



**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:** April 14, 2026      **REPORT:** 26-036  
**FROM:** Planning      **FILE:** 3900-20-2511  
**SUBJECT:** HOUSING AGREEMENT BYLAW (1100 LEGACY WAY) NO. 2511, 2026

### 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 consider giving first, second and third readings to “Housing Agreement Bylaw (1100 Legacy Way) No. 2511, 2026”.

### PURPOSE OF REPORT

This report seeks Council consideration of first, second and third readings for “Housing Agreement Bylaw (1100 Legacy Way) No. 2511, 2026” (Housing Agreement Bylaw), associated with a six storey, 110 unit building to be located at 1100 Legacy Way (Proposed Parcel) in Cheakamus Crossing.

The Housing Agreement Bylaw would authorize the Resort Municipality of Whistler (RMOW) to enter into a housing agreement (HA) to establish occupancy and eligibility restrictions, initial maximum rental rates, and administration and management restrictions of the dwelling units. The HA that has been prepared sets out terms for use that are consistent with the current zoning and establishes rental rates that are not expected to change. The HA also sets occupancy and eligibility restrictions that align with the existing HA on the adjacent Whistler Sport Legacy (WSL) building at 1315 Cloudburst Drive.

Staff propose that a zoning amendment be brought forward to a future meeting of Council to allow social and supportive housing on Community Land Bank Agreement (CLBA) lands once the modification to allow these uses has been registered with the Land Title Office. After the rezoning is adopted, a new HA can be prepared and brought forward for Council consideration. This is discussed further in the Analysis section below.

Information Report

Administrative Report (Decision or Direction)

## DISCUSSION

### Background

On [September 16, 2025](#) Council adopted “Zoning Amendment Bylaw (Whistler Sport Legacies Project – Workforce Housing and Auxiliary Uses) No. 2486, 2025” (Bylaw 2486) which amended the “Zoning and Parking Bylaw No. 303, 2015” (Zoning Bylaw) to enable the development of a new employee housing (EH) building on Legacy Way in Cheakamus Crossing (Development). The Zoning Bylaw was amended to allow the proposed uses and density, and to allow the subdivision required to create a new parcel at 1100 Legacy Way (shaded in green in Figure 1 below).

The Proposed Parcel is an infill lot that is partially cleared and level, and moderately sloping with a rocky, treed outcrop at the south-east. The proposed Development is a six-storey multi-family residential building with a community auxiliary space that will be entirely rental tenure and employee restricted.



HAs must be adopted by bylaw and approved by Council. Once the Housing Agreement Bylaw is adopted, a notice is placed on the title of the property requiring the owner and any subsequent owners to be bound by the terms of the HA. The HA will also be registered as a Section 219 covenant under the *Land Title Act* – a type of covenant that may be registered in favour of the local government and binds the current and all future owners. Delivery of EH is a strategic priority of the RMOW and is consistent with the goals, objectives and policies of Whistler’s Official Community Plan (OCP).

### Context

The two existing parcels (1080 Legacy Way and 1315 Cloudburst Drive) that will be subdivided to create the Proposed Parcel have several existing covenants and agreements that need to be discharged or modified. On September 2, 2025 ([Administrative Report No. 25-065](#)) Council authorized staff to discharge or modify existing covenants registered on title to the lands that may be inconsistent with or become obsolete with the new development covenant and HA. This process is underway, and

the agreements that are specifically relevant to the adoption of the Housing Agreement Bylaw are further described below.

Provincial Covenant BB1255150 is registered on the parcel at 1080 Legacy Way restricting its use to an athletes training centre and related uses as permitted under section 10A.05 of the CLBA, including athletic training, sports medicine, community recreation, and accommodation for athletes, staff, students and program participants. A request has been sent to the province to discharge this covenant from the portion of 1080 Legacy Way that will become 1100 Legacy Way, as the intended use for the proposed parcel is not permitted under the existing covenant. It will remain in effect on 1080 Legacy Way.

Provincial Covenant BB378527 is registered on the parcel at 1315 Cloudburst Drive restricting its use to affordable EH. A request has been sent to the province to request that this covenant be modified to also permit the auxiliary uses described in the Athlete's Centre Three (AC3) Zone (childcare or pre-school facilities, community centre). The request to the province also proposes to extend Covenant BB378527 to that portion of the 1080 Legacy Way parcel from which covenant BB1233150 is proposed to be discharged, thereby maintaining the intent of the CLBA with respect to affordable EH and compatible auxiliary uses.

### Subdivision and Land Transfer

WSL has received a Tentative Approval Letter (TAL) from the RMOW for the subdivision. The TAL sets out the conditions that need be resolved prior to final approval of a subdivision, including resolving legal encumbrances such as covenants, easements and rights of way. To ensure that the appropriate obligations remain registered, get registered, or are discharged, as needed to finalize the subdivision.

WSL has requested that title to the Proposed Parcel be transferred to WSL per the terms of the CLBA. Staff will begin the transfer process once the subdivision is complete.

## **ANALYSIS**

While it is understood that social and supportive housing are part of the WSL's tenancing plan, the Housing Agreement Bylaw does not address this proposed use. Although a modification to the CLBA was recently approved ([Administrative Report No. 26-026](#)) to allow social and supportive housing on CLBA lands, the AC3 Zone does not permit these uses. When the AC3 Zone was recently amended for this development, it was written to be consistent with the CLBA as it was at the time, and thus a future zoning amendment is required to permit social and supportive housing.

WSL is seeking funding for this project through the Canadian Mortgage and Housing Corporation, and they are at a critical stage where they must confirm the rental rates to allow the project to move to the next phase of consideration. If they cannot provide this confirmation, there is a risk that the project will be delayed or denied, which could affect the overall viability of the project. For this reason, WSL has requested and staff support advancing the HA without the social and supportive housing uses at this time. Once the CLBA modification has been registered with the Land Title Office, staff will return to Council with an updated HA for consideration once the necessary rezoning bylaw is adopted.

The HA offers timely support for WSL in their funding application process by establishing initial maximum rental rates, and also establishes occupancy and eligibility restrictions, administration and management restrictions that are consistent with the existing WSL rental building at 1315 Cloudburst and other recent housing agreements.

Key terms of the HA, including the initial maximum rents, are elaborated below:

### Use of the Land

The land may only be developed with a multi-residential building containing 110 units and a community serving auxiliary space. All 110 units may only be used for EH and are only rental tenure.

### Eligibility

The HA defines employee, retiree and qualified Whistler business consistent with [Council Policy K-01: Employee Rental Housing](#). Tenants must be a citizen or permanent resident of Canada or otherwise legally permitted to work in Canada. An employee is a person who is employed or self employed with a qualified Whistler business for a minimum average of 30 hours per week on an annual basis. These requirements ensure stable access to housing for the Whistler workforce and are consistent with the provincial covenant BB378527.

### Rental Rates and Restrictions

The HA establishes original maximum rent for each unit as shown in Table 1 below:

*Table 1: Proposed initial rental rates by unit type*

Unit type	Original Maximum Rent (per month)	Approximate rate per square foot
Studio	\$2,100	\$4.64
1 bedroom	\$2,450	\$3.95
2 bedroom	\$3,400	\$3.90
3 bedroom	\$4,200	\$3.87

The rate of \$4 per square foot has been used previously in Cheakamus Crossing EH projects as a benchmark for affordability.

The HA allows for annual rent increases as permitted by the Residential Tenancy Act (RTA). Rents may be increased during the term of a tenancy in accordance with the RTA, and at the start of a new tenancy may be adjusted to reflect the maximum increases that would have been permitted under the RTA since the date the HA was registered.

### Tenant Selection

Priority for tenancy of the employee units will be the same as the existing priority at the WSL building at 1315 Cloudburst Drive, namely the priority will be to (1) employees of a 2010 Legacy Society, (2) essential service employees, (3) employees other than those employed by a 2010 Legacy Society that are referred by the Whistler Housing Authority (WHA), (4) other qualified employees.

The owner (WSL) is responsible for selecting and screening tenants to determine that they qualify to occupy units in accordance with the HA, except for WHA tenants, who will be selected and screened in accordance with the standard WHA process. The RMOW is authorized to require the owner to deliver evidence that units are occupied in accordance with the terms of the HA. This HA is substantively the same as the HA's that WSL currently manages for their existing buildings.

## Extra Charges

The monthly rent includes utilities but not metered electricity, and the HA allows a maximum of \$75 per month for a fully furnished unit, \$25 per month for a washer and dryer in the unit, and \$100 per month for a parking stall.

## **NEXT STEPS**

The HA will be brought back to Council for consideration for adoption following the completion of the modifications to the provincial covenants and subdivision to create the Proposed Parcel. A new HA will be prepared in conjunction with any future zoning amendment to permit social and supportive housing on lands within the CLBA, in accordance with recent CLBA modifications.

## **POLICY CONSIDERATIONS**

### **Relevant Council Authority/Previous Decisions**

Section 483 of the *Local Government Act* provides the authority for local governments to enter into agreements for affordable housing that restrict the occupants and address matters including the form of tenure, rents and leases, and administration and management of the housing units.

Previous Council decisions related to the proposed development at 1100 Legacy Way are listed below:

[September 2, 2025, Administrative Report No. 25-065](#): RZ001183 – Zoning Amendment Bylaw (Whistler Sport Legacies Project – Workforce Housing and Auxiliary Uses) No. 2486, 2025

[September 16, 2025, Bylaws for Adoption: Zoning Amendment Bylaw \(Whistler Sport Legacies Project – Workforce Housing and Auxiliary Uses\) No. 2486, 2025](#) - Adoption

[February 24, 2026, Administrative Report No. 26-021](#): DP002070 – 1100 Legacy Way – Whistler Sport Legacies Workforce Housing

[March 10, 2026, Administrative Report No. 26-026](#): Modification of Community Land Bank Agreement and Related Covenants

### **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*

### **Community Vision and Official Community Plan**

The 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 OCP specifies a target to strive for the addition of 1,000 new employee bed units, and further calls for the RMOW to maintain an inventory of EH in perpetuity, for rental and ownership tenures, to be available for employees.

The use of housing agreements is an essential tool in achieving the RMOW's OCP goals and objectives related to securing and maintaining affordable EH for the Whistler resort community. The following OCP policies also provide guidance for the development of these agreements:

Policy 5.1.3.2: Use housing agreements, covenants and bylaws to ensure housing is occupied as intended for EH; and

Policy 5.1.2.8: Ensure EH is occupied consistent with restrictions related to price, use, resale, eligibility and other conditions.

The proposed Housing Agreement Bylaw will ensure that the development proposed at 1100 Legacy Way facilitates the creation of EH in perpetuity and ensures that it is aligned with current municipal policies and goals for affordable EH.

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### **BUDGET CONSIDERATIONS**

Costs associated with development of project specific housing agreements for proposed developments, are recovered through rezoning and development application fees.

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### **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 planning on unceded territories, as currently managed by the provincial government; achieve mutual objectives and enable participation in Whistler's resort economy.

There are no specific considerations to include in this report.

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### **COMMUNITY ENGAGEMENT**

Level of community engagement commitment for this project:

Inform     Consult     Involve     Collaborate     Empower

## REFERENCES

Housing Agreement Bylaw (1100 Legacy Way) No. 2511, 2026 (included in Council package)

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## SUMMARY

This report requests consideration of first, second and third readings for the Housing Agreement Bylaw to authorize registration of a new HA over the proposed parcel at 1100 Legacy Way.

The HA establishes occupancy restrictions, maximum initial rental rates, and administration and management restrictions that reflect current municipal EH standards. The HA is consistent with RMOW policy regarding affordable EH, and permits the prioritization of WSL staff and essential service staff.

Necessary modifications to provincial covenants have been initiated, and following the completion of those modifications, and the completion of the proposed subdivision, the HA will be brought for Council consideration for adoption and registration.

Additionally, staff propose that a future zoning amendment be initiated to permit social and supportive housing on lands within the CLBA, in accordance with recent CLBA modifications. In conjunction with the zoning amendment, staff recommend that a revised HA be prepared for the WSL development to update specific terms related to social and supportive housing. This report will come to Council for consideration in a future meeting of Council.

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## SIGN-OFFS

### Written by:

Tracy Napier,  
Manager of Development Planning

### Reviewed by:

John Chapman,  
Acting Director of Planning

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

Ted Battiston,  
Interim Chief Administrative Officer