



WHISTLER

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

COVENANT MODIFICATION/DISCHARGE APPLICATION

<p>Application Number</p> <p>CM _____</p> <p>(OFFICE USE ONLY)</p>
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Climate Action, Planning and Development Services - Planning Department
Tel: 604-935-8170 (direct)
Email: planning@whistler.ca

Subject Property Street Address: _____

Legal Description P.I.D. _____ Lot _____ D.L. _____
Plan _____ Block _____ Zoning _____
Present OCP Designation: _____

Name of Registered Owner: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Cell: _____ Email: _____ Fax: _____

Name of Applicant/Agent: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Cell: _____ Email: _____ Fax: _____

Present use of property:

Description of the covenant modification or discharge that is being requested:

AUTHORIZATIONS

I _____ authorize _____
(PRINT NAME of registered owner) (PRINT NAME of agent/person authorized to sign the application)
to act as agent and sign the application form to the Resort Municipality of Whistler on my/our behalf for the property known as

(Civic address of property)

Signature(s) of registered owner(s) Date

Signature(s) of Signing Officer(s) of Corporation Corporate Seal(s), if applicable Date

PROPERTY OWNER'S AGREEMENT

As of the date of this application, I am the registered owner of the lands described in the application. I have examined the contents of the application, certify that the information submitted with it is correct insofar as I have knowledge of these facts, and concur with the submission of the application. I acknowledge that the lands described in the application may be subject to applicable laws, regulations, and guidelines including, but not limited to, the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and the *Local Government Act*. I agree to comply with all provisions of the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and any other applicable legislation, if this application is approved. I understand that approval does not constitute a building permit and that drawings submitted for a building permit must match the approved Development Permit drawings.

Signature of property owner Date

DECLARATION

I _____, **solemnly declare that the statements made**
(PRINT NAME)
by me upon this application are to the best of my belief and knowledge a true and complete representation of the purpose and intent of this application.

Signature of applicant or agent Date

FEE SCHEDULE

Select the applicable fee(s).

	Fee	Select
Application for any of the following: <ul style="list-style-type: none"> - modification or discharge of a section 219 covenant restricting gross floor area, but only to the extent that the covenant being modified or discharged restricts the use of a crawlspace that did not constitute gross floor area at the time the covenant was granted; - modification or discharge of a section 219 covenant restricting gross floor area, but only to the extent that the covenant being modified or discharged is inconsistent with the Zoning Bylaw definition of gross floor area; - modification of a section 219 covenant that establishes flood construction levels or flood setbacks, or both, if the covenant was registered after the enactment of the Flood Hazard Statutes Amendment Act, 2003; - modification of a section 219 covenant that requires the preservation of trees, provided the modification results in no net loss to the size of the tree preservation area. 	\$4,300.00	<input type="checkbox"/>
All other applications for covenant modification or discharge	\$5,500.00	<input type="checkbox"/>
Other Services By Request	Fee	Select
Land Title Search by Request	\$35.00	<input type="checkbox"/>

SUBMITTAL REQUIREMENTS – DOCUMENT CHECKLIST

Subject Property Civic Address: _____

Incomplete applications will not be accepted.

The items on the list are the minimum requirement for your application. Depending on the nature of your project, **you may be requested to submit additional information/documents** with, or following submission of, your application. Check and sign and include this document with your application.

For ALL applications:

Electronic PDF copies of all submissions; including application, drawings, & reports. Electronic files may be emailed to planning@whistler.ca.

Every report and document submitted in support of an application must contain an express grant of permission to the Resort Municipality of Whistler to use, reproduce and publish the information contained in the report or document for non-commercial purposes.

REQ	N/A	FORMS, REPORTS AND DRAWINGS
		1. Complete and signed Application Form, Document Checklist and application fee .
		2. Title Search (issued not more than 30 days from the date application is received) OR a \$35.00 Title Search Fee in lieu (per PID).
		3. A copies of the existing registered Covenant and any modifications from the Land Title Office that is the subject of your application.
		4. Copies of any title restrictions e.g. restrictive covenants, easements, rights-of-way (only if requested).
		5. Strata authorization on form attached for all proposals affecting common property on a strata plan.
		6. Owner’s written letter outlining their rationale for the covenant modification or discharge being requested.
		7. PDF of scalable and fully dimensioned plans, elevation, sections, (as may be necessary) to illustrate the proposal relative to the covenant modification or discharge being requested. Scale 1:200 (minimum) or imperial equivalent. If imperial equivalent any dimensions must be labelled in both imperial and metric. All drawings must include a bar scale and a north arrow.
		8. Any further information that the applicant considers information ought to be provided to permit a full understanding of this application.
		9. Additional Information Requirements a. During the review process addition information may be required at the applicant's expense.

 Full name of applicant or agent (Print)

 Signature of applicant or agent

 Date



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STRATA COMMON PROPERTY REPRESENTATION OF AUTHORITY

PROPERTY CIVIC ADDRESS

STRATA CORPORATION NO.

The undersigned, on behalf of Strata Corporation No. _____ (the "Strata Corporation"), in consenting to the application (the "Application") of _____, the owner of Strata Lot No. _____ for an application to which the Resort Municipality of Whistler "Land Use Procedures and Fees Bylaw No. 2205, 2022" applies to alter the Common Property of Strata Plan No. _____, being a Strata Manager (holding a valid license) licensed under the Real Estate Services Act, represents to the Resort Municipality of Whistler (the "RMOW") that we are authorized to consent to the Application on behalf of the Strata Corporation and that all appropriate resolutions of the Strata Corporation have been duly passed to authorize the proposed changes or alterations to the Common Property.

In the case where the Strata Corporation is not represented by a licensed Strata Manager the undersigned hereby represent to the RMOW that we are members of the Strata Council duly elected in accordance with the Strata Property Act, that we are legally authorized to consent to the Application on behalf of the Strata Corporation and that all appropriate resolutions of the Strata Corporation have been duly passed to authorize the proposed changes or alterations to the Common Property.

In making the above representation, the Strata Corporation acknowledges that the RMOW is relying on our representation in accepting the Application and issuing the Permit and the Strata Corporation releases the RMOW from any and all liabilities if the representation is untrue or inaccurate.

PLEASE COMPLETE THE FOLLOWING IF STRATA MANAGEMENT COMPANY IS PROVIDING REPRESENTATION OF AUTHORITY:

STRATA MANAGEMENT COMPANY NAME* (PLEASE PRINT)

STRATA MANAGER NAME* (PLEASE PRINT)

STRATA MANAGER SIGNATURE

SIGNED THIS ____ DAY OF _____ 20____

PLEASE COMPLETE THE TABLE ON PAGE OVER IF STRATA COUNCIL MEMBERS ARE PROVIDING REPRESENTATION OF AUTHORITY.



STRATA COMMON PROPERTY REPRESENTATION OF AUTHORITY

PLEASE COMPLETE THE FOLLOWING IF STRATA COUNCIL MEMBERS ARE PROVIDING REPRESENTATION OF AUTHORITY:

COUNCIL MEMBER NAME* (PLEASE PRINT)

STRATA LOT NO: _____

COUNCIL MEMBER SIGNATURE

SIGNED THIS _____ DAY OF _____ 20 _____

COUNCIL MEMBER NAME* (PLEASE PRINT)

STRATA LOT NO: _____

COUNCIL MEMBER SIGNATURE

SIGNED THIS _____ DAY OF _____ 20 _____

The Strata Title Act requires that permission from a Strata Corporation be obtained whenever construction affects Common Property. Written approval from the Strata Corporation is required whenever the proposed work involves Common Property or Limited Common Property.

"common property" means

(a) that part of the land and buildings shown on a strata plan that is not part of a strata lot, and

(b) pipes, wires, cables, chutes, ducts and other facilities for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating and cooling systems, or other similar services, if they are located

(i) within a floor, wall or ceiling that forms a boundary

(A) between a strata lot and another strata lot,

(B) between a strata lot and the common property, or

(C) between a strata lot or common property and another parcel of land, or

(ii) wholly or partially within a strata lot, if they are capable of being and intended to be used in connection with the enjoyment of another strata lot or the common property;

"limited common property" means common property designated for the exclusive use of the owners of one or more strata lots;

INFORMATION SIGN REQUIREMENTS

Applications are subject to the Resort Municipality of Whistler “Land Use Procedures and Fees Bylaw No. 2205, 2022” information sign requirements.

1. An information sign is required to be posted for all applications for:
 - development permit,
 - development permit under a land use contract,
 - approval of a Development Plan or Development Approval under the *Blackcomb Land Use Contract*,
 - development variance permit,
 - temporary use permit,
 - modification or discharge of a section 219 covenant,
 - exemption from a bylaw establishing a flood construction level or floodplain setback,
 - amendment to the Official Community Plan,
 - amendment to the Zoning Bylaw, and
 - amendment to a land use contract.
2. The applicant must prepare and **post an information sign on the land that is the subject of the application within 14 days of making the application** and notify planning@whistler.ca that the sign has been posted via an email containing a photo of the installed sign. (Please download and fill in the [Development Application Sign Template](#) using Adobe Acrobat or similar pdf viewer/editor)
3. The information sign must conform generally to the written specifications contained on the following page of this handout and must also include the following:
 - A map of the site containing a North Arrow, with all the roads adjoining the development site labelled (insert as top image on the fillable [Development Application Sign Template](#));
 - A rendering of the proposed development for development permit applications requiring Council consideration and for zoning amendments with a design component (insert as bottom image on the fillable [Development Application Sign Template](#)). For all other application types, leave the bottom image blank;
 - The abovementioned images can be inserted using Adobe Acrobat or another similar pdf viewer/editor. **The ideal aspect ratio for the image(s) is 947:591.**
4. The information sign must be 4' (1220 mm) x 6' (1829mm) in size.
5. Notification signs must be placed in a conspicuous location, be clearly legible from adjoining streets, and not be obstructed by vegetation or structures on the land, and is required to be placed every 100 metres of highway/road frontage of the subject parcel, except that no more than 3 signs are required for any one parcel.
6. The applicant must keep the notification sign posted and in good repair until the application has been approved or refused by Council or its delegate, or has been withdrawn by the applicant.
7. The applicant must remove the notification sign within 14 days of the application being approved or refused by Council or its delegate, or being withdrawn by the applicant. The municipality may remove the notification sign at the expense of the applicant subject to the municipality first giving notice of the non-compliance of the 14 day removal requirements.



DEVELOPMENT APPLICATION

Application No: eg. DP001800

Address:

Applicant Name:

Type of Application: eg. Development Permit

Insert brief description of the proposal including proposed uses, number and type of units, proposed gross floor area and proposed building heights (in metric units).

List all proposed variances.

Include the following text: "The details of the proposed development may be revised during the application process."



Location



Proposed Development

**FOR
MORE
INFO:**



604 935 8170
whistler.ca/ourcity
planning@whistler.ca