



RESORT MUNICIPALITY OF WHISTLER

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STAFF REPORT TO COUNCIL

PRESENTED: March 21, 2023 **REPORT:** 23-035
FROM: Climate Action, Planning and Development **FILE:** 8374, 8780.01
Services
SUBJECT: RMOW CONSENT TO SLRD BYLAW AMENDMENTS – INVASIVE SPECIES AND
SEA TO SKY RECREATIONAL TRAILS

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendations of the acting General Manager of Climate Action, Planning and Development Services be endorsed.

RECOMMENDATION(S)

That Council give participating area approval by consenting, on behalf of the electors of the Resort Municipality of Whistler, to the adoption, by the Squamish-Lillooet Regional District (SLRD), of proposed SLRD Bylaw 1802-2023, cited as “Squamish-Lillooet Regional District Invasive Species Management and Control Service Establishment Bylaw No. 1541-2017, Amendment Bylaw No. 1802-2023”;

That Council give participating area approval by consenting, on behalf of the electors of the Resort Municipality of Whistler, to the adoption, by the Squamish-Lillooet Regional District (SLRD), of proposed SLRD Bylaw 1806-2023, cited as “Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006-2007, Amendment Bylaw No. 1806-2023”; and

That Council direct staff to notify the SLRD Board of the Resort Municipality of Whistler’s consent for both Bylaw Amendments.

PURPOSE OF REPORT

The purpose of this report is to secure Council’s consent in support of two proposed Squamish Lillooet Regional District (SLRD) bylaw amendments intended to increase the SLRD’s maximum tax requisition values related to 1) invasive species management efforts and 2) Sea to Sky Recreational Trail planning and maintenance.

Information Report

Administrative Report (Decision or Direction)

MARCH 21, 2023

DISCUSSION

Background

SLRD Invasive Species Management and Control Services

In 2017, the Squamish Lillooet Regional District (SLRD) adopted Bylaw No. 1541-2017 to establish and fund an Invasive Species Management and Control Service within the Squamish-Lillooet Regional District. The Resort Municipality of Whistler (RMOW) consented to participate in this service on May 9, 2017, as per [Council Report No. 17-048](#).

The intent of this service is to respond to an increase in invasive species pressures within the SLRD, brought on by the rapid increase in human activities and development in the region.

As per Bylaw No. 1541-2017, this service is funded through a property tax requisition process applicable to the RMOW, the District of Squamish, the Village of Pemberton, the District of Lillooet, and Electoral Areas A, B, C and D. The SLRD Board can adjust the apportionment rates and requisition amounts by way of a bylaw amendment.

Requisitioned funds are currently capped at a cumulative total of \$75,000 annually where annual partner contribution amounts vary by property assessment values. In 2022 the RMOW contributed 20 per cent of the \$75,000 capped total, or \$15,000.

Requisitioned funds are provided to the Lillooet Regional Invasive Species Society and Sea to Sky Invasive Species Council (SSISC) to undertake invasive species control services throughout the SLRD outside of the contributing partners' electoral boundaries. The SLRD is responsible for all administrative, contractual, and supervisory tasks related to the Bylaw No. 1541-2017 and the provision of this service.

Related and for information purposes, in April 2014, Council endorsed the RMOW's Invasive Species Management Plan (ISMP). The goal of the ISMP is to provide a municipal management framework to maintain biodiversity and minimize potential risks within Whistler through developing and implementing effective management strategies for invasive species.

To achieve this goal, the RMOW works in close collaboration with SSISC and established a Fee for Service Agreement with SSISC for 2023. These efforts are complementary to but outside of the geographic and financial scope of the SLRD's Invasive Species Management and Control Service.

SLRD Sea to Sky Recreational Trails Services

In 2007, the SLRD adopted Bylaw No. 1006-2007 to establish a Recreational Trails Service for the Sea to Sky Corridor intended to provide long term funding to support the Sea to Sky Recreational Trail. The RMOW consented to participate in the service on October 1, 2007 as per Council Report No. 07-138 (Appendix A).

This service is funded through a property tax requisition process as per Bylaw No. 1006-2007 applicable to the RMOW, the District of Squamish, the Village of Pemberton and Electoral Areas C and D. The SLRD Board can adjust the apportionment rates and requisition amounts by way of a bylaw amendment.

MARCH 21, 2023

Requisitioned funds are currently capped at a cumulative total of \$150,000 annually where annual partner contribution amounts vary by property assessment values. In 2022 the RMOW contributed 58.9 per cent of the \$150,000 capped total, or \$88,408.

Requisitioned funds are provided to suitably qualified recreational trail service providers and contractors to manage and maintain the existing portions of trail, located within the SLRD but outside of the contributing partners' electoral boundaries. The SLRD is responsible for all administrative, contractual, and supervisory tasks related to the Bylaw and the provision of this service.

While the initial intent of Bylaw No. 1006-2007 was to also fund construction of the Sea to Sky and other recreational trail within the SLRD, this is no longer feasible given proven maintenance and repair costs to the Sea to Sky Trail. Construction of new Sea to Sky Recreational Trail segments rely heavily on external grant funding.

For information purposes, 123 km of the proposed 165 km of the Sea to Sky Recreation Trail has been constructed between Squamish and D'Arcy, representing \$7,000,000 of capital investment. New trail segment construction, anticipated in 2023 but subject to final approvals, will provide full recreational trail connectivity between Whistler and Pemberton. Future work anticipates a fully connected recreational trail over the next eight to 10 years, subject to funding and approvals.

Analysis

The *Local Government Act* authorizes the establishment of service areas pursuant to Section 338 of the Act and allows for a maximum amount that may be requisitioned for the service. The Regional Districts Establishing Bylaw Approval Exemption Regulation (within the *Local Government Act*) allows for an increase to this maximum requisition limit under establishment bylaws for an amount less than or equal to 25% of the 5-year baseline value, without having to receive the approval of the Inspector of Municipalities.

Simply put, the SLRD can increase the maximum tax requisitions for a service, without Inspector of Municipalities' approval, by up to 25% of the rates in effect 5 years prior (the "5-year baseline"); this can be done as a single lump sum or as cumulative increases.

Consent on behalf of the electors can be provided by a municipality pursuant to sections 349 and 346 of the *Local Government Act*.

SLRD Invasive Species Management and Control Services

On January 26, 2023, the RMOW received a letter from the SLRD (Appendix B) seeking consent from the subject partner municipalities and Electoral Areas to the Bylaw Amendment No. 1802-2023 of the Squamish-Lillooet Regional District Invasive Species Management and Control Service Establishment Bylaw No. 1541-2017.

The resolutions in the SLRD report seek to increase the maximum annual requisition by 25% from \$75,000 to \$93,750. This change would increase the RMOW's annual contribution starting in 2024.

Appendix C contains the January 25, 2023, SLRD Board report.

Sea to Sky Recreational Trails Services

MARCH 21, 2023

On February 23, 2023, the RMOW received a letter from the SLRD (Appendix D) seeking consent from the subject partner municipalities and Electoral Areas for Bylaw Amendment No. 1806-2023 of the Squamish-Lillooet Regional District Bylaw No. 1006-2007.

The resolutions in the SLRD report seek to increase the maximum annual requisition by 25% from \$150,000 to \$187,500. This change would increase the RMOW's annual contribution starting in 2024.

Appendix E contains the February 22, 2023, SLRD Board report.

Recommendations

After reviewing all materials and discussion with the SLRD, staff recommend providing consent for SLRD Bylaw Amendment No. 1802-2023 and Bylaw Amendment No. 1806-2023.

Both Bylaws are mechanisms for providing fair and predictable funding to achieve mutual goals.

With invasive species, the increase in the maximum annual property tax requisition reflects the increased invasive species pressures related to increased human activities and potential impacts of climate change. The benefit to the RMOW is that the extra funds will support activities in the areas surrounding the municipality, which will help to reduce the incidence of invasives arriving in Whistler from other areas in the region.

With the Sea to Sky Recreational Trail, the increased funding will help to protect and maintain existing trail segments and leverage the \$7,000,000 investment towards project completion over the next eight to 10 years. The Sea to Sky Recreational Trail is a unique regional amenity linking key attraction and destination points, offering opportunities for deeper guest experiences and visitor dispersion.

With RMOW consent, the SLRD Board would consider both Bylaws for adoption at its April 19, 2023, Board meeting.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

This report is seeking council approval to provide RMOW consent to the SLRD's Bylaw Amendment No. 1802-2023 and Bylaw Amendment No. 1806-2023.

The RMOW initially provided consent in principle for the SLRD's Invasive Species Management and Control Service Establishment Bylaw No. 1514-2017 as per [council report 17-048 presented on May 9, 2017](#).

The Big Moves Climate Action Implementation Plan (CAIP) Adaptation goal 3 is to "protect local ecosystems and biodiversity". Action 3.3 outlines the need to prevent and minimize the spread of invasive species. Bylaw Amendment No. 1802-2023 aims to increase funding for invasive species management and RMOW consent to this amendment is therefore directly supporting adaptation goal 3 of the Big Moves CAIP.

The RMOW provided consent to the SLRD's Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006-2007 as per Council Report 07-138 presented on October 1, 2007 (Appendix A). Visitor dispersion is part of the broader Smart Tourism priority in the 2023-2026 Strategic Plan.

MARCH 21, 2023

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*

Not Applicable

Corporate Goals

Community character and mountain culture is reflected in municipal initiatives

Municipal decision-making supports the effective stewardship of natural assets and ecological function

Corporate policies and operations ensure continuous excellence in infrastructure, facility and program management

A high level of accountability, transparency and community engagement is maintained

Corporate financial health is optimized to ensure long-term community success

A vibrant local economy and safe, resilient resort community is effectively reinforced by organizational activities

Community Vision and Official Community Plan

The Official Community Plan (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.

Bylaw Amendment No. 1802-2023 (invasive species) aims to increase funding for invasive species management and RMOW consent to this amendment is strongly aligned with the below listed OCP Goals within the Natural Environment Chapter 7:

7.1. Goal – Whistler’s sensitive ecosystems, wildlife, habitat and biodiversity are protected, managed and restored.

7.2. Goal – Natural areas are proactively managed for and resilient to climate change.

MARCH 21, 2023

Bylaw Amendment No. 1806-2023 (Sea to Sky Recreational Trail) aims to increase funding for planning and maintenance of the Sea to Sky Recreational Trail and is aligned with the below listed OCP Goal within the Learning, Culture and Recreation Chapter 9:

9.7. Goal - Continue to work collaboratively with partner organizations to provide quality recreation and leisure amenities and experiences.

BUDGET CONSIDERATIONS

The RMOW has been funding activities related to invasive species management from its own sources since 2009. The amount of funding dedicated to these efforts has generally been growing each year. As mentioned previously, the SLRD began collecting from Whistler property owners to fund its own program in 2018.

With Council consent of SLRD Bylaw Amendment No. 1802-2023 (invasive species), the RMOW contribution to SLRD's Invasive Species work would remain at 20% of the new maximum annual property tax requisition of \$93,750 as set out in the proposed bylaw amendment, meaning the RMOW's contribution would increase from \$15,000 to \$18,750 annually. This increase is anticipated to commence in 2024.

With Council consent of SLRD Bylaw Amendment No. 1896-2023 (Sea to Sky Recreational Trail), the RMOW contribution is currently 58.9 per cent of the maximum annual property tax requisition of \$187,500 as set out in the proposed bylaw amendment. Unlike the invasive species requisition approach, the Sea to Sky Trail service is allocated on converted assessment values meaning the actual dollar amount may shift with assessment changes between the participating areas. A 25 per cent increase to the RMOW's portion would be the highest expected tax requisition moving forward. This would increase the RMOW's annual contribution to approximately \$110,000 from approximately \$88,000.

It is important to keep in mind that property owners in Whistler pay annual amounts to a variety of taxing authorities, including the RMOW and the SLRD. To the extent that one authority increases its requisition, it can become more difficult for others to do the same. In the last five years, the requisitions collected by the non-RMOW taxing authorities from Whistler property owners have grown much faster than the amount that the RMOW has collected for its own purposes.

The two SLRD budget allocations noted above represented only 16 per cent of the total SLRD requisition for 2022, but the fact that they're proposed to grow by 25 per cent does suggest ongoing upward pressure on the total SLRD requisition. Such requests must be considered on their merits and in the context of the full array of services that Whistler property owners are asked to fund each year.

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.

MARCH 21, 2023

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

REFERENCES

Appendix A – October 1, 2007, Council Report 07-138 Sea to Sky Corridor Recreational Trails Services Establishment
Appendix B – SLRD Letter – Regional Invasive Species – Cost Centre #1010
Appendix C – SLRD Board Report - Service Establishment Amendment Bylaw No. 1802-2023
Appendix D – SLRD Letter – Sea to Sky Corridor Recreational Trails Service
Appendix E – SLRD Board Report – Service Establishment Amendment Bylaw No. 1806-2023

SUMMARY

The RMOW has previously provided consent to the SLRD to participate in and partially fund two initiatives important to the region – management of invasive species and advancement and maintenance of the Sea to Sky Recreational Trail. This arrangement is defined by SLRD Bylaws No. 1541-2017 and No. 1006-2007 respectfully.

The SLRD seeks to increase the maximum annual tax requisition value for each of these initiatives by 25% by way of SLRD Bylaw Amendments No. 1802-2023 and No. 1806-2023. RMOW consent is required to complete the proposed amendments.

SIGN-OFFS

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