



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 1, 2007 **REPORT:** 07-138
FROM: Resort Experience **FILE:** SLRD 8780.01
SUBJECT: Sea to Sky Corridor Recreational Trail Services Establishment
 Bylaw No. 1006, 2007

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council consent by resolution to the adoption of Squamish Lillooet Regional District (SLRD) Bylaw No. 1006, 2007 cited as Sea to Sky Corridor Recreational Trail Services Establishment Bylaw No. 1006, 2007.

PURPOSE OF REPORT

The Local Government Act, under "Division 4.1 - Establishing Bylaws" requires the Regional District to have approval of participating municipalities for the establishment of new services. If a proposed participating area is all of a municipality, the council may give participating area approval by:

- (a) consenting on behalf of the electors to adoption of the proposed bylaw, and
- (b) notifying the board of its consent.

DISCUSSION

The SLRD has submitted to the Chief Administrative Officer a request to bring before council SLRD Bylaw No. 1006, 2007. The SLRD requires the support in the form of a council resolution approving its adoption.

The proposed SLRD Bylaw 1006 attached as Appendix B provides long-term funding to support the Recreation Trail Strategy. This excerpt from the Sea to Sky Recreation Trail Strategy provides some insight into the challenges faced by trail advocates. The entire chapter is attached as Appendix D.

"Trail managers, local governments, clubs and volunteers often cite lack of funding and resources as one of the biggest challenges facing trail planning, development and maintenance.....Trail managers, clubs and the local municipalities will need to become increasingly creative to acquire the funding needed to maintain trails."

POLICY CONSIDERATIONS

The enactment of this bylaw provides funding to support trail construction and maintenance. Supporting trails throughout the Sea to Sky corridor provides quality recreational activities that are accessible to the community and our guests. This bylaw is supported by Enriching Community Life, Enhancing the Resort Experience, Partnering for Success, Ensuring Economic Viability and Protecting the Environment. Furthermore, it accomplishes many actions relating to the Recreation and Leisure, Visitor Experience and Resident Affordability Strategies.

The Whistler Cycling Policy, December 2004 identifies the following objective:

“OBJECTIVES

Cycling benefits Whistler’s environment, its economy, the health of its people, the resort experience, and society at large. It is the goal of the Resort Municipality of Whistler to integrate cycling into the lives of residents and visitors by providing safe, accessible and convenient transportation cycling routes and facilities. The RMOW will also encourage and support environmentally responsible recreational cycling as an economic driver of the resort community and a contributor to the well being of Whistler residents.”

BUDGET CONSIDERATIONS

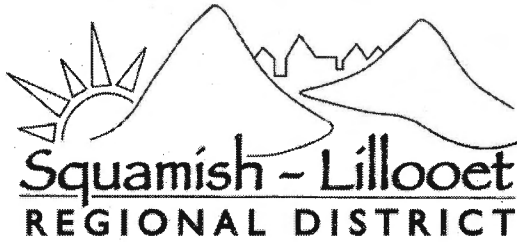
The bylaw will create funding to support trail construction and maintenance on Crown lands in the SLRD and the contained municipalities. The SLRD proposes to utilize a parcel tax that will average \$10.00 per parcel to a maximum draw of \$150,000,00 annually for the trail service that will be added to the Regional District apportionment.

SUMMARY

The following paragraph is from the letter submitted from the SLRD, attached as Appendix A, “The bylaw will enable the SLRD’s construction and ongoing management of the Sea to Sky Trail and permit the SLRD to maintain recreational trails on Crown Land throughout the service area. Ministry of Tourism, Sport and Arts has asked the SLRD to be the lead agency in managing Crown land recreation trails not currently under agreement with another agency. The board has recognized the economic, environmental, and public health benefits of a recreation trail system and has fully supported this venture.”

Respectfully submitted,

David Patterson
Manager Parks Operations
for
Keith Bennett
GENERAL MANAGER OF RESORT EXPERIENCE



September 20, 2007

Bill Barratt, Administrator
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B4

Dear Mr. Barratt:

Re: Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006

Enclosed please find a copy of By-law No. 1006 at third reading. The SLRD is enacting this bylaw in order to deliver a recreational trails service on Crown lands in Pemberton, Whistler, Squamish and Electoral Areas C and D. This service will establish a maximum annual contribution of \$150,000. We expect to collect a parcel tax for the service. The annual amount collected per parcel at the current number of parcels in the service area will be less than \$10.

The bylaw will enable the SLRD's construction and ongoing management of the Sea to Sky Trail, and permit the SLRD to maintain all recreational trails on Crown Land, throughout the service area. Ministry of Tourism, Sport and the Arts has asked the SLRD to be the lead agency in managing Crown land recreational trails not currently under an agreement with another organization. The Board has recognized the economic, environmental and public health benefits of a recreational trail system and has fully supported this venture.

Please place this bylaw before Council in order to obtain a resolution approving its adoption. Once we have received the completed form (attached), the bylaw will be forwarded to the Inspector of Municipalities for approval.

I appreciate your assistance with this matter. If you require further information, I would be pleased to provide it.

Yours truly,

Allison Macdonald
Manager of Administrative Services

Encl.

SQUAMISH-LILLOOET REGIONAL DISTRICT

BYLAW NO. 1006-2007

A bylaw to establish a Recreational Trails Service for the Sea to Sky Corridor

WHEREAS:

- A. a regional district may, by bylaw, establish and operate a regional trails service under the provisions of Part 24 of the Local Government Act;
- B. The Squamish-Lillooet Regional District Board has endorsed the Sea to Sky Corridor Recreational Trail Strategy which would provide a regional trail network;
- C. the Board considers it desirable to provide for the service of regional trails for recreational purposes within the Sea to Sky Corridor, being generally Electoral Area C, D, the Village of Pemberton, Resort Municipality of Whistler and District of Squamish;
- D. The approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*; and
- E. The consent of the Directors of Electoral Area C, D and consenting resolution of the Council of the Village of Pemberton, Resort Municipality of Whistler and District of Squamish has been received, pursuant to sections 801 (4) and 801 (5) of the *Local Government Act*.

NOW THEREFORE, the Board of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

Service Being Established

1. The Board hereby establishes a service for the purpose of providing a regional trail service, and shall be known as the "Sea to Sky Corridor Recreational Trail Service".
2. The Board may enter into contracts to provide regional trails within the service area.

Service Area Boundaries

3. The boundaries of the Service Area are the entirety of Electoral Area C, Electoral Area D, Village of Pemberton, Resort Municipality of Whistler, and the District of Squamish.

Participating Area

4. The participants in the service established under Section 1 shall be the entirety of Electoral Area C, Electoral Area D, Village of Pemberton, Resort Municipality of Whistler, and the District of Squamish.

Cost Recovery

5. As provided for in Section 803 of the *Local Government Act*, the annual cost of providing the service shall be recovered by:
 - a) property values taxes imposed in accordance with Division 4.3 of Part 24, *Local Government Act*;
 - b) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - c) fees and charges imposed under section 363 of the *Local Government Act*;
 - d) revenues raised by other means authorised under the *Local Government Act* or another act; or
 - e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

Requisition Limits

6. The maximum amount that may be requisitioned annually for the service shall be \$150,000.

Effective Dates

7. This Bylaw takes effect upon the date of its adoption.

Citation

8. This bylaw may be cited as "Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006-2007".

READ A FIRST TIME this 12th day of January, 2007.

READ A SECOND TIME this 12th day of January, 2007.

READ A THIRD TIME this 12th day of January, 2007.

Consent of the Electoral Area C Director obtained this day of , 2007.

Consent of the Electoral Area D Director obtained this day of , 2007.

Consenting resolution of the Village of Pemberton Council obtained this day of , 2007.

Consenting resolution of the Resort Municipality of Whistler Council obtained this day of , 2007.

Consenting resolution of the District of Squamish Council obtained this day of , 2007.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of , 2007.

ADOPTED this

day of , 2007.

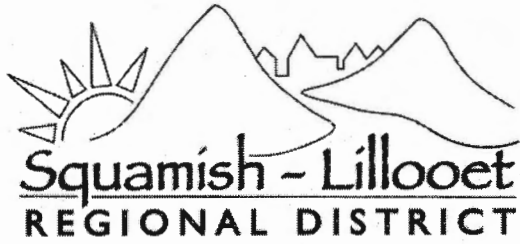
Russ S. Oakley
Chair

Paul R. Edgington
Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1006, cited as "Sea to Sky Corridor Recreational Trail Service Establishment Bylaw No. 1006-2007", as read a third time.



Secretary



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Date: _____

Bylaw Consent Form

I, _____, Corporate Officer of the Resort Municipality of Whistler in the Squamish-Lillooet Regional District, do hereby declare that the Council of the Resort Municipality of Whistler has consented by resolution to adoption of the Bylaw No. 1006, cited as Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006-2007 at the Council meeting held on _____.

Shannon Story, Corporate Officer

Appendix D

A chapter from the “Sea To Sky Recreational Trail Strategy”, draft February 2007.

“Funding and Resources

Trail managers, local governments, clubs and volunteers often cite lack of funding and resources as one of the biggest challenges facing trail planning, development and maintenance. Many trails in the Sea to Sky Corridor have been built by volunteer labour over many years. To sustain these extensive trail networks with necessary amenities that include such things as signage, building materials and trail head facilities, substantial funding is required. As municipalities take on increasing responsibility for trail management and clubs begin to consider formal risk management programs, greater funding is required just to maintain minimum trail standards.

Trail managers, clubs and the local municipalities will need to become increasingly creative to acquire the funding needed to maintain trails.

Trail networks provide a recreational amenity to community residents. They provide social, economic and health benefits to communities, not unlike sports fields and arenas. As the perception of trails as municipal facilities continues to evolve (as has happened in Whistler and taking place currently in Squamish and Pemberton) municipalities will inevitably be called upon by local tax payers to provide funding and resources for trail management.

Clubs, user groups, associations and committees can provide funding for trail construction and maintenance by two primary methods; in-kind volunteer labour and direct money from fundraising or membership dues. The Sea to Sky Corridor experienced an unprecedented level of single track trail building, mostly by club members, during the early to mid nineties that reached a peak towards the end of the decade. Since that time, clubs have struggled with “volunteer burnout” as the enthusiasm for trail building has dwindled and the original generation of trail builders is increasingly focused on family and careers. In-kind volunteer labour is becoming increasingly scarce (while number of riders is ironically increasing) and membership dues are not increasing proportional to the increased users. Changes to community demographics, general trends and high demand for volunteer effort all indicate an unstable and fluctuating supply of volunteer and club resources. Clubs will need to look at additional fund raising and grant opportunities to secure funds for trail management.

In order to sustain the existing network and adequately plan for future trail development, all stakeholders will be required to address funding requirements in a formal and coordinated manner. Acquisition and management of appropriate funding will be a primary focus for the Sea to Sky Corridor Trail Coordination Committee.

To ensure adequate resources for trail management stakeholders will be required to pursue a number of different funding mechanisms:

Grants

The social, economic and health benefits of trails, and the contribution they make to healthy communities is becoming increasingly apparent. Recognition of trail building and maintenance as a legitimate activity critical to the sustainability of the networks and therefore beneficial to communities has fostered the availability of grants for various groups including municipalities. Seeking out, identifying and applying for available grants requires a dedicated and consistent effort. Funding initiatives by government, non-profit and private enterprise are constantly being initiated or dissolved. A formal, coordinated effort to identify and seek funding through available grants will be a primary focus for trail coordination committees.

Provincial Funding

In June of 2005, the Ministry of Sport, Tourism and the Arts assumed responsibility for the management of recreational trails on Crown land. MTSA has adopted a mandate to double tourism revenue in British Columbia by 2015. The Ministry has committed to making targeted improvements to recreational trails to support tourism and improved health and fitness for all British Columbians. As one of the highest profile and most intensive trail use areas in the Province, an authorized and established trail network in the Sea to Sky Corridor will be well positioned to advocate for funds from the Ministry.

Through the Squamish Recreation District, Recreation Officer, funds have been and will continue to be made available for funding of trail related projects throughout the District.

Commercial Recreation Operators

Many commercial recreation operators rely on trails that have been built or maintained by clubs, municipalities or local individuals. The trails are a fundamental component of their tour operations. Operators are required to maintain commercial land use tenures. However in many cases for-profit operators use trails on Crown land in the Corridor without valid tenures. This type of use occurs in trespass and is a source of potential conflict and liability to the Crown. Illegal commercial operators do not have a contractual agreement with the Crown to pay fees and maintain trails in accordance with an approved Management Plan. There is a perception that exists with the public that this is the case of all commercial operators. As a result, conflicts can and do exist between commercial operators who gain financial benefit from the extensive trail network and the communities struggling to acquire resources to maintain them. Conflicts seldom occur between existing tenured operators and the public because their Management plans require conflict avoidance and resolution.

Through authorization of the network, tenures and permits can be issued to commercial operators who otherwise are operating illegally. Tenures and permits issued to commercial operators utilizing trails require them to support trail management efforts through in-kind contributions, trail or network sponsorship or re-allocation of collected fees. Additionally, fees paid to the Province by these operators could be allocated directly to trail management efforts rather than being received into general revenue.

Adopt a Trail

Local businesses and non-profit organizations may consider "adopting" a trail or trails.

Adopting a trail may entail financial contributions to local trail clubs for maintenance or management, contributions to trail amenities such as signs or provision of labour.

Recognition for organizations adopting trails can be given on trail signage, web based mapping, local trail or any number of ways. Adopt a trail programs should not be confused with trail agreements entered into with MTSA.

Issues:

- Expanding network with increasing usage requires increased resources (funding).
- Provision of funding/resources by clubs alone is inconsistent and inadequate.
- Municipalities looked to for larger role in providing resources.
- Commercial Operators currently use unauthorized trails without tenure and therefore do not formally support trail management and maintenance.
- Need for coordinated, formal fund raising efforts.

Management Objectives:

1. Establish formal fund raising committee(s).

A formal, coordinated approach to acquiring and allocating funds on a priority basis throughout the network will be a key role of trail coordination committees. Terms and mechanisms for determining allocation of resources will be critical step to ensure Corridor

wide support. Fund raising committees will function as a component of the Corridor or regional trail coordination committees.

2. Work with local Commercial Operators to ensure they are involved in the trail management processes. Local clubs, trail coordination committees and land managers can work with Provincial officials to ensure the Commercial Recreation Regulations are enforced in their trail networks. Additionally all licensed and tenured commercial recreation operators that use trails should be required to participate in trail management through committee processes. This will provide the basis for coordination of resources between commercial operators, MTSA and local clubs.

3. Trail coordination committee(s) to explore concept and establish framework for trail 'adoption' programs.

Trail coordination committee(s) in conjunction with municipal trail managers and the District Recreation Officer should explore the viability and interest amongst local businesses for trail adoption programs. Terms, conditions and program requirements can then be developed.