

**From:** Heather Lynskey [mailto:██████████]  
**Sent:** Saturday, May 09, 2020 8:11 AM  
**To:** corporate <corporate@whistler.ca>  
**Subject:** letter to mayor and council

May 9, 2020

Mayor and Council

Thank you for taking the time to read my letter. My name is Heather Lynskey, I live at 5513 Old Mill lane, Alta Lake station on the West side of Alta Lake. I am writing to you now to discuss the new rules just put in place at the council meeting on May 5<sup>th</sup>. I must say that I am shocked, saddened, and absolutely dumbstruck by what you have proposed to do to all of the long standing homeowners on the lakes in Whistler. I would like to make some formal requests and take you down the road of the history of our subdivision in order for you to understand my requests.

Our subdivision is one of the oldest areas in Whistler. It was the home of the original train station of Whistler and was named by BC Rail as Alta Lake Station. It was the home of many forestry and railway worker housing along the shoreline. It is the home of the first teacherage and one room school house which is still here today. The municipality was slated to tear it down the first year we moved onto our property. My husband petitioned to lease it and was granted usage for about 20 years and it is still standing today. We formally kept the name Alta Lake station during our subdivision process in part because of the history that went with it.

I bought and moved onto my property in June 1987. It was still a railway lease then, but we had approval for purchase of the lands outright from BC Rail but still needed to go through all the different requirements for approval from the Muni to be classified as a subdivision. It took at least another year for all of those requirements to be met and approved for our subdivision to be complete. All of the lands around us and along the shore line belonged to BC Rail at the time. None of it was parkland. While we had railway leases we also had approval to use the docks built on the shoreline by BCRail and their railway employee ██████████. He was also a lease holder down here at the time. ██████████ and the other railway workers built our docks and landing pad for accessing the docks. The docks have been here since the 50's. ██████████ also was the one who single handedly built all the dams and water lines on Scotia Creek that still exist today and we currently still have a water lease on for our gardens.

I purchased my home from BC rail. I also purchased my dock, a dock frame and upper deck from the railway supervisor ██████████ for \$200.00. We have tried to keep it in good order ever since. It has been repaired, resurfaced and maintained as the years have gone by. My neighbors the ██████████ purchased the other large main dock and we inherited a few ruff docks in the process which were upgraded and maintained for the other strata members use. With in this group of docks was the very first ever barge on the lake! In the case of my dock and deck space adjacent to the shoreline, it is built on logs in the water and not on the land. BC Rail built it to butt up against the hillside and was necessary because the shoreline itself was an old log sort that had eroded below it. The shore line was just logs with many metal cables holding it together and had eroded. It used to be a log sort area. I have over the years re decked my dock and upper deck landing whenever it deteriorated and became unsafe as we have with our other docks.

We have done this upkeep because the municipal parks department, at the time of owner ship transfer to parkland, asked us to do so in case any general public wandered on to it. They recognized they had inherited us at the time of land transfer and said we could continue having them as long as we kept them in good order. There were no permit requirements then. We have continued to maintain and enjoy our docks for the past almost 20 years since it became parkland. I have had my dock for 33 years now and have never been given any notice saying that we do not have the rights to be here. I would like to ask you to check into all paperwork at the parks department to see if there is anything formally written up about us. We have never requested anything in writing because everything had and always was done pretty casually back then; however, my neighbor [REDACTED] who bought a property down here about 6 or 7 years ago requested a meeting with Dave Patterson, the head of the parks department. [REDACTED] told all of us after the meeting that Dave had said that we had deeded access for our docks. I had not heard that term prior to that meeting, but it did leave me to believe that perhaps something was formally written up about us. Can you please check into that for us? I want to make sure that you are not lumping us in as rogue dock builders on Municipal Parklands.

I would like to stress the point that we did not build our docks on Municipal parkland. They were built by BC Rail on BC Rail land at the time and then sold to us. The land was donated to the municipality for parkland many years later and we were inherited in the process. We are an anomaly and we understand that fully. But there are precedents and oddities in the parks in other areas in BC as well. There is a home on the shoreline in the blueberry hill park with a dock. How did it get there? It was there first. Before the land was donated to be parkland.

If there is a “new” requirement imposed for a permit to continue to have our docks, then we would like to formally request the Municipality as the “upland owners” to grant us permission to apply for those required permits. Our docks have existed for well over 50 years on Alta Lake. I am hoping that this is not going to turn into what happened to the Uber drivers in Surrey where the city of Surrey made a law that licensing permits were required on one hand and then on the other hand refused to grant those licensing permits. Then they started fining the drivers. The City of Surrey lost that battle in court because it was unfair to on one hand demand a permit and on the other hand refuse to grant a permit.

I would like to also address the new rules that have just been undertaken by the municipality to solve a rogue dock/ barge building/safety issue. I completely agree that there is a need to control the issue and keep our lakes as pristine as possible. I just feel that we have just gone from zero to 60 in less than a nano second on this issue. From no rules whatsoever to this huge permit application process and what seems like an elimination of enjoyment on the lakes? Is there not a middle ground that could be taken? The west side road residents on Alta Lake are some of the longest standing locals in Whistler. Do you think it will be possible for them to get CN as an upland owner to grant a permit? That sounds to me to be a little bit like what the city of surrey did to the Uber drivers. I think if the Whistler municipality had a directive on this issue to CN asking them to grant access then it might take place, but without that then it could be an impossible process.

If you start, you have to go the full way with everyone. Are you going to start removing all of the docks on every lake at all the tax payers of whistler's expense in order to accomplish the goal of preventing rogue dock building?

[REDACTED] has been talking with me for years about creating a “Whistler Lakes Home Owners” association to take care of and make decisions on what is and is not allowed on all the Lakes throughout Whistler. An association that all homeowners in whistler could join and make

the rulings that are important to the valley of people who live here. [REDACTED] was the founder of the great lake cleanup each year and has great passion for the state of our lakes. A good majority of the lake clean up participants are West side residents. We use their barges to carry the event off! Many of us spend the summers identifying the locations of all the old metal and other debris below the surface of the lake left years ago by forestry and railway work along with general lake partier debris. I have partaken on many Lake clean up days with [REDACTED] and the Mayor. Guess what, [REDACTED] too has a dock and barge at his home on the west side of the lake. Hell even Mrytle Philips had a home on Alta lake road with a dock across the railroad tracks onto Alta Lake. [REDACTED], along with many other of us locals, are with you on the desire to find answers to the unsavory lake spoilers among us. I truly believe the municipality and the council have no desires to be the strong arm pushing the people on what they can or cannot do on the lakes. I would even hazard to guess that a great number of you have been out on the lakes enjoying evening barge rides yourselves on many occasions and would probably prefer if there was a safe, logical, environmentally friendly way to solve rogue problems while keeping the Whistler laid back spirit. Why not let an association made up of all the homeowners in Whistler be the ones to decide that for you? Perhaps the association could have a barge storage location with barges that people could rent or members could sign out and enjoy. That might be something that could be enforced, limiting the number of barges with licenses.

Above I mentioned the fact that the very first barge on the Alta lake was owned by one of the members in our subdivision. It was created by [REDACTED] for the Dave Murray summer ski camp. I had the pleasure of being the Camp administrator for the camp for many years in the early 80s. Dave wanted something super special for the adult summer camp. He collaborated with, my then soon to be neighbor, [REDACTED] who went to all of the neighbors on the west side road and borrowed everyone's docks. He put several motors on the back and voila the barge was born. Mouton Cadet sponsored the event, Michel Bertholet ,chef extraordinaire, and the keg waiters in formal black suits with bow ties and other staff put on one of the most impressive floating lunch restaurants ever seen. This went on for a number of years until Dave's passing. Yes folks this is the history of how barging on our lake was born. It was the only barge on the lake for the following 10 to 15 years. Unfortunately, we all agree, it has gotten out of hand and needs some solutions, but I do not think going from zero to 60 with this issue is the right way to go.

Going back to our history, a couple of years after we received our subdivision rights, BC Rail started evicting all of the remaining lease holds throughout the area that is now known as "Alta Lake Park". That included Tokum's corner, the two homes currently existing on the parkland and [REDACTED] himself. BC Rail had plans to sell off the land now known as stonebridge and within the process of that they gave all the lands below us to the municipality for parkland. This was somewhere between 2002 and 2004.

I would like to formally request an acknowledgement from the Municipality that we, with our docks, belong here and that we not be lumped in as a part of the rogue dock builders on the parklands. We feel we have kept our part of the "agreement" with regards to our docks and we would like to request that we get together with you to discuss how to formalize things and go through whatever permit process you are requesting if you actually carry on with that requirement.

If you managed to read this entire email, I thank you profusely for doing so!

We here in Alta Lake station would be happy to zoom meet or meet at a distance with anyone who would be available to speak with us about this.

Thank you so much,

Heather Lynskey

[REDACTED]

[REDACTED]

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