

RESORT MUNICIPALITY OF WHISTLER

**LAND USE CONTRACT TERMINATION BYLAW (HORSTMAN ESTATES) NO. 2323,
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 (Horstman Estates) No. 2323, 2022”.

ZONING AMENDMENTS

2. Zoning and Parking Bylaw No. 303, 2015 is amended in Part 12, section 5 by:
 - a) Removing the words “on lands contiguous to the Blackcomb Land Use Contract lands” from subsection (1);
 - b) Inserting the following as a new subsection (4), under “Density”, and renumbering the remaining subsections accordingly, and amending any references to those subsections to reflect the renumbering;

“Notwithstanding paragraph (3) in this section, the maximum permitted gross floor area for each strata lot within Strata Plan VR2482 is shown in the following table:

Strata Lot – Strata Plan VR2482	Maximum Gross Floor Area (square metres)
1	237
2	228
3	248
4	262

5	398
6	419
7	375
8	378
9	309
10	341
11	419
12	558
13	604
14	604
15	930
16	604
17	265
18	294
19	373
20	465
21	372
22	372
23	420
24	385
25	372
26	444
27	318
28	331
29	374
30	601
31	571
32	857
33	930

”

- c) Deleting the subsection that is to be renumbered to (16) by this amendment bylaw, and replacing it with the following as the new subsection (16): “Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw.”
3. The RS3 Zone (Residential Single Family Three) designation is applied to the land shown outlined in heavy black and labelled “Rezoned to RS3” on the map attached to this Bylaw as Schedule 1, and Schedule A to “Zoning and Parking Bylaw No. 303, 2015” is amended accordingly.

LAND USE CONTRACT TERMINATION

4. The Land Use Contract registered in the Land Title Office under charge No. G2520, including any registered modifications, is terminated in respect of every parcel within the areas shown outlined in heavy black line and shaded grey on the map attached to this Bylaw as Schedule 1 (Rezoned to RS3), whether or not the Land Use Contract is registered as a charge against the title to a parcel.
5. The Corporate Officer shall notify:

- a) the Land Title Office in accordance with section 548 of the *Local Government Act*, and
 - b) owners of land in accordance with section 549 of the *Local Government Act*.
6. This Bylaw comes into force one year after the date the Bylaw is adopted.
7. 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 22nd day of March, 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 ___ day of _____, 2022.

ADOPTED by the Council this ___ day of _____, 2022.

Jack Crompton,
Mayor

Pauline Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Land Use Contract Termination Bylaw (Horstman Estates) No. 2323, 2022".

Schedule 1

