



RESORT MUNICIPALITY OF WHISTLER

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STAFF REPORT TO COUNCIL

PRESENTED: December 20, 2022 **REPORT:** 22-160
FROM: Legislative Services Department **FILE:** 0500-02-0003
SUBJECT: EMERALD DREAMS CONSERVATION CO. LTD. – 2022 ANNUAL FILING

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate and Community Services be endorsed.

RECOMMENDATION(S)

That Council of the Resort Municipality of Whistler (RMOW) in open meeting assembled, hereby resolves that the RMOW, as sole shareholder of Emerald Dreams Conservation Co. Ltd. (the Company), pass the consent resolutions of the sole shareholder of the Company; a copy of which is attached as Appendix A to this Administrative Report No. 22-160, and that the consent resolutions be executed and delivered on behalf of the RMOW.

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval of the annual Shareholder's Resolutions of the Company and for the execution of the Shareholder Resolutions of the Company to confirm approval.

Information Report Administrative Report (Decision or Direction)

DISCUSSION

Background

The Company is a wholly-owned corporation of the RMOW and is the Trustee of the Emerald Forest Trust; a trust formed pursuant to a Trust Settlement Agreement dated November 16, 1999.

The Emerald Forest Trust was formed to manage the ownership of the Emerald Forest Lands. The Emerald Forest Lands are a tract of forest northwest of the Whistler Village which has been preserved as parkland through a third party conservation covenant with the Land Conservancy of British Columbia.

On October 4, 2022, Council adopted the "Permissive Tax Exemption Bylaw No. 2368, 2022" designating the Emerald Forest Lands as exempt from property taxes for one year under section 224 of the *Community Charter*. This exemption will last until December 31, 2023.

The Directors of the Corporation have approved the 2021 Financial Statements, attached as Appendix C, as well as the Directors' Consent Resolutions, attached as Appendix B. The Directors' Resolutions

resolve that Virginia Cullen is appointed as President of the Company, Carlee Price is appointed as Secretary of the Company, and that any two Directors are authorized to sign the 2021 Financial Statements.

Analysis

The Shareholder's Resolutions, attached as Appendix A, resolve that:

- the financial statements of the Company for the fiscal year ended December 31, 2021 be accepted,
- that Virginia Cullen, Louis Edward Battiston, and Carlee Price, be elected Directors of the Company to hold office until the next Annual General Meeting, or until sooner ceasing to hold office,
- that the appointment of the auditor of the Company for the current fiscal year be waived, and
- that the shareholder waives the holding of the Annual General Meeting and consents in writing to all resolutions which will constitute the proceedings in lieu of the 2022 Annual General Meeting of the Company.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

The Shareholder and Director Resolutions attached to this report speak to the following legislation:

Section 182 of the *Business Corporations Act*, the Company may consent in writing to all of the business required at the annual general meeting of the Company, and
Section 203 of the *Business Corporations Act*, the Company may consent in writing to waive the appointment of an auditor.

Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

Council Focus Areas

- Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

- Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

- Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

- Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

BUDGET CONSIDERATIONS

All costs are included within the existing Legislative Services Department budget.

LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Lílwat 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

No external engagement is planned or required for this report.

REFERENCES

Appendix A – 2022 Shareholder's Resolutions

Appendix B – 2022 Director's Resolutions

Appendix C – Financial Statements, ending December 31, 2021

SUMMARY

This report seeks Council's approval of the Shareholder's Resolutions of the Company attached as Appendix A, and for the execution of the annual Shareholder's Resolutions of the Company to confirm approval.

SIGN-OFFS

Written by:

Lucy Wyn-Griffiths,
Legislative and Privacy Coordinator

Reviewed by:

Pauline Lysaght,
Manager of Legislative Services and Corporate
Officer

Ted Battiston,
General Manager of Corporate and Community
Services

Virginia Cullen,
Chief Administrative Officer