

**RESORT MUNICIPALITY OF WHISTLER**

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STAFF REPORT TO COUNCIL

PRESENTED: June 7, 2022
FROM: Legislative Services
SUBJECT: TRANSFER OF CHEAKAMUS CROSSING PHASE TWO LOTS 2, 3 AND 5 TO WHISTLER 2020 DEVELOPMENT CORP

REPORT: 22-085
FILE: 0500-02-0008

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate and Community Services be endorsed.

RECOMMENDATION(S)

That Council direct staff to execute the transfer of legal title of the following three Cheakamus Crossing Phase Two parcels (Cheakamus Lands) from the Resort Municipality of Whistler (RMOW) as nominee, agent and bare trustee of the Cheakamus Lands, to the Whistler 2020 Development Corp (WDC) at nominal cost for WDC's ongoing and future development of employee restricted housing:

1. PLAN EPP111931, **LOT 2** DISTRICT LOT 8073 NEW WESTMINSTER DISTRICT GROUP 1
PID: 031-508-511, Folio: 008073.050; and
2. PLAN EPP111931 **LOT 3** DISTRICT LOT 8073 NEW WESTMINSTER DISTRICT GROUP 1
PID: 031-508-529, Folio: 008073.055; and
3. PLAN EPP111931 **LOT 5** DISTRICT LOT 8073 NEW WESTMINSTER DISTRICT GROUP 1,
PID: 031-508-545. Folio: 008073.065.

PURPOSE OF REPORT

The purpose of this report is to advise Council of the WDC request to transfer Cheakamus Crossing Phase II Lots # 2, 3 and 5 (Cheakamus Lands) from the RMOW to the WDC to facilitate the ongoing and future development of employee restricted housing in the Cheakamus Crossing neighbourhood.

☐ Information Report

☒ Administrative Report (Decision or Direction)

DISCUSSION

Background

In October 2008 the RMOW and the Province of BC signed a Declaration of Bare Trust and Agency Agreement (DBTAA) in the lead up to the hosting of the 2010 Olympic Games. The DBTAA reflected

the Province's interest in transferring certain lands to the community of Whistler that would support both the development of the 2010 Olympic Games' Athletes Village and the future development of employee restricted housing in Whistler. The DBTAA transferred the lands to the RMOW in trust, until required for future employee housing development. Relevant portions DBTAA is attached as Appendix A.

Analysis

The DBTAA anticipates these future transfers of lands from the RMOW to the WDC as included in ss.8 and 9.

Directions of the WDC

8. *The Municipality will, upon the direction of WDC, deal with the Trust Property and do all acts and things in respect of the Trust Property at the expense of and as directed by WDC from time to time and will assign, transfer, convey, lease, mortgage, pledge, charge, or otherwise deal with the Trust Property or any portion thereof at any time and from time to time in such manner as WDC may determine, to the extent permitted under all relevant laws.*
9. *Without limiting the generality of the foregoing section, the Municipality will transfer legal title to the Trust Property to or as directed by WDC forthwith upon the written demand of WDC.*

The letter requesting the Cheakamus Lands be transferred to the WDC was received on May 4, 2022 and is included within this report as Appendix B. All associated transfer documents have also now been received and reviewed and are ready for execution. These transfer documents are attached as Appendix C.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

The recommendations of this report are consistent with the structure of the Community Land Bank Agreement, and the DBTAA, including all subsequent amendments. The transfer of lands in this manner has occurred throughout the development of the Cheakamus Crossing neighbourhood, most recently with Lots 1 and 4.

The continued development of employee restricted housing in Whistler is aligned with outcomes of the Mayor's Task Force on Resident Housing.

Development of employee housing projects on Lots 2, 3 and 5 is consistent with the current zoning for these parcels.

Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

Council Focus Areas

☒ Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

☐ Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

☒ Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

☐ Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

☐ Not Applicable

Community Vision and Official Community Plan

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

The recommendation included within this report is aligned with Objective 5.1.2 to “House at least 75 per cent of Whistler’s workforce within the resort community in livable, appropriate and affordable housing” as well as many of the related policies within the Residential Accommodation portion of Chapter 5.1.

BUDGET CONSIDERATIONS

There are no budget considerations related to the transfer of Lots 2, 3 and 5. The transfer will be for a nominal amount

LIL’WAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Lil’wat People, known in their language as *L’il’wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler’s resort economy. This section identifies areas where RMOW activities intersect with these relationships.

There are no specific considerations to include in this report.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

JUNE 7 2022

The community is aware of the planned employee restricted housing use of the Cheakamus Lands through the associated rezoning processes as well as the sharing of the WDC Business Plan for Lot 1 at the Regular Council Meeting held on April 26 2022.

REFERENCES

Appendix A – Request for Transfer of Lots 2, 3 and 5 from Eric Martin, President of WDC, and Portions of Declaration of Bare Trust and Agency Agreement

Appendix B – Land Title Office transfer documents for Lots 2, 3 and 5 of the Cheakamus Crossing Phase 2 lands

SUMMARY

This report provides background with respect to the RMOW's role as trustee of the Cheakamus Lands and seeks Council's direction to execute the transfers of the Cheakamus Lands to WDC.

SIGN-OFFS

Written by:

Ted Battiston,
General Manager, Corporate & Community
Services.

Reviewed by:

Pauline Lysaght,
Corporate Officer and Manager of Legislative
Services

Virginia Cullen,
Chief Administrative Officer