, 2022 2:22:00 PM
Attachments: [image001.jpg](#)

Hi Robbin,

Thank you for your follow up email. Phase 1 covenants will remain registered on title following the LUC termination. Under the proposed draft RTA35 zone, townhouse and apartment dwelling units may be used for temporary accommodation when not occupied for residential use.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 ext. 8665

From: Whistlerfun [REDACTED]
Sent: Thursday, February 3, 2022 9:19 AM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: Blackcomb Land Use Contract Termination (File No. LUC00005)

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So we are currently in a phase 1 property - will it remain the same (whatever the new term would be). We would continue to operate and use our property as we have been? Our only concern is if that would change.

On Wed, Feb 2, 2022 at 2:23 PM Joanna Rees <jrees@whistler.ca> wrote:

Hi Robbin,

Thank you for your inquiry regarding LUC00005.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

Under the proposed draft RTA35 zone, townhouse and apartment dwelling units may be used for temporary accommodation when not occupied for residential use. Restrictive covenants and other charges will remain on title following the LUC termination.

For general information and status updates please visit the [RMOW LUC webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

RESORT MUNICIPALITY OF WHISTLER

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From: Whistlerfun [REDACTED]
Sent: Monday, January 31, 2022 6:13 AM
To: Planning <planning@whistler.ca>
Subject: Re: Blackcomb Land Use Contract Termination (File No. LUC00005)

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Good morning. Just following up for clarification.

Thanks,
Robbin

On Mon, Jan 24, 2022 at 8:48 AM Whistlerfun [REDACTED] wrote:

Good Morning,

I received your letter dated January 13, 2022. I own a property in the Marquise (purchased in 2016) Phase I property (looks like Lot 4509 on the map attached to the letter. I'm writing to ensure that our property is going to remain Phase I and there are no changes to our property - I just need some clarification on this letter please.

Thank you for your help.

Regards,
Robbin

This e-mail is a public record of the Resort Municipality of Whistler and is subject to public disclosure unless exempt from disclosure under the [Freedom of Information and Protection of Privacy Act](#) legislation. This email is subject to the Resort Municipality of Whistler's Corporate Records Bylaw and Retention Schedule. The information contained in this email is intended only for the named recipients to whom it is addressed. Its contents, including any attachments, may contain confidential or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. Disclosure of this email to an unintended recipient does not constitute waiver of privilege. If you have received this email in error, please notify the sender immediately, and delete or destroy the message, including any attachments.

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC Changes
Date: Wednesday, February 2, 2022 3:20:00 PM

Hi Garry,

Thank you for your inquiry regarding LUC00005.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable. Please find the applicable LUC, covenants and plans available for your review on the [RMOW website](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

This will not give the municipality more land, as there is no change in ownership of land and this will not change the property's bed unit allocation.

For general information and status updates please visit the [RMOW webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

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From: Garry [REDACTED]
Sent: Tuesday, January 18, 2022 5:21 PM
To: Planning <planning@whistler.ca>
Subject: LUC Changes

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Will this have any adverse effects?

How will the properties benefit...I see what you mean with the termination effects.

Will this give the mini more land to use or change the quotation on bedroom units?

What will happen later?

Garry Eschuk
[REDACTED]

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: Blackcomb Land Use Contract Termination File # LUC00005
Date: Monday, January 24, 2022 4:57:00 PM
Attachments: [image003.png](#)

Hi Adam and Eileen,

Thank you for your inquiry regarding LUC00005.

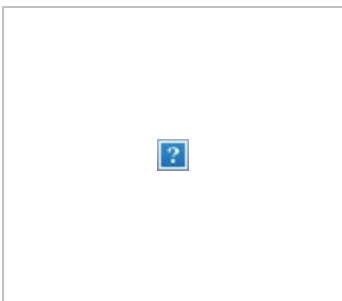
Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable, and may be obtained from the BC [Land Title and Survey Authority](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

Please see the image taken from the RMOW GIS zoning map. The property outlined in yellow is 4890 Painted Cliff Road. Areas in light blue are within the LUC. I believe you are inquiring about the area in pink; that land is zoned RR1 (Rural Resource One) and is not subject to the LUC termination process. The permitted uses and other regulations are outlined for the RR1 zone in the [Zoning and Parking Bylaw No. 303, 2015](#).



Kind regards,



Joanna Rees (she/her)

PLANNING ANALYST
Planning & Development

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From: Adam Finfer [REDACTED]
Sent: Monday, January 24, 2022 1:57 PM
To: Planning <planning@whistler.ca>
Subject: Blackcomb Land Use Contract Termination File # LUC00005

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Hello-

I own a unit in Arrowhead Point at 4890 Painted Cliff Road Whistler V8E1C9. I wanted to get more clarity on what the impact of this, if any would be on an existing townhouse development like Arrowhead and land surrounding it.

We have unit #11 which is the northeast end unit in the lower building. We overlook vacant land down a slope towards Horstman Estates. Can this sloped land be built on?

Thank you,

Adam and Eileen Finfer
[REDACTED]

Sent from [Mail](#) for Windows

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC00005 Key Plan area "I" Wildwood Lodge
Date: Monday, January 24, 2022 4:52:00 PM

Hi Randy,

Thank you for your inquiries regarding LUC00005. Please see responses to your questions below.

I see that you have a maximum floor area and height listed, our building has not changed since constructed, Does this requirement pose an issue for us.

Staff use the best available information to create the replacement zoning. The general principle applied when developing the proposed zoning is to make it generally consistent with the existing development controls which apply to the land including the land use contract, development permits, and building permits.

With the new zoning will any usage of our building change? We are still operating the same way since construction. Is there going to be any change in owner usage with this rezoning? We currently follow the restricted covenant on the state of title.

Under Table 12-A, Key Plan Area I, "apartment" is a permitted use. The apartment may be used for temporary accommodation when not occupied for residential use. Restrictive covenants and other charges will remain on title following the LUC termination.

*Is there going to be any increase in our tax assessment, ie change in valuations.
Will there be any changes that I have not asked above that will negatively affect any owner in our building.
Will our building be grandfathered and as a result nothing will change?*

Unfortunately, staff are unable to offer advice on these types of questions. The RMOW recommends that owners undertake their own assessment or seek advice from professionals as necessary. We are happy to receive specific comments on the draft proposed zone should you have any.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

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voice.

From: Randy Smith [REDACTED]
Sent: Wednesday, January 19, 2022 10:39 AM
To: Planning <planning@whistler.ca>
Subject: LUC00005 Key Plan area "I" Wildwood Lodge

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Planning Dept

I just received the letter dated January 13th, about the subject LUC Termination and your new rezoning of our building. I am an owner in the building and also the Strata Council president. I have a couple of questions regarding this issue.

- I see that you have a maximum floor area and height listed, our building has not changed since constructed, Does this requirement pose an issue for us.
- With the new zoning will any usage of our building change? We are still operating the same way since construction.
- Is there going to be any change in owner usage with this rezoning? We currently follow the restricted covenant on the state of title.
- Is there going to be any increase in our tax assessment, ie change in valuations.
- Will there be any changes that I have not asked above that will negatively affect any owner in our building.
- Will our building be grandfathered and as a result nothing will change?

Thank you in advance for your prompt reply.

Randy Smith
President Strata Council

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: Blackcomb Land use Contract (LUC) termination
Date: Friday, January 21, 2022 1:58:00 PM

Hi Donald,

Thank you for your email regarding LUC00005.

Under the proposed draft RTA35 zone, townhouse and apartment dwelling units may be used for temporary accommodation when not occupied for residential use.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

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From: Donald Proulx [REDACTED]
Sent: Friday, January 21, 2022 11:55 AM
To: Planning <planning@whistler.ca>
Subject: Blackcomb Land use Contract (LUC) termination

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Hi

My name is Donald Proulx, owner of a condo #208 at Powderhorn building (4821 Spearhead Drive) in Whistler

Last week, I received a letter from RMOW planning department regarding the Blackcomb Land use contract (LUC) Termination. (File no. LUC00005)

I would like to know if the new zoning will still allow short term renting (nightly like Airbnb,

VRBO, ...)

Thanks

Donald Proulx



From: [Joanna Rees](#)
To: [REDACTED]
Cc: "[Kelly Grehan](#)"; "[Andrew Mitchell - WRM Strata Management](#)"; "[Heather Zerr](#)"
Subject: RE: Blackcomb Land Use Contract Termination File LUC00005
Date: Friday, January 21, 2022 9:10:00 AM

Hi Cathy and Kelly,

Thank you for your inquiry regarding LUC00005.

Your property is regulated under the Blackcomb Land Use Contract (LUC). The LUC is registered on title as charge no. G2520, and modifications as applicable, and may be obtained from the BC [Land Title and Survey Authority](#).

An LUC is an agreement between property owners and a municipality that governs the use and development of a property including land use, building siting and density. The province enacted legislation in 2014 which specifies that all LUCs will automatically terminate on June 30, 2024 and municipalities are required to enact replacement zoning for affected lands before June 30, 2022.

The letter sent to owners includes the draft proposed RTA35 Zone (Residential/Tourist Accommodation Thirty-Five); this is the zoning that staff propose will replace the LUC on your property. Staff use the best available information to create the replacement zoning including the currently applicable LUC regulations as well as existing development approvals, permits and registered charges and agreements, such as covenants. The RTA35 Zone specifies the permitted uses, density, height, setbacks, off-street parking and loading and other regulations that would be applicable to your property. The zoning that is ultimately adopted will come into effect one year following Council's adoption of the LUC termination bylaw.

Prior to Council's consideration of the proposed zoning, the RMOW is providing a one month period to receive questions and/or comments from affected property owners. If you have any comments regarding the proposed RTA35 Zone please submit them to be considered by staff and shared with Council. Additionally, as noted in the letter, there will also be opportunity to provide comment during the Public Hearing process.

For general information and status updates please visit the [RMOW webpage](#); additionally, there is an [FAQ page](#) for your information.

Kind regards,



Joanna Rees (she/her)
PLANNING ANALYST
Planning & Development

RESORT MUNICIPALITY OF WHISTLER

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From: Andrew Mitchell - WRM Strata Management [REDACTED]
Sent: Wednesday, January 19, 2022 2:08 PM
To: Kelly Grehan [REDACTED] Planning <planning@whistler.ca>
Cc: 'Kelly Grehan' <[REDACTED]>; 'Heather Zerr' <[REDACTED]>
Subject: RE: Blackcomb Land Use Contract Termination File LUC00005

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Hello,

I have looked into the issue and it's basically related to zoning. The golf course has split zoning over two parcels, the municipality is getting rid of the land use contract and creating a single new zoning for that property. Nothing will change for the golf course. The Woods is a neighbouring property and was consulted, as neighbours are consulted before making any zoning changes. No action is required and nothing will change.

Andrew

From: Kelly Grehan <[REDACTED]>
Sent: Wednesday, January 19, 2022 2:06 PM
To: planning@whistler.ca
Cc: 'Kelly Grehan' <[REDACTED]>; Andrew Mitchell - WRM Strata Management <[REDACTED]>; 'Heather Zerr' <[REDACTED]>
Subject: Blackcomb Land Use Contract Termination File LUC00005

Hi there,

We are owners of a two bedroom condominium at the Wildwood Lodge at 4749 Spearhead Drive. We have received a letter regarding the whistler municipality's Land Use Contract termination and are requesting information regarding what that **actually means**. Your letter is not clear to us about how this effects our use now and in the upcoming years and also our ability to sell our property or need to rent it out. Please send us all this information so we can have input into this matter.

Sincerely

Cathy and Kelly Grehan
Kelcat Investments Ltd.

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: question re new zoning RA35Zone
Date: Wednesday, January 19, 2022 1:24:00 PM

Hi Lorna,

Thank you for your inquiry regarding LUC00005 and the proposed RTA35 Zone.

Temporary accommodation provides for tourist accommodation. As per the [Zoning Bylaw No. 303, 2015](#):

“Temporary” means a total of less than four consecutive weeks in a calendar year.

“Tourist Accommodation” means a building containing one or more habitable rooms or dwelling units that are used primarily for temporary lodging by visitors.

Under the proposed RTA35 Zone, when townhouse and apartment units are not occupied for residential use, they may be used for tourist accommodation. Please note, the units may also be rented long-term to Whistler residents, which would be considered a residential use.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 X8665

From: Planning <planning@whistler.ca>
Sent: Friday, January 14, 2022 9:25 AM
To: Joanna Rees <jrees@whistler.ca>
Cc: Philip Gibbins <pgibbins@whistler.ca>; Courtney Beaubien <cbeaubien@whistler.ca>
Subject: FW: question re new zoning RA35Zone

From: [REDACTED]
Sent: Friday, January 14, 2022 9:21 AM
To: Planning <planning@whistler.ca>
Subject: question re new zoning RA35Zone

CAUTION: This email originated from outside of the RMOW. Do not click links or open attachments unless you verify that the sender is legitimate and know the content is safe.

Attention Planning:

With the new RTA35 Zoning taking place at Whistler can you advise what temporary accommodation is? Does this mean you can rent your accommodation to someone for a maximum amount of time? There is no definition made on Attachment B item (3) where it says in the RTA35 Zone may be used for temporary accommodation when not occupied for residential use. Whistler has a housing shortage and if someone wanted to rent their condo in one of the buildings in this zone what does temporary mean?

Thanks Lorna Vanderhaeghe

From: [Joanna Rees](#)
To: "Kathy R"
Subject: RE: 4800 Spearhead Drive - The Aspens
Date: Wednesday, January 19, 2022 10:03:00 AM

Hi Kathy,

The proposed zoning does not change the requirements and process for tourist accommodation business licences. To learn more about TA business licences, please visit the [RMOW website](#).

The replacement zoning will take effect one year following Council's adoption of the LUC termination bylaw. We are unable to offer information regarding the proposed zoning and strata bylaws.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 X8665

From: Kathy R [REDACTED]
Sent: Tuesday, January 18, 2022 1:21 PM
To: Joanna Rees <jrees@whistler.ca>
Subject: Re: 4800 Spearhead Drive - The Aspens

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Hi Joanna,

Thank you for the quick response. I have not yet received my letter, so this is very helpful. It looks as though nothing is different than what we currently have. Except, does each Owner who does short or long term rentals need to now have a business licence through the RMOW? Does it make a difference if the Owner uses a RMOQ licenced property manager?

What changes does the termination create that affect our bylaws?

Thank you!

Kathy

On Tue, Jan 18, 2022, 12:56 PM Joanna Rees <jrees@whistler.ca> wrote:

Hi Kathy,

Thank you for your email. The proposed RTA35 was included as Attachment B to the letter sent to owners. Please find an electronic copy attached.

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 X8665

From: Kathy R [REDACTED]
Sent: Tuesday, January 18, 2022 6:46 AM
To: Planning <planning@whistler.ca>
Subject: 4800 Spearhead Drive - The Aspens

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Hello!

We just received the LUC termination for our complex. The information did not include a link or hard copy of the proposed RMOW RTA35 zoning. I searched your website but the GiS maps are not available and a search by zoning bylaws or number didn't bring up a link or description.

Can you send me a link or pdf of RTA35 and other applicable zoning information. We really do need to know/understand what might be changing.

Thank you for your assistance!

Kathy Robertson, Secretary
The Aspens Strata Council
[REDACTED]

This e-mail is a public record of the Resort Municipality of Whistler and is subject to public disclosure unless exempt from disclosure under the [Freedom of Information and Protection of Privacy Act](#) legislation. This email is subject to the Resort Municipality of Whistler's Corporate Records Bylaw and Retention Schedule. The information contained in this email is intended only for the named recipients to whom it is addressed. Its contents, including any attachments, may contain confidential or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. Disclosure of this email to an unintended recipient does not constitute waiver of privilege. If you have received this email in error, please notify the sender immediately, and delete or destroy the message, including any attachments.

From: [Joanna Rees](#)
To: [REDACTED]
Subject: RE: LUC 00005
Date: Wednesday, January 19, 2022 10:00:00 AM

Hi Monika,

Thank you for your inquiry regarding LUC00005.

Your property is regulated by the Blackcomb Land Use Contract (LUC).

In 2014, the Province of British Columbia passed legislation, which specifies that all LUCs in British Columbia will automatically be terminated on June 30, 2024. Municipalities are required to enact zoning regulations for all properties regulated by LUCs by June 30, 2022. If zoning is in place for the affected lands, municipalities may choose to terminate LUCs prior to 2024. All LUCs in Whistler are in the process of being terminated and replacement zoning is being developed.

Once the Blackcomb LUC is terminated, your property will be regulated under [Zoning and Parking Bylaw No. 303, 2015](#). The RMOW has drafted a proposed RTA35 Zone (Residential Tourist Accommodation Thirty-Five) to replace the Blackcomb LUC at your property and other multi-family developments in the Blackcomb area; this proposed zone was attached to the letter you received. Once replacement zoning is adopted by Council and in effect, any future development would be required to comply with the regulations outlined in the adopted version of the RTA35 Zone.

Please note that a "hotel" is not a proposed permitted use in the RTA35 Zone and no applications to demolish The Aspens have been submitted to the RMOW.

For general information and status updates on the RMOW LUC termination process please see the [RMOW website](#); additionally there is a [FAQ page](#).

Kind regards,

Joanna Rees (she/her)
RESORT MUNICIPALITY OF WHISTLER
T: 604-932-5535 X8665

From: Monika Edinger [REDACTED]
Sent: Monday, January 17, 2022 1:12 PM
To: Planning <planning@whistler.ca>; Monika Edinger [REDACTED]
Subject: LUC 00005

CAUTION: This email originated from outside of the RMOW. Do not click links or open attachments unless you verify that the sender is legitimate and know the content is safe.

Hello,

My name is Monika Edinger. My husband and I are owners of unit 351 at the Aspens, Spearhead Drive 4800. I have just received your information regarding the upcoming LUC termination process.

Could you please explain in plain simple language how this affects us as owners of a condo at the Aspens? Will the Aspens be torn down and a new hotel complex built? I am totally confused regarding this news and do not understand what is going on.

Thank you so much in advance for your time.

Sincerely,

Monika Edinger