



**RESORT MUNICIPALITY OF WHISTLER**

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## STAFF REPORT TO COUNCIL

**PRESENTED:** March 19, 2024 **REPORT:** 24-034  
**FROM:** Community Engagement & Cultural Services **FILE:** 1850-30  
**SUBJECT:** 2024 VALUE IN KIND LEASE AGREEMENTS RECOMMENDATIONS

### RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the General Manager of Community Engagement & Cultural Services be endorsed.

### RECOMMENDATION(S)

**That** Council approve the Resort Municipality of Whistler (RMOW) entering into Value-In-Kind (VIK) Lease Agreements with the following four organizations who provide programs and/or services that Council considers necessary or desirable to move the RMOW and Whistler toward achieving the vision, goals and objectives identified in Whistler's Official Community Plan; and who have been provided space in RMOW buildings rent-free for their operations:

- Association of Whistler Area Residents for the Environment;
- Conservation Officer Service;
- Sea to Sky Invasive Species Council; and
- Whistler Adaptive Sports Program;

subject to each of the above-named recipients agreeing to the terms and conditions of a recipient-specific lease agreement with the RMOW.

### PURPOSE OF REPORT

The purpose of this report is to provide Council with a summary of four Value-In-Kind (VIK) lease agreements being put in place to reflect the value of the Resort Municipality of Whistler (RMOW) owned office space these organizations use to provide important services to the community.

Information Report  Administrative Report (Decision or Direction)

### DISCUSSION

#### Background

In accordance with *Council Policy A-39 Fee for Service* (Policy A-39) (attached as Appendix A) the RMOW provides Fee for Service (FFS) funding and/or VIK benefits to not-for-profit organizations that provide programs and/or services that Council considers necessary or desirable to move the RMOW and Whistler toward achieving the vision, goals, and objectives identified in Whistler's Official Community Plan (OCP).

This report pertains to four VIK benefit applicants identified in the Recommendation. If an organization also receives a FFS contribution, their VIK benefit amounts are captured in a Schedule appended to their FFS agreement, and if the VIK relates to use of RMOW property, a lease agreement or operating agreement is put in place. In the case of this report, three organizations receive only a VIK benefit under Policy A-39, and Sea to Sky Invasive Species Council receives both a FFS funding contribution (approved by Council on January 23, 2024 – [Administrative Report No. 24-012](#)) as well as a VIK benefit. All four organizations named in this report require a lease agreement to be put in place to reflect their use of RMOW-owned office space and the related utility costs paid for by the RMOW.

RMOW-owned office space is not abundant and therefore this VIK benefit is not one available to all non-profits working in the community. Staff are not recommending expanding this type of VIK at this time and this report is simply to ensure leases that reflect the VIK benefit these four organizations enjoy are put in place.

Between April 2022 and December 2022, Cunningham & Rivard Real Estate Appraisal and Consulting was contracted to produce valuations on the municipal facilities the VIK recipients use to support their operations. These valuations can be found in Appendix B and Appendix C.

The below chart outlines the valuations provided. Note that each valuation includes a Terms of Reference and basic assumptions which can be found in the valuations.

	Forestry Building – Cheakamus (1101 Cheakamus Lake Rd)	Alta Lake South House (5568 Old Mill Road)
Total Square Footage	±2,220 ft <sup>2</sup>	±1,050 ft <sup>2</sup>
VIK Valuation range / year	\$26,000 - \$31,000/year	\$24,000 - \$30,000/year
VIK Valuation range / ft <sup>2</sup>	\$12-\$14 per ft <sup>2</sup>	NA

On September 26, 2023, RMOW staff provided the VIK application template to the four organizations named in this report. RMOW staff received completed VIK applications from each applicant on or prior to the due date of November 1, 2023.

To date, these organizations have not entered into any previous VIK lease agreement with the RMOW.

**Analysis**

The RMOW General Manager (GM) of Community Engagement & Cultural Services (CECS) and the RMOW Administrative Assistant (CECS), assessed each application and compared their individual assessments against criteria in Policy A-39; specifically.

- 40% for the extent to which the proposed services are intrinsic to Whistler and are consistent with the OCP.
- 20% for the extent to which the applicant is uniquely positioned to deliver the services.
- 20% for the implications if VIK were not provided.
- 10% for Key Performance Indicators.
- 10% for thoroughness, accuracy, clarity.

**2024 VIK Staff Recommendations**

These organizations have all been occupying RMOW space prior to 2024 but were not operating under a lease agreement that reflected the VIK contribution of the RMOW. Staff would like to fix this oversight and enter into VIK lease agreements with each organization, to document and acknowledge the benefits to the community these organizations provide in exchange for the stated value of rent and utilities, without any actual monetary exchange taking place. As several of these organizations share common space, the values were calculated as follows:

- Monthly rate was calculated by using an average valuation amount with consideration to the square footage used.
- Shared common space was split between organizations that utilize that area. Note, that the space for the Forestry Building – Cheakamus is shared by three organizations.
- The first table outlines the rent related VIK only, and the second table displays the approximate annual VIK provided in hydro fees.

	Location	Valuation Amount Provided	Ft <sup>2</sup>	Shared Space Used (ft <sup>2</sup> )	Monthly Valuation	Annual Valuation
AWARE	Forestry Building - Cheakamus	\$26,000 - \$31,000/year, \$12-\$14 ft <sup>2</sup>	609	266.5	\$926.25	~ \$11,115
Conservation Officer	Forestry Building - Cheakamus	\$26,000 - \$31,001/year \$12-\$14 ft <sup>2</sup>	500	266.5	\$808.17	~ \$9,698
SSISC	Forestry Building - Cheakamus	\$26,000 - \$31,001/year \$12-\$14 ft <sup>2</sup>	232	266.5	\$517.84	~ \$6,214
WASP	Alta Lake South House	\$2,000 - \$2,500	800	NA	\$2,250	~ \$27,000
<b>Total Rental VIK provided</b>						<b>~ \$54,027</b>

	Location	Hydro Fees
AWARE	Forestry Building - Cheakamus	~ \$1,645
Conservation Officer	Forestry Building - Cheakamus	~ \$1,444
SSISC	Forestry Building - Cheakamus	~ \$923
WASP	Alta Lake South House	~ \$1,616
<b>Total Hydro VIK provided</b>		<b>~ \$5,628</b>

Total VIK for all four organizations annually between rent and hydro: **\$59,655.**

**Whistler Area Residents for the Environment (AWARE)**

AWARE works to build a sustainable, climate resilient community and to safeguard biodiversity, habitat and wilderness values. They operate out of the Forestry Building in Cheakamus where they use 609 ft<sup>2</sup> with a shared space of 738 ft<sup>2</sup> (which was split to 266.5 ft<sup>2</sup> per organization that utilizes this space). The primary use for this space is office and program supplies storage space.

Without the provision of support from the VIK office/storage space, AWARE's capacity to execute core programs would be diminished, consequently diminishing contributions to RMOW goals outlined in strategies concerning waste, climate, transportation, natural areas, community well-being and beyond.

Annual VIK rental recommendation	Annual VIK provided through Hydro/gas (based on square footage used)	Total
~ \$11,115	~ \$1,645	~ \$12,760

**Conservation Officer Service (COS)**

The COS is a provincial agency within the Ministry of Environment & Climate Change Strategy providing public safety on natural resource law enforcement and human wildlife conflicts prevention and response.

The COS operates out of the Forestry Building in Cheakamus where they use 500 ft<sup>2</sup> with a shared space of 738 ft<sup>2</sup> (which was split to 266.5 ft<sup>2</sup> per organization that utilizes this space). The primary use for this space is as office space to maintain a presence in Whistler which allows faster response time to emergencies where their services are required.

In the absence of VIK support from RMOW, the COS would still carry out their provincial mandate; however, there would be an impact on response time and the presence of officers.

Annual VIK rental recommendation	Annual VIK provided through Hydro/gas (based on square footage used)	Total
~ \$9,698	~ \$1,444	~ \$11,142

**SSISC**

The SSISC mandate is to minimise the threat of invasive species and their impact on the environment, the economy and human health in the Sea to Sky corridor. The SSISC receives Fee for Service funding in addition to the VIK contribution outlined in the following table.

The SSISC operates out of the Forestry Building in Cheakamus where they use 232 ft<sup>2</sup> with a shared space of 738 ft<sup>2</sup> (which was split to 266.5 ft<sup>2</sup> per organization that utilizes this space). The primary use for this space is for office and storage space which allows them to deliver their strategic goals and deliver their mandate to the Whistler community.

The unavailability of office and storage space for SSISC would significantly impact its operations. Finding or affording an alternative location for renting office and storage space, as well as parking company vehicles in Whistler, is unlikely. In such a scenario, the organization might have to resort to having all staff work from home, although this is not feasible for some employees. Moreover, the logistical challenges of moving equipment from storage containers to home offices and vehicles would result in increased mileage, higher staff costs, and a larger carbon footprint. Overall, this would

necessitate allocating more time and funds to administrative expenses and logistics, diverting resources from the organization's mission and purpose.

Annual VIK rental recommendation	Annual VIK provided through Hydro/gas (based on square footage used)	Total
~ \$6,214	~ \$923	~ \$7,137

**Whistler Adaptive Sports Program (WASP)**

WASP’s mandate is to facilitate inclusive, life-changing experiences through sport and recreation opportunities.

WASP operates out of the Alta Lake South House where they use 800 ft<sup>2</sup>. The primary use for this space is to offer the following programs: adaptive kayaking, adaptive canoeing, adaptive paddle boarding, adaptive sailing, kids’ camps and specialized multisport camps for other not-for-profit groups like Canuck Place and Spinal Cord Injury BC. The space also houses their adaptive watersport equipment over the winter months.

If the VIK was not available, WASP would need to reconsider or modify their summer operations. This would significantly reduce the variety and amount of adaptive sport summer programs that would be available in Whistler. Access to the Alta Lake House South is vital for WASP summer operations and provides critical storage for their water sports equipment over the winter months.

Annual VIK rental recommendation	Annual VIK provided through Hydro/gas (based on square footage used)	Total
~ \$27,000	~ \$1,616	~ \$28,616

**POLICY CONSIDERATIONS**

**Relevant Council Authority/Previous Decisions**

*Council Policy A-39: Fee for Service* - guides the RMOW in the FFS program, attached as Appendix A.

January 23, 2024: [Administrative Report No. 24-012](#)

November 16, 2021: [Administrative Report No. 21-130](#)

**2023-2026 Strategic Plan**

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

**Strategic Priorities**

Housing

*Expedite the delivery of and longer-term planning for employee housing*

Climate Action

*Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan*

Community Engagement

*Strive to connect locals to each other and to the RMOW*

Smart Tourism

*Preserve and protect Whistler's unique culture, natural assets and infrastructure*

Not Applicable

*Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs*

## **Community Vision and Official Community Plan**

The 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.

Section 3.0 of the FFS Policy, identifies OCP goals and policies including (but not limited to):

### **Chapter 6: Economic Viability**

Our Shared Future (partial narrative): facilities, works and services, operations, maintenance levels and community programming including events are an important factor in maintaining the authentic mountain experience. Investments undergo scrutiny to maximize benefit to the resort community and minimize taxpayer impact, ensuring the highest and best use of limited financial, social and natural resources in the long term.

**6.4.1.3. Policy** Emphasize resourcefulness across the municipality while delivering cost-effective and affordable service excellence.

## **CHAPTER 8 HEALTH, SAFETY AND COMMUNITY WELL-BEING**

**8.1. Goal:** Promote, encourage and support initiatives that strengthen the community's sense of place and sense of belonging.

**8.1.1. Objective** Protect and enhance Whistler's character and sense of place.

**8.1.1.1. Policy** Support initiatives that preserve and celebrate Whistler's character, sense of place and unique, authentic mountain culture.

**8.1.2. Objective** Promote and support connections to the natural environment.

**8.1.2.2. Policy** Promote and encourage a culture of environmental protection and sustainability and living and playing within the community's carrying capacity.

**8.6. Goal** Create and embed effective governance mechanisms and partnerships to create trust, responsibility and accountability.

**8.6.2. Objective** Work with partners to achieve mutual benefits.

## **CHAPTER 9 LEARNING, CULTURE AND RECREATION**

**9.5.8.5. Policy** Continue to collaborate with relevant agencies, user groups, stakeholders, local health authorities and the Squamish Nation and Lil'wat Nation regarding recreational trail management and development issues in Whistler and the Sea to Sky corridor, including the Sea to Sky Trail.

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## **BUDGET CONSIDERATIONS**

The total value of the recommended 2024 VIK investments for these four organizations is approximately \$59,655. In the case of these four organizations, the RMOW forgoes revenue to provide rent free office and storage space in recognition of the value of the services these organizations provide to the community. The utility costs covered by the RMOW for these organizations, while a small amount, is covered by general taxation. As always, with Policy A-39, Council should weigh the impact on the remaining taxpayers when making decisions with regard to FFS funding or VIK benefits.

## LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líl'wat 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.

The current VIK application does not specifically ask for this information.

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## COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform     Consult     Involve     Collaborate     Empower

Comment(s):

Consistent with Policy A-39 and in accordance with the Community Charter Chapter 26, Part 3, the RMOW must provide public notice of its intention to provide assistance before the assistance is provided. This will be done through an advertisement in the Pique Newsmagazine that will identify the recipients of the assistance, and describe the nature, term and extent of the proposed assistance.

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## REFERENCES

Appendix A - Council Policy A-39: Fee for Service  
Appendix B – Forestry Building – Cheakamus – Rental Valuation  
Appendix C – South House & Alta Lake SH Rental Valuation  
Appendix D – AWARE 2024 VIK Application package  
Appendix E – COS 2024 VIK Application package  
Appendix F – WASP 2024 VIK Application package

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## SUMMARY

VIK lease agreements have yet to be implemented by the RMOW with the four organizations identified in the recommendation.

During 2023, RMOW staff reviewed and considered the four 2024 VIK benefit applications and, subsequent to that review, is recommending 2024 VIK contributions in the amount of approximately \$59,655.

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## SIGN-OFFS

### Written by:

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### Reviewed by:

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