

To: Electoral Area Services Committee
From: Katelyn Hipwell, Manager of Planning

Date: 2025-10-09

Subject: Hemlock Valley Resort Association Initiative

Reviewed by: Graham Daneluz, Director of Planning & Development | Emergency Management
Jaime Van Nes, Director of Legislative Services
Jennifer Kinneman, Chief Administrative Officer

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to require that the proponent provide a third-party review and assurance that the proposed association bylaws meet the requirements of the *Resort Association Act* and *Societies Act* and accord with best practices;

AND THAT the Fraser Valley Regional District Board will consider the proposed resort promotion area and the proposed bylaws of the association at a subsequent meeting;

AND FINALLY THAT the Fraser Valley Regional District Board direct staff to offer mailing and addressing support on a cost recovery basis as described in this staff report to the proponent for the purposes of conducting the required petition for the Hemlock Valley Resort Association initiative.

BACKGROUND

Sasquatch Mountain Resort, in partnership with the Hemlock Valley Homeowners Association, is pursuing the establishment of a Resort Association for Hemlock Valley under the *Resort Associations Act*. The provincial application process is being advanced by Larch Business Services working on behalf of the proponents. The proponent has developed a website for the initiative (<https://www.hemlockvalleyresortassociation.com/>) and has been engaging with the community via online comment forums and informational meetings.

The role and function of resort associations is set out in the *Resort Associations Act*, which also sets out provisions for their governance and empowers resort associations to collect levies from members to support their operations. Resort associations deliver a range of promotional services and activities such as marketing, business promotion, signage and special events within the resort area. As an association, they are accountable to their members and not the local government in which they are located. Resort associations are not responsible for the delivery of local services.

There are currently four existing Resort Associations in BC, which have been established in connected to mountain resorts in Whistler, Sun Peaks, Red Mountain and Silver Star.

A resort association can be established if one of the following conditions is met:

- The area is within a resort region,
- The area has ski lift operations, year-round recreational facilities and commercial overnight accommodations, or
- A person has entered into an agreement with the Provincial government to develop ski lift operations, year-round recreational facilities and commercial overnight accommodation on provincial Crown land.

Sasquatch Mountain Resort is eligible under these criteria as an all-season mountain resort.

Process for Establishing a Resort Association

Establishment of a Resort Association is a proponent-led process that is overseen by the province, with final approval given by the Minister of Housing and Municipal Affairs. Local governments represent a relatively minor role early in the process. The following key steps are required:

| | Responsible | Comments |
|--|---|--|
| Local government approval of: 1. the resort promotion area (i.e., the area within the jurisdiction of the Resort Association), and 2. the proposed bylaws of the association | FVRD | <ul style="list-style-type: none"> • preliminary review of concept • early in overall process • pre-empts property owner expressions of support or non-support |
| Petition process demonstrating support of at least 50% of the property owners representing at least 50% of the net taxable assessed value of the lands within the resort area | Proponent | <ul style="list-style-type: none"> • formal expression of support or non-support from property owners • requires critical threshold of support to proceed • must be validated in accordance with the <i>Community Charter</i> |
| Final approval of the resort association, resort promotion area, and bylaws | Minister of Housing and Municipal Affairs | <ul style="list-style-type: none"> • comprehensive, end-process approval of all aspects of the resort association |

The full process, involving all provincial procedural steps, is detailed in the *Provincial Guide to Resort Association Process*, illustrated below in Figure 1.

Quick Reference Guide To Creating A Resort Association

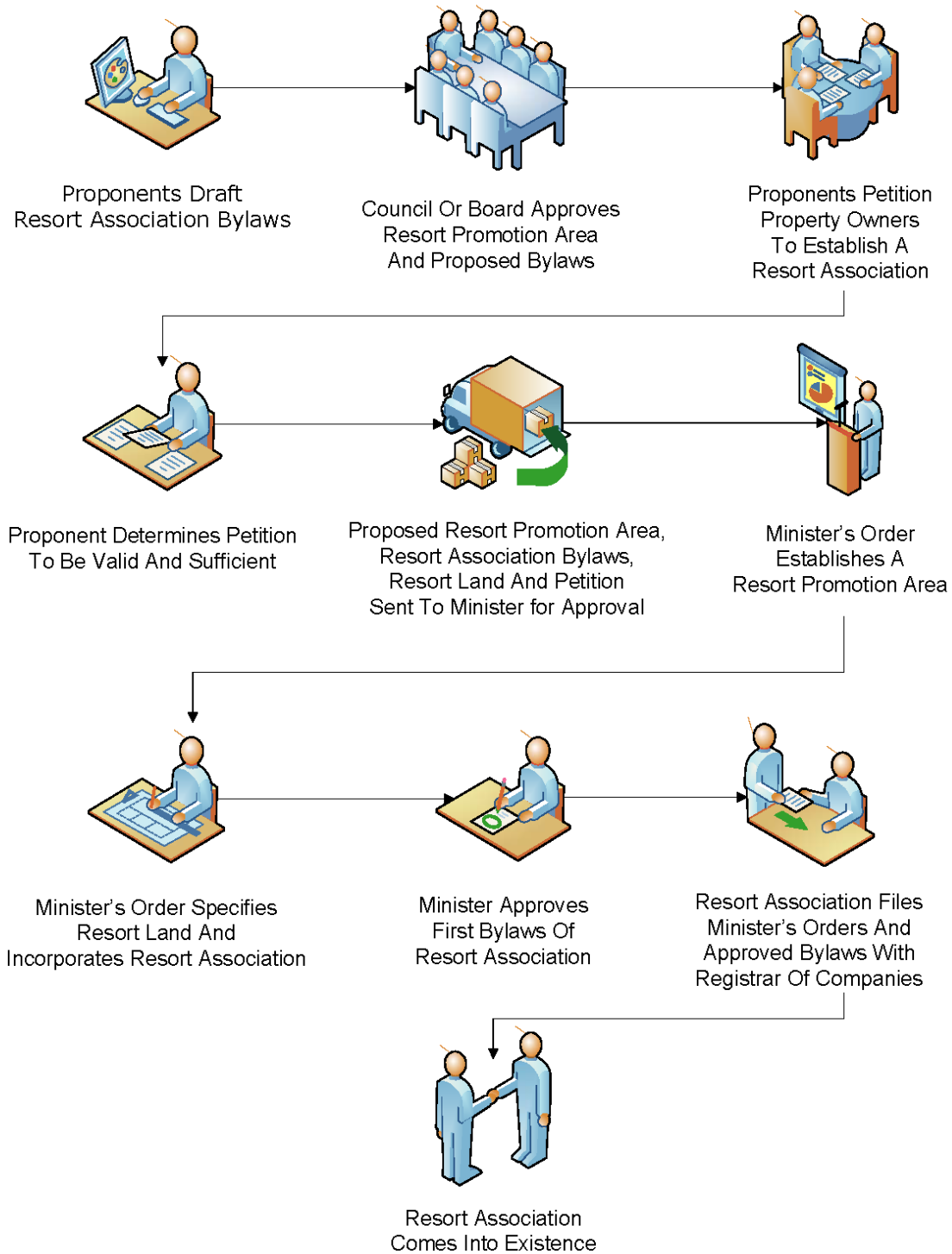


Figure 1: Provincial Guide to Resort Association Process

Resort Promotion Area

The resort promotion area is the defined area for which a resort association undertakes activities to promote, facilitate and encourage the development, maintenance and operation of a resort. Generally, this area includes the Crown lands on which the resort amenities are located along with the area with accommodation and residential areas, and additional property for future development.

The local government must consider and approve the proposed resort promotion area before the proposal can proceed to the petition of property owners. This does not constitute the final approval of the resort promotion area. It is considered by the community through the petition process and final approval is given by the Minister of Housing and Municipal Affairs, as illustrated in Figure 1.

Resort Association Bylaws

The resort association proponent is required to develop the proposed bylaws that will provide the governance framework for the resort association. Proponents are encouraged to review bylaws and best practices from the other existing resort associations. The bylaws need to reflect the goals, scope and complexity of the resort association and conform to the requirements outlined in the *Resort Associations Act* and the *Societies Act*.

The local government must approve the resort association bylaws, in conjunction with the resort promotion area, before the proposal can proceed to the petition of property owners. This does not constitute the final approval of the proposed bylaws. They are considered by the community through the petition process and final approval is given by the Minister of Housing and Municipal Affairs, as illustrated in Figure 1. The FVRD can consider what level of scrutiny over the bylaws is warranted, whether the review is conducted by staff, by the FVRD Board, or via a 3rd party professional assurance.

In the absence of an established terms of reference for the development of association bylaws, staff recommend that the proponent provide a 3rd party professional assurance that the bylaws meet the necessary legislative and best practice requirements. This professional assurance could be provided by a lawyer.

DISCUSSION

FVRD Role In Process

At this stage, the FVRD Board must decide how to undertake the review of the resort promotion area and association bylaws and what level of scrutiny or involvement is warranted.

FVRD Board consideration of the resort promotion area and association bylaws occurs **before** the petition process. The role of the Board is to provide for basic local government involvement and preliminary vetting of the overall concept. Staff recommend that the Board view their role as **providing "support in concept", given that the consideration is taken early in the process and before** the formal expression of support/non-support from property owners. The Board has the latitude to define the scope of their involvement and could determine that a broader role is appropriate, however, the legislation does not infer this expectation.

FVRD is not the proponent and will not adjudicate opposing or competing views; this is the role of the petition to all property owners within the proposed resort promotion area. The petition process is the opportunity for affected parties to formally express their acceptance or opposition to the establishment of the resort association. For the petition to be certified as sufficient and valid, and to determine whether the critical threshold of property owner support is present for the proposal to proceed, it must be supported by at least 50% of the affected property owners and those owners must represent at least 50% of the assessed value of the land and improvements that would be subject to levies.

Proponent's Request for Support

The proponent has requested support from the FVRD with addressing and mailing pre-prepared petitions with postage to affected property owners. The proponent has had difficulty obtaining complete property owner information from BC Assessment due to privacy regulations. FVRD staff can populate a mailing list and labels based on the proposed resort promotion area. The proponent is seeking the FVRD to complete the mailout on their behalf with information. FVRD will not be responsible for validating the accuracy of the petition process, this will be done by the proponent via a 3rd party in accordance with the requirements of section 212 of the *Community Charter*.

Options for Consideration

The proponent is seeking minimal FVRD support to assist with addressing pre-prepared petition ballots. FVRD staff can assist with this aspect of the mailout if directed by the FVRD Board. Options for the Board's consideration are as follows:

Option 1 (Staff Recommendation)

THAT the Fraser Valley Regional District Board direct staff to require that the proponent provide a third-party review and assurance that the proposed association bylaws meet the requirements of the *Resort Association Act* and *Societies Act* and accord with best practices;

AND THAT the Fraser Valley Regional District Board will consider the proposed resort promotion area and the proposed bylaws of the association at a subsequent meeting;

AND FINALLY THAT the Fraser Valley Regional District Board direct staff to offer mailing and addressing support on a cost recovery basis as described in this staff report to the proponent for the purposes of conducting the required petition for the Hemlock Valley Resort Association initiative.

Option 2

THAT the Fraser Valley Regional District Board decline to offer additional support to the proponent for the Hemlock Valley Resort Association initiative in favour of committing only to the legislated responsibilities outlined in the *Resort Association Act*, as follows:

1. Approve the Resort Promotion Area, and
2. Approve the proposed bylaws of the Association.

AND THAT the Fraser Valley Regional District Board direct staff to require that the proponent provide a third-party review and assurance that the proposed association bylaws meet the requirements of the *Resort Association Act* and *Societies Act* and accord with best practices.

COST

There is no means of cost recovery for FVRD participation in the resort association establishment process. Staffing resources from the EA Planning and Legislated Services teams devoted to ongoing discussions with the proponent, legislation and procedural review, and staff reporting to the FVRD Board is facilitated through departmental budgets.

The proponent has offered to compensate FVRD for staffing costs associated with staff time required to conduct the petition mailout.

CONCLUSION

Sasquatch Mountain Resort, in partnership with the Hemlock Valley Homeowners Association, has initiated the establishment of a Resort Association for Hemlock Valley. This is a provincially led process, that requires limited FVRD Board consideration, early in the overall process. Final approval is given by the Minister of Housing and Municipal Affairs.

In addition to the statutory requirements for FVRD Board review and approval of the resort promotion area and association bylaws, the proponent has requested FVRD support with addressing and mailing of pre-prepared petitions to affected property owners. Staff are seeking FVRD Board direction regarding the provision of this support to the proponent and direction regarding necessary supplementary assurances for the consideration of the proposed resort association bylaws.