



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

STAFF REPORT TO COUNCIL

PRESENTED: December 17, 2024 **REPORT:** 24-116
FROM: Planning - Projects **FILE:** 2450-20
SUBJECT: PROVINCIAL HOUSING COVENANT MODIFICATIONS FOR LOWER
CHEAKAMUS, ALPINE NORTH AND ALTA VISTA WORKS YARD

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Climate Action, Planning, and Development Services be endorsed.

RECOMMENDATION(S)

That Council direct the Resort Municipality of Whistler's authorized signatories to execute a modification to the 2006 provincial housing covenants registered on three parcels of municipally owned lands as BB469393 (Lower Cheakamus), BB474023 (Alpine North), and BB811491 (Alta Vista Works Yard) on the terms attached as Appendices A, B and C to Administrative Report No. 24-116.

PURPOSE OF REPORT

This report seeks Council's approval to proceed with working with the province to modify covenants BB469393, BB474023 and BB811491 (collectively, the Covenants), which apply to three parcels to which the municipality holds title – the Lower Cheakamus lands, the Alpine North lands and the Alta Vista Works Yard (AVWY) respectively (see Fig. 1 for parcel locations). The purpose of these modifications is to establish minimum standards for employee housing (EH) that align with the Resort Municipality of Whistler's (RMOW) EH policies and housing agreements (HA).

The proposed covenant modifications (CM) have several objectives. The CMs will minimize provincial involvement in future EH projects, allowing EH agreements to reflect the RMOW's housing policies and objectives at the time projects are brought forward. The CMs would also remove the requirement for the province to execute new EH covenants on a parcel-by-parcel basis as the subject lands are built out, as long as the lands continue to remain subject to a HA in perpetuity.

Information Report

Administrative Report (Decision or Direction)

DISCUSSION

Background

The three identified parcels are each encumbered with a covenant in favour of the province, requiring that two of the parcels (Cheakamus Lower Lands and Alpine North) are developed for affordable EH, while the covenant on the third parcel (AVWY) allows for EH and a range of municipal and institutional

uses including public facility, utility operations, public health care facility and public transit facility. The Covenants require the RMOW to register a specific form of HA (Existing HA) before the parcel is developed. This Existing HA includes some terms and conditions that are out of date and no longer aligned with Whistler’s EH policies. Moreover, the Covenants contain a rent charge in favour of the RMOW which the Land Title Office will not accept for registration as long as the RMOW is the owner of the land.

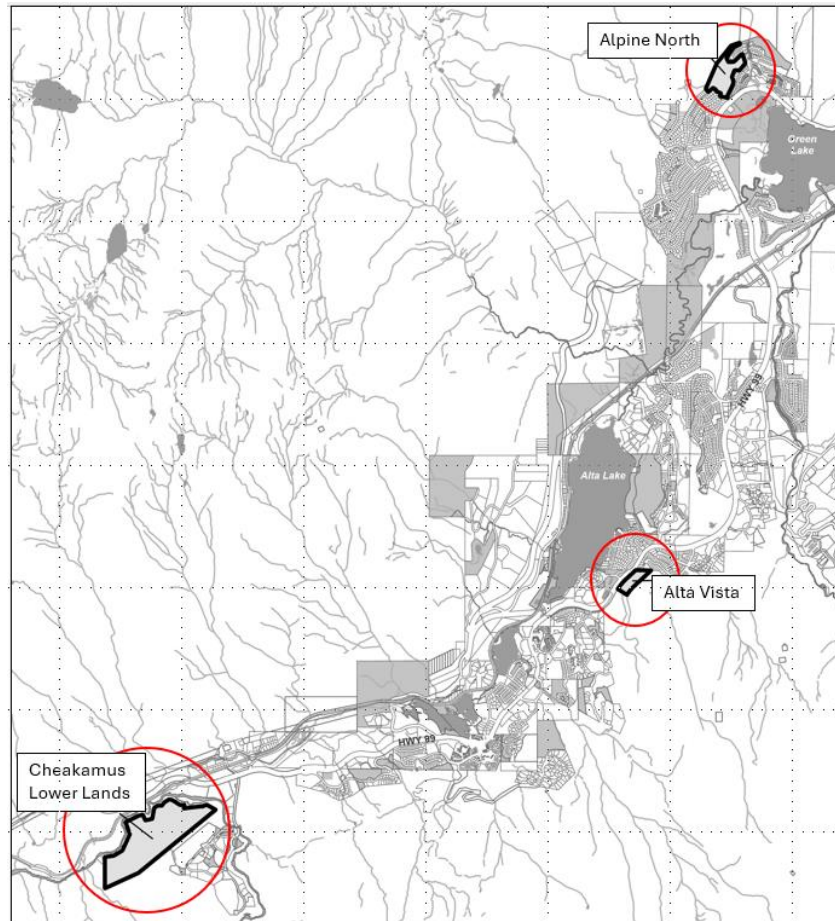


Figure 1. Parcels affected by provincial housing covenants

Analysis

Staff propose CMs to permit the RMOW to register an appropriate HA at the time of development rather than referencing the Existing HA. The CMs will continue to require that a HA is registered before development, and that the covenant restricts the rent that may be charged to occupy the housing or the price at which the housing may be sold. The CMs will also continue to require that the housing be occupied as a residence by an employee, retiree or member of the household of the employee/retiree. The proposed CMs are attached to this report as Appendices A, B and C. While there are no immediate plans to develop housing on any of these parcels, modifying the Covenants now will ease the registration of appropriate HAs in the future. The province has confirmed support for the proposed CMs, and as such staff believe that this presents a good opportunity and time to simplify future housing covenant registration processes.

If the provincial housing covenants are modified as proposed, the RMOW will not be required to obtain provincial approval for future HAs, as long as the lands remain subject to EH agreements in perpetuity,

consistent with municipal housing policy and meeting minimum standards. Further, eliminating the Existing HA will permit the RMOW to establish initial unit rental and sale prices that align with affordability benchmarks at the time the parcels are developed, rather than the Existing HA rental and sale prices which are benchmarked to 2006 affordability targets.

A more flexible HA requirement will allow the RMOW to create EH that is responsive to the community's needs and consistent with current (and future) housing policies.

Should Council direct staff to proceed, staff will work with the province to execute the CMs to the Covenants. The RMOW will then be able to register unique, appropriate HAs on each parcel at the time they are developed.

2023-2026 Strategic Plan

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

Strategic Priorities

Housing

Expedite the delivery of and longer-term planning for employee housing

Climate Action

Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan

Community Engagement

Strive to connect locals to each other and to the RMOW

Smart Tourism

Preserve and protect Whistler's unique culture, natural assets and infrastructure

Not Applicable

Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs

The CMs support development of affordable EH by simplifying the process to register HAs at the time the subject parcels are developed.

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 CMs are consistent with the policies of the OCP and are necessary for occupancy of future housing to be consistent with current Council policy.

The CMs are an important step in the RMOW's efforts to build affordable EH, ensuring that future HAs for housing projects on these three parcels are aligned with current municipal policies and goals for EH.

BUDGET CONSIDERATIONS

Staff and legal time for the CMs are covered by the Planning Department budget.

DECEMBER 17, 2024

LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líl'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.

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

There are no legislated engagement requirements for the proposed CMs.

REFERENCES

Appendix A – Covenant Modification Agreement - BB469393 (Lower Cheakamus)

Appendix B – Covenant Modification Agreements - BB474023 (Alpine North)

Appendix C – Covenant Modification Agreements – BB811491 (Alta Vista Works Yard)

SUMMARY

This report seeks Council's approval of proposed modifications to the 2006 provincial housing covenants registered under BB469393 (Lower Cheakamus), BB474023 (Alpine North), and BB811491 (Alta Vista Works Yard) on the terms attached to this report as Appendices A, B and C respectively.

The proposed CMs would remove the requirement that the RMOW use an Existing HA to register price and occupancy restrictions, instead allowing the use of HAs that reflect the RMOW's EH policy at the time the parcels are developed.

SIGN-OFFS

Written by:

John Chapman,
Manager of Projects Planning

Reviewed by:

Dale Mikkelsen,
General Manager, Climate Action, Planning,
and Development Services

Virginia Cullen,
Chief Administrative Officer