

December 13, 2019

Murray A. Braaten
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Roman Licko
Acting Director of Planning
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V8E 0X5

Dear Mr. Licko:

Re: Bayshores Land Use Contract (LUC00003) Termination and Strata Plan VR695

We are the solicitors for Strata Corporation No. VR695. We write to you on behalf of the owners of strata units within Strata Plan VR695 (the "**Strata Lots**"). The property located at 2561 Tricouni Place, Whistler, B.C. known as The Seasons ("**The Seasons**") includes a fractional ownership component and individual strata lots that include tourist accommodation and nightly rentals.

The Seasons is governed by a land use contract dated April 10, 1977 (the "**LUC**"). Pursuant to the LUC, The Seasons included nightly rentals, a fractional ownership shared use development and tourist accommodation since 1980. A lease was registered in the Land Title Office under title under number H17073 on March 19, 1980, which established the fractional ownership arrangement (the "**Lease**"). A copy of the Lease is attached for your reference. Subleases (the "**Subleases**") were registered in the Land Title Office establishing the interests of each of the owners in the fractional component (the "**Owners**").

The Seasons has operated as tourist accommodation, nightly rentals and a fractional ownership arrangement since 1980. The proposed zoning RMB Zone – Residential Multiple Bayshores does not permit this pre-existing use.

We write on behalf of the Owners to request that the proposed zoning RMB Zone – Residential Multiple Bayshores be amended to allow the continued current use of The Seasons.



Thank you for your consideration. Please do not hesitate to contact us if you require further information.

Sincerely,

Gowling WLG (Canada) LLP

A handwritten signature in dark ink, appearing to read "Murray A. Braaten", written over the printed name.

Murray A. Braaten

MAB:j

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LAND TITLE OFFICE

H 17073 17073

LAND TITLE ACT

Form 17
(Sections 151, 152(1), 220)

H 9382.4

To

APPLICATION

H 9394.4

NATURE OF INTEREST:

(1) Fee-simple ☐

Market Value:

(2) Charge ☒

True Value: *NOMINAL (10%)*

LEASE
.....
(Nature of Charge)

(3) Cancellation of charge ☐

.....
(Nature and number of charge cancelled)

HEREWITH FEES OF \$ *10.00*

As to (1) and (2) ADDRESS of person entitled to be registered as owner, if difference than shown in instrument

As to (3) FULL NAME of person entitled to cancellation who or on whose behalf the application is made

Legal description, if not shown in instrument being submitted with this application

Full name, address telephone number of person presenting application.
OWEN, BIRD, Barristers & Solicitors, 28th Floor, 595 Burrard Street, Vancouver, British Columbia, 688 0401.

THE SEASONS RESORTS LTD.
INCORP. NO 199720
INC. DATE - NOV. 7, 1979
GAR. REF. - NOV. 29/79 PAGE 1964

Francis She
.....
(Signature of applicant, or
~~authorized agent~~ authorized agent)

4/110 ✓

17073

LAND TITLE ACT
FORM 1 (SECTION 281)
MEMORANDUM OF REGISTRATION
REGISTERED

on application received on the
day and at the time written hereon,
D. H. STURCH, REGISTRAR
VANCOUVER LAND TITLE OFFICE

THIS INDENTURE made as of the 19th day of FEBRUARY, 1980
IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"
BETWEEN:

§ RIVERINA DEVELOPMENT CORPORATION, a duly incorporated company under
the laws of the Province of British Columbia, and having its
registered office at 2800 - 595 Burrard Street, in the City of
Vancouver, in the Province of British Columbia;
(hereinafter called the "LESSOR")
OF THE FIRST PART

AND:

CARD § THE SEASONS RESORTS LTD., a duly incorporated company under
the laws of the Province of British Columbia, and having its
registered office at 2800-595 Burrard Street, in the City of
Vancouver, in the Province of British Columbia;
(hereinafter called the "LESSEE")
OF THE SECOND PART

WITNESSETH, the said Lessor doth demise unto the said Lessee, his successors and
assigns ALL AND SINGULAR that certain parcel or tract of land and premises
situate, lying and being in the Resort Municipality of Whistler, in the Province
of British Columbia and more particularly known and described as:

Strata Lots 1 to 13 inclusive
District Lot 3556
Strata Plan VR695
together with an interest in the common property in proportion to the unit
entitlement of the Strata Lots as shown on Form 1.

TOGETHER with all buildings thereon erected, or hereafter during the term hereby
granted, to be erected, and also with all ways, paths, passages, waters, water
courses, privileges, advantages and appurtenances whatsoever to the said
premises belonging or otherwise appertaining, and together with all appliances,
furniture, furnishings and household goods located on the strata lots.

FOR the term of NINETY-NINE (99) YEARS, from the Nineteenth day of FEBRUARY,
1980 to and including the NINETEENTH day of FEBRUARY, 2079, yielding therefor
during the said term the rent of TEN (\$10.00) DOLLARS of lawful money of Canada,
payable on the following days and times, that is to say:-

The full rent for the said term is due and payable on the execution and
registration of this Indenture.

1. That the said Lessee covenants with the said Lessor to pay rent; and to
pay taxes; and to pay rates for water, electric light, gas and telephone and to
pay taxes and common expenses and any other costs levied against the said
premises pursuant to the Strata Titles Act.

LAND TITLE ACT
FORM 1 (SECTION 281)
MEMORANDUM OF REGISTRATION
REGISTERED

408 \$010.00

on application received on the
day and at the time written hereon,
D. H. STURCH, REGISTRAR
VANCOUVER LAND TITLE OFFICE

VANCOUVER
"P.O." "B.C.C."
"NOT PUBLIC"

AND to repair; and to keep up fences; and not to cut down timber;

AND the said Lessor may enter and view state of repair, and that the said Lessee will repair according to notice.

AND that he will leave premises in good repair; and that he will comply with the provisions of the Strata Titles Act and the amendments thereto and the Strata Corporation By-Laws and amendments thereto.

AND that he will not carry on any business that shall be deemed a nuisance on the premises.

PROVISO for re-entry by the said Lessor on non-payment of rent, or non-performance of covenants but without prejudice to the rights of any sublessees.

PROVISO for re-entry on seizure or forfeiture of the said term but without prejudice to the rights of any sublessees.

THE said Lessor covenants with the said Lessee for quiet enjoyment.

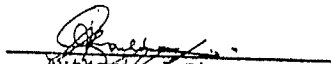
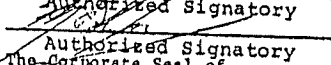
AND ALSO that if the term hereby granted shall be at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee shall make any assignment for the benefit of creditors, or becoming bankrupt or insolvent, shall take the benefit of any act that may be in force for bankrupt or insolvent debtors and the said term shall immediately become forfeited and void.

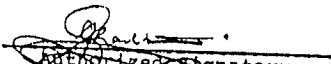
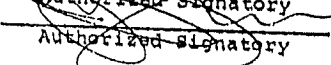
PROVIDED and it is hereby agreed by and between the parties hereto that if the said Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

WHEREVER the singular and the masculine are used throughout this Indenture, the same shall be construed as meaning the plural or the feminine, or body corporate or politic; also the successors and assigns of the respective parties hereto and each of them, (where the context or the parties so require).

IN WITNESS WHEREOF the said parties have hereunto affixed their corporate seals in the presence of their duly authorized officers as of the day and year first above written.

The Corporate Seal of
RIVERINA DEVELOPMENT CORPORATION
was hereunto affixed in the presence of:


Authorized Signatory

Authorized Signatory
The Corporate Seal of
THE SEASONS RESORTS LTD. was
hereunto affixed in the presence of:


Authorized Signatory

Authorized Signatory

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LAND TITLE ACT
FORM 9
(Sections 43 (a) and 44 (a))
AFFIDAVIT OF WITNESS

I, of
British Columbia, make oath and say:
1. I was present and saw this instrument duly signed and executed by
....., the party(ies) to it, for the purposes named in it.
2. The instrument was executed at
3. I know the party(ies), who is(are) 19 years old or more,
4. I am the subscribing witness to the instrument and am 16 years old or more,
Sworn before me at day
in British Columbia, this day
of 19

*Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.
NOTE—This affidavit must be sworn by a witness who is not a party to the instrument.

LAND TITLE ACT
FORM 3
(Sections 43 (b) and 44 (b))
CERTIFICATE OF ACKNOWLEDGMENT OF TRANSFEROR

I certify that on the day of 19 at in the of
.....
*(Whose identity has been proved by the evidence on oath of
(State full name, address, and occupation) who is) personally known to me,
appeared before me and acknowledged to me that he/she/they is(are) the person(s) mentioned in this
instrument as a transferor (or attorney of a transferor) that his/her/their name(s) is(are) subscribed to it, that
he/she/they know(s) the contents of the instrument and executed it voluntarily, and is(are) of the age of 19
years or more.
In testimony of which I set my hand and seal of office at
this day of 19

*Where the person making the acknowledgment is personally known to the officer taking it, strike out the words in brackets.
†Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.

LAND TITLE ACT
FORM 6
(Section 46)
PROOF OF EXECUTION BY CORPORATION

I certify that on the 19th day of February, 19 80, at Vancouver
in British Columbia, Graeme John Charlton
*(whose identity has been proved by the evidence on oath of
(State full name, address, and occupation) who is) personally known to me, appeared
before me and acknowledged to me that he/she is the authorized signatory of RIVERINA DEVELOPMENT
CORPORATION
..... and that he/she is the person who subscribed his/her name and affixed
the seal of the corporation to the instrument, that he/she was authorized to subscribe his/her name and affix
the seal to it, (and that the corporation existed at the date the instrument was executed by the corporation.)
In testimony of which I set my hand and seal of office at Vancouver
this 19th day of February, 19 80.

*Where the person making the acknowledgment is personally known to the officer taking it, strike out the words in brackets.
†These words in brackets may be added, if the applicant wishes the registrar to preserve the discretion under section 162 (5) not to
call for further evidence of the existence of the corporation.
‡Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.

Mack Printers & Stationers Ltd.
STA A

Strata Titles Act, 1974

17073

FORM A

CERTIFICATE OF FULL PAYMENT
(Section 7(3))

Strata Corporation No. VR695
that no moneys are owing to it in connection with
Strata Lot No. 1 to 13 inclusive
(legal description)
District Lot 3556
Strata Plan VR695

hereby certifies under Section 7(3) of the Strata Titles Act

Dated this 13th day of MARCH 1980

RIVERINA DEVELOPMENT CORPORATION

Per:

[Signature]
Member of Strata Council or Manager

Authorized Signatory