

**From:** [Planning](#)  
**To:** [Beverly Brown](#)  
**Cc:** [Roman Licko](#)  
**Subject:** DVP01239: SAUNA  
**Date:** Wednesday, October 12, 2022 12:18:57 PM

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Your email has been received and forwarded to Roman Licko, file manager for the application.

**Monica Urbani** (she/her)  
ADMINISTRATIVE ASSISTANT  
Planning & Development

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**From:** Beverly Brown [REDACTED] >  
**Sent:** Wednesday, October 12, 2022 8:59 AM  
**To:** Planning <planning@whistler.ca>  
**Subject:** SAUNA

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ATTENTION: Roman Licko

Hello

I am writing to address my concerns regarding the Variance Development Application at 8317 Crazy Canuck Dr

I am the owner at 8321 Crazy Canuck Dr, we are a duplex

Robin O'Neill started construction on her sauna exactly two years ago in 2020, it is operational, they use it regularly

As far as we know, no permits were pulled....building, electrical, plumbing

The sauna is built directly on our property line, BC building code and municipal bylaws state this building needs to be 2.5 m setback from the property line.

As far as we know, no actual survey has ever been done to determine exactly where the property line is

Now they are applying for a variance, I always thought that is the first thing you apply for before you build if you want to do something different than the law states

I oppose giving them this variance permit, I have no problem with a Sauna being built in their backyard, as long as it's build to code and they are in compliance

I request a conversation when you are back in Whistler

Regards

Beverly Brown

**From:** [Planning](#)  
**To:** [Roman Licko](#)  
**Subject:** Development variance permit #01239  
**Date:** Wednesday, October 19, 2022 2:47:43 PM  
**Attachments:** [IMG\\_5498.jpg](#)

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**From:** Monique Thibault [REDACTED] >  
**Sent:** Wednesday, October 19, 2022 2:47 PM  
**To:** Planning <planning@whistler.ca>  
**Subject:** Development variance permit #01239

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To: Mr Roman Licko  
From: Monique Thibault

Mr.Licko,

I am writing in regards to the variance permit application for the side yard setback of the auxiliary building built at 8317 Crazy Canuck Dr.

I am the owner of 8309 Crazy Canuck Dr and I am STRONGLY AGAINST this building or ANY building being so close to the property line.

The auxiliary building in question was built WITHOUT permits in the fall 2020. The owners were notified that their sauna/shed had to be moved away from the property line in November 2020 in order to comply with the setback rules established by your department/the municipality. An extension was granted as to avoid moving the unfinished building (framing) while the ground was frozen/there was snow on the ground. Meanwhile, during the winter 2020-2021, the construction continued!

After multiple unanswered phone calls and letters concerning this auxiliary building (sauna/shed), nothing has been done from your department to enforce the removal/move of the building in question. Is this a case of favouritism? Or just a case for “don’t ask for permission, ask for forgiveness instead?”

Here are my issues with the building:

1. It was built without a building permit, or an electrical permit.
2. It is not in accordance to the property setback rules. It is already much closer than the .35m they are asking for. Of course a land survey would be the only sure way to know how close it is to the property line. This has never been done by the owners of the auxiliary building.
3. This building is a SAUNA and not a shed. The big windows with a view of the mountains, the reflective insulation, the cedar finishing work inside.. just to name a few!

Finally, the owners placed the variance application far from the road, and lower than 3 feet from the ground. Is this another way to contravene the rules?

Their complete disregard for the rules needs to be addressed in a proactive manner sooner than

I fear that if such a variance were allowed, many of our neighbours would start putting up non permitted auxiliary buildings, thus changing the view, and the property values in our neighbourhood.

Regards,

Monique Thibault  
8309 Crazy Canuck Dr



Sent from my iPhone

**From:** [Marty Lidstone](#)  
**To:** [Planning](#)  
**Subject:** Roman Licko-Development Variance Permit/ DVP 01239  
**Date:** Wednesday, October 26, 2022 8:02:10 AM

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Good Morning,

This email is to inform you that I do not support this application as posted.

The structure in question was constructed and erected without any regards to building codes under the province of British Columbia and Municipality of Whistler.

The set back of this structure must not be granted due to the absence of a non-certified survey by a registered and approved survey company by the Municipality of Whistler showing that the current setback was disregarded. Proper building permits were never presented prior to construction of the sauna, to allow occupancy in the structure at the current location on adjoining property line.

This is now going into its third year of disregard to a plumbing inspector, on site visits and inspection from the by-law department, and direct disrespect to the property value on adjoining Lot 77, 8321 Crazy Canuck Dr.

Allowing a structure of this type, being built in our community, would set a precedence not to abide to building codes set out by Municipality of Whistler for all homeowners, contractors, engineers and designers, "erect and then ask for leniency."

Regards,

Marty Lidstone  
8321 Crazy Canuck Dr. Whistler, BC

**From:** [Janalee Budge](#)  
**To:** [Planning](#)  
**Subject:** Roman Licko-Development Variance Permit/ DVP 01239  
**Date:** Sunday, November 20, 2022 5:45:43 PM

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Dear Planning Dept,

This email is to inform you that I FULLY SUPPORT this application as posted. I live at 8313 Crazy Canuck Drive and look directly at the new tastefully built shed and see no issues with building.

The structure was constructed and erected based on the information that Chris and Robin received from the municipal hall prior to erecting the building and I think it fits perfectly with the layout of our lots.

As with many of the employee housing new neighbourhoods, our yards and garages are small and as a result many of our neighbours have built extra storage sheds on their properties. We are a tight neighbourhood of long-time locals and in the spirit of supporting each other and acting like kind human beings, no one else is running to the muni to waste your time and resources to complain about their neighbour's additional storage buildings.

Chris and Robin followed what they were led to believe were the correct steps.

- 1) They had a professional survey done
- 2) They had an electrical permit pulled
- 3) They did not get or need a building permit since the building is under 10 feet squared.

Thank you for your time,

Janalee Budge

8313 Crazy Canuck Drive  
Whistler, BC V8E 0G8

*I gratefully acknowledge that I live and work on the unceded territories of the Skwxwú7mesh (Squamish) Nation and Li'wat7úl (Lil'wat) Nation. I respectfully honour their people, cultures and traditions.*

**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** Letter of support for DVP 1239  
**Date:** Tuesday, November 22, 2022 11:12:32 AM  
**Attachments:** [Letter of support for DVP 1239.docx](#)

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Hello Planning,  
See attached letter of support for DVP 1239.  
Thank you

Alex Tavuchis  
[REDACTED]  
[REDACTED]

November 22, 2022

To RMOW Planning Department,

RE DVP 01239

I am writing in support of the application for a variance to allow the structure at 8317 Crazy Canuck Drive.

Residents have the right to install structures in their yards, given the limited space that the residents of the area (and specifically to 8317 Crazy Canuck) have in their back yard I feel that they placed the structure in the best spot as it is against the fence. In addition to the above the structure is on the right side of the property line, which is easy to see as the house in question is a duplex.

In the Rainbow neighbourhood it is common that sheds have been added for a variety of reasons including the fact that space is at a premium in small homes.

Furthermore, the structure in question has been built in a workman like manner acknowledging the esthetic of the home (it looks good and is well made) and does not block the neighbours view. It is my understanding that a structural engineer was consulted and that an electrical permit for work was pulled and that the survey showing the structure placed at the correct side of the fence. What more could you want?

I feel that it is a slippery slope when it comes to small structures as they are all over the neighbourhood, I understand that each one has its own characteristics but making the home owners jump through this kind of hoop seems like a bit of an over reach.

Thank you for your attention

Alex Tavuchis

8408 Read Alley



**From:** [Beverly Brown](#)  
**To:** [Planning](#)  
**Subject:** ATTN:BROOK MCGRADY  
**Date:** Monday, February 6, 2023 10:48:32 AM

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I am writing this email regarding the Development Variance Permit @ 8317 Crazy Canuck Dr DVP01239

I am 100% opposed to this sauna staying on my property line.

Back in November 2020 Robin O'Neil started construction on her sauna, there was no discussion with us regarding where they were putting it.

When construction started, we saw it was going on the property line. We called in a complaint and we were told a meeting was held by planning/building and it was determined at that time that it was an illegal build and construction should stop.

Bylaw officer Adrian Collum talked to Robin O'Neill in late November 2020 at which point they stopped building but asked if they could leave the unfinished structure up as it was too late in the season to disassemble it. Being a decent neighbour I agreed that it could be left until spring and Adrian assured me he would be there April 1st to make that happen..well it never happened, construction continued. As a matter of fact Adrian Collum was told to ' Get off their property and don't come back' by Chris Clarke, Robin O'Neill's partner who constructed the sauna

A building permit was applied for by Robin O'Neil in July 2021, as they were not in compliance, a building permit was not issued. They were given 6 months to reapply. They did not reapply by January 2022...BUT... even though they still didn't have a building permit and did not reapply within the 6 months given... they were given a 3 week extension at which point they completed the build and the sauna was operational.

This auxillary building is not in compliance with the BC Building codes or the Municipal bylaws, it is directly on my property line and needs to be setback a minimum of 3 meters from a side parcel line as stated by the RMOW

This matter should have never taken this long, the construction should have been shut down back in November 2020 when the illegal construction began.

The sauna needs to be moved to the proper spot on their property and they need to be given a proper timeline to do this with severe consequences if not done. We have been dealing with this issue for over two years with neighbours who have no respect for the Municipality of Whistler or the BC Building codes, they are entitled people who just do what they want with no regards for anyone but themselves

I hope that council sees that this is an illegal build and takes the proper steps to not issue the variance permit and have this structure moved by spring

Regards  
Beverly Brown  
Home Owner  
8321 Crazy Canuck Dr

To: Brook McCrady <bmccrady@whistler.ca>

Cc: Chris Clark [REDACTED] Caroline Lamont [REDACTED]

Subject: Re: Updated Narrative DVP 01239

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Hi Brook,

Good morning!

I haven't heard back from you from sending this letter. I just want to confirm this is being included in the package.

Best,  
Robin



Robin O'Neill  
Photographer



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On Feb 10, 2023, at 1:04 PM, Robin O'Neill [REDACTED] wrote:

Hi Brook,

Caroline forwarded me the letter you sent her.

This letter is from the same person (our shared duplex owner Beverly Brown) who has already submitted two letters; so now they are three of the four letters (the other from their friend). It is clear to everyone that there is opposition from the neighbor and has been long before the building was in place.

This statement is false: As a matter of fact Adrian Collum was told to 'Get off their property and don't come back' by Chris Clarke, Robin O'Neill's partner who constructed the sauna.

For Beverly to write something like this is defamation of character.

The ongoing neighbor issue has been such a problem that we will be forced to move from our home. We have nowhere else to go as owners in WHA and will be forced to leave this community. Boundaries are important to us at this point. We really hope this issue is considered for what it is and not with us being painted as some sort of villains. I personally have been an active member of this community for 20 years. I volunteer as a board member of the Spearhead Huts, have been involved with WORCA and the SLCC. I am a working professional who has helped market and share our wonderful community with the globe. My goal has and will always be to be a community minded person who has a positive impact.

As Caroline said, we were told when we visited the office years ago that a bundling permit was not required for a sauna or any building under 10 square feet. And we were told verbally that the internal setback of ancillary building was 0. With other buildings (over 50 in our area) confirming this interpretation. This was not malicious in any way. With neighbors who don't like us, we were thorough in our research and thought we were building within the bylaws, and if we didn't finish the build would have wasted so many materials we worked so hard to pay for. It would make no sense to build an un-compliant building with people who are in constant opposition and dislike for us.

I would like to include this letter into our package please.

Best,  
Robin



Robin O'Neill  
Photographer



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On Feb 9, 2023, at 8:36 AM, Caroline Lamont [REDACTED] wrote:

What I do find odd is that the opposition letters focus more on the infraction rather than the impacts to the neighbouring property. It appears there is more of an issue as how the RMOW dealt with this issue. As you are aware leading up to November 2020 the RMOW verbally indicated a 0 setback. As there are dozens of ancillary buildings in setbacks within the CD zone, so clearly there is confusion in the interpretation of municipal bylaws.

C

On Thu, 9 Feb 2023 at 08:30, Brook McCrady <[bmccrady@whistler.ca](mailto:bmccrady@whistler.ca)> wrote:

Hi Caroline

This is an additional letter we received with the application.

Brook McCrady  
RESORT MUNICIPALITY OF WHISTLER  
T: 604-935-8167

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**From:** Caroline Lamont [REDACTED]  
**Sent:** Saturday, January 21, 2023 3:24 PM  
**To:** Brook McCrady <[bmccrady@whistler.ca](mailto:bmccrady@whistler.ca)>  
**Cc:** Robin O'Neill [REDACTED]; Chris Clark [REDACTED]  
**Subject:** Updated Narrative DVP 01239

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Hi Brook, please accept the attached updated Narrative for DVP 01239. The attachments remain the same, except that the survey used should be the recent marked up version prepared by Chris. It is understood that the variance will be going to the Feb 21st Council meeting.

I do have another meeting on February 21st, so it would be great to get some idea where we would be on the agenda so I can juggle my other commitments. Also, do we need to make a request to speak to Council at the meeting? Chris/Robin and I both want to speak.

Thanks,

C

--

Caroline

[REDACTED]

*"An innovator is one who does not know it cannot be done."* — R.A. Mashelkar

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Caroline

[REDACTED]

*"An innovator is one who does not know it cannot be done."* — R.A. Mashelkar

**From:** [Planning](#)  
**To:** [Brook McCrady](#)  
**Subject:** DVP01239: ATTN: BROOK McCRADY  
**Date:** Friday, February 17, 2023 2:07:36 PM  
**Attachments:** [LIVE Prospero Folder DVP01239.TDGL](#)

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

From: Marty Lidstone [REDACTED] >  
Sent: Friday, February 17, 2023 1:11 PM  
To: Planning <planning@whistler.ca>  
Subject: ATTN: BROOK McCRADY

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To Whistler Mayor and Council,

This letter is for the objection to approve the Application No.DVP01239-8317 CRAZY CANUCK DR.

This is not an existing auxiliary building, but a new building construction site that has been going on now for over 2 years.

From being red flagged by the Plumbing Dept inspector in November 2020, stop work notices from multiply visits from By-Law officer, to a building permit denied in 2021.

As all these time frames elapsed, the construction continued, and completed in the beginning of Jan,2022. All electrical power was also been completed with occupied use of the sauna going on since.

The obvious disregard for Municipality of Whistler building procedures and codes by the owner clearly shows that no concern was taken when erecting this building on the lot.

The building should be dismantled immediately with regular visits from By-Law for completion, apply for proper permits for an occupied building and adhere to the 3 metres from the side parcel line.

Furthermore, a variance permit of this should have been presented before the structure was built by existing and current Municipality By-laws.

I Thank-You for your time addressing this matter, setting a standard of preventing other auxiliary building in the future, within the Municipality of Whistler, to be built in the same manner.

Sincerely,  
Marty Lidstone,  
8321 Crazy Canuck Dr, Whistler BC.

**From:** [Beverly Brown](#)  
**To:** [Planning](#)  
**Subject:** ATTN: BROOKE MCGRADY/SAUNA  
**Date:** Monday, February 27, 2023 10:31:12 AM

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**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.**

I am writing this email regarding the Development Variance Permit @ 8317 Crazy Canuck Dr DVP01239

To Mayor and Council

I am 100% opposed to this sauna staying on my property line.

Back in November 2020 Robin O'Neil started construction on her sauna, there was no discussion with us regarding where they were putting it, we are in a side by side duplex attached by a common wall

When construction started, we saw it was going on the property line. We called in a complaint and we were told a meeting was held by planning/building and it was determined at that time that it was an illegal build with no permit and construction should stop.

Bylaw officer Adrian Collum talked to Robin O'Neill in late November 2020 at which point they stopped building but asked if they could leave the unfinished structure up as it was too late in the season to disassemble it. Being a decent neighbour I agreed that it could be left until spring and Adrian assured me he would be there April 1st to make that happen..well it never happened, construction continued. As a matter of fact Adrian Collum was told to 'Get off their property' by Chris Clarke, Robin O'Neill's partner who constructed the sauna

A building permit application was received on July 5th, 2021, on July 20th the applicant was informed what they proposed was not compliant and they must re-design. Approximately 3rd week of August a phone meeting was held with owners to discuss possible solutions. This information I am providing is from emails between Ryan Johnson/planning and Adrian Collum/ bylaw officer....which I have.

The initial review letter from July 5th included a 180 day notice at which time the permit would be cancelled. They had until January 1st,2022 to get the permit issued... BUT... even though they still didn't have a building permit and did not reapply within the 180 days given... they were given a 3 week extension at which point they completed the interior build and the sauna was operational.

On July 29th,2021 bylaw officer Adrium Collum stated in an email to Ryan Johnson.....as the application they have submitted still won't work because of the setback, I was going to give them 14 days to move the structure from the set back. If they do not comply a \$500.00 bylaw ticket would be issued, what are your thoughts? On August 6th, Ryan Johnson replied that the owners were trying to move forward in 'good faith' on the permit and if they delayed too long he would consider applying the fine.

Sounds to me like a little nepotism was going on, Ryan states if they 'delay' too long...delay too long ?? They never ever re-applied within the 180 days ,then they were given a 3 week extension...someone please explain this to me as I really don't understand this process....this is not in 'good faith' by either side

On July 20th,2021 Nelson Wall, Senior Building Official said in an email ..sorry for the runaround..bylaw is responsible for non-conforming issues, enforcement of non-compliance is a Bylaw issue..but yet bylaw was not permitted to do their job and issue a Bylaw ticket ?? Perhaps if the owners were receiving bylaw fines they might have sped up the process, Robin O'Neill told me that there was a way of getting around the 2.5 meter setback and they were obviously dragging this out as long as they could and apparently allowed to do do by the planning department

This auxillary building is not in compliance with the BC Building codes or the Municipal bylaws, it is directly on my property line and needs to be setback a minimum of 2.5 meters from a side parcel line

This matter should have never taken this long, the construction should have been shut down back in November 2020 when the illegal construction began.



The sauna needs to be moved to the proper spot on their property and they need to be given a proper timeline to do this... with bylaw fines if not done within the time limit. We have been dealing with this issue for over two years with neighbours who have no respect for the Municipality of Whistler bylaws or the BC Building codes, they are entitled people who just do what they want with no regards for anyone but themselves

I hope that mayor & council see that this is an illegal build and take the proper steps to not allow the issuance of the variance permit and order this structure moved by spring.

Regards

Beverly Brown

Home Owner

8321 Crazy Canuck Dr

From: Marty Lidstone [REDACTED]  
Sent: Tuesday, February 28, 2023 5:46 PM  
To: Planning <[planning@whistler.ca](mailto:planning@whistler.ca)>  
Subject: Brook McCrady, Planning Analyst. DVP01239-8317 CRAZY CANUCK DR

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To The Mayor and Whistler Council,

This letter is in regards to the opposition of DVP01239-8317 Crazy Canuck Dr. Variance application.

Please note that this was never an existing building, but a ground up new build.

This auxiliary building was constructed with no regards for municipal By-Laws and BC Building code practices, with a visit by the Municipal Plumbing department Issuing a red flag stop work notice in November 2020, along with multiply follow ups with a By-Law officer. The structure was also given a stop work order from By-Law all which not adhered to by the owner in the beginning of 2021, continuing with construction.

In the summer 2021, application for a building permit was denied, interior and exterior finishes to the structure were being completed, including power, with the structure now completed in January 2022 as a sauna.

The set-back must be upheld at 2.5 meters as per By-Laws set in 2015,

This sauna also poses fire risks with liability issues due the non conforming building codes, power should be dis-connected immediately to the sauna. Demolition to proceed immediately with the structure, along with regular By-law visits to monitor completion.

Thank You for your time in this matter,

Marty Lidstone  
8321 Crazy Canuck Dr, Whistler, BC