



BOARD REPORT

TO:

Chair and Directors

File No:

BL851-12
PL20170171

SUBJECT:

Electoral Area B: Electoral Area B Zoning Amendment (Eagle Pass Heli-skiing) Bylaw No. 851-12

DESCRIPTION:

Report from Christine LeFloch, Development Services Assistant, dated November 15, 2017.
3451 Trans-Canada Highway, Revelstoke

RECOMMENDATION #1:

THAT: "Electoral Area B Zoning Amendment (Eagle Pass Heli-Skiing) Bylaw No. 851-12" be given first reading.

RECOMMENDATION #2:

THAT: "Electoral Area B Zoning Amendment (Eagle Pass Heli-Skiing) Bylaw No. 851-12" be referred to all relevant First Nations Boards and Councils for comment.

SHORT SUMMARY:

The applicant would like to offer beer and wine to day use patrons of their heli-skiing business as an après-ski service at their base which is located on the subject property. Service of alcoholic beverages is not a permitted use in the Rural Holdings Zone. The applicant is requesting a site specific use be added to the zone for this property only.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐

BACKGROUND:

PROPERTY OWNERS:

0969883 BC Ltd. (Paul and Kelly Tigchelaar)

AGENT:

Shawn West c/o Eagle Pass Heli-Skiing

ELECTORAL AREA:

B

CIVIC ADDRESS:

3451 Trans-Canada Hwy, Revelstoke

LEGAL DESCRIPTION:

The SE ¼ of Section 25, Township 23, Range 3, West of the 6th Meridian, Kootenay District, Except parts included in RW Plans 663A, 12984 and R265

PID: 016-655-958

SIZE OF PROPERTY:

51.85 ha

DESIGNATION:

RSC – Rural and Resource

ZONE:

RH – Rural Holdings

CURRENT USE:

Eagle Pass Heli Ski base, Glacier Helicopters base

PROPOSED USE:

Service of beer and wine and as an après-ski service from the Eagle Pass Heli-Ski base only

SURROUNDING LAND USE PATTERN:

North: Trans-Canada Hwy, Rural and Resource

South: CP Rail line, Tonkawalla Creek

East: Highway Commercial, Small Holdings, Industrial

West: Rural Resource, Industrial

SITE COMMENTS: The property is divided by the Trans-Canada Highway and the CPR right of way. The portion of the property that is the focus of this application is the area located between the Trans-Canada Highway and the railway line. There are currently two helicopter bases located on the property, including Glacier Helicopters and Eagle Pass Heli-Skiing. Each of these businesses have their own operations building and associated parking. There is also a double walled helicopter fuel tank for refuelling of helicopters on the site. The property is located just outside of the Revelstoke Fires Services Area.

POLICY:**Electoral Area 'B' Official Community Plan Bylaw No. 850****2.1 Growth Patterns****West Revelstoke – West Trans-Canada Hwy**

The West Trans-Canada Highway area contains a mixture of commercial, industrial and residential uses. There is support for the long term viability of this area but significant new development is not encouraged because of the lack of servicing and distance from the City of Revelstoke core commercial area.

4.4 Community Specific Policies

West Revelstoke – Trans-Canada Highway

4.4.24 Recognizing the small geographic area suitable for development and the lack of community services, this area will continue to support existing highway commercial designations but otherwise will maintain a rural character with a minimum parcel size of 4 ha.

Electoral Area 'B' Zoning Bylaw No. 851

3.11 Accessory Building

An accessory building must be located on the same parcel as the principal use with which it relates and must only be used for an accessory use, home occupation or secondary dwelling unit provided home occupation and secondary dwelling unit are a permitted use in the zone where the accessory building is located. Accessory buildings shall not be closer than 2 m to a principal residential use building or 4 m if the accessory building contains a dwelling unit.

3.12 Accessory Use

An accessory use must be located on the same parcel as the principal use with which it relates.

5.4 Rural Holdings (RH)

Principal uses:

- airfield
- agriculture
- backcountry recreation
- driving range
- forestry
- golf course
- horticulture
- small-scale sawmill
- resource extraction
- single family dwelling
- standalone residential campsite
- timber harvesting

Secondary Uses:

- accessory use
- bed and breakfast
- guest ranch
- home occupation
- kennel
- residential campsite
- secondary dwelling unit

The minimum parcel size created by subdivision is 60 ha.

Maximum parcel coverage: 25%

Maximum height for:

Principal buildings and structures = 11.5 m

Accessory buildings = 10 m

Definitions:

AIRFIELD is an area of land set aside for the take-off, landing and maintenance of aircraft;

ACCESSORY BUILDING is a detached building ancillary and exclusively devoted to a principal use or single family dwelling and is used for accessory use or, where permitted, a home occupation or secondary dwelling unit or both;

ACCESSORY USE is the use of land, buildings, and structures that is customarily ancillary to an exclusively devoted to a principal use or single family dwelling;

BACKCOUNTRY RECREATION is the use of land, not immediately accessible by vehicle, for backcountry recreational activities including, but not limited to: hiking, mountain biking, skiing, paddling, or snowmobiling;

FINANCIAL:

There are no financial implications to the CSRD as a result of this application.

KEY ISSUES/CONCEPTS:

Background

The Board may recall a previous rezoning application for Eagle Pass Heli-Skiing which was approved for their guest lodge located on Highway 23 in the Begbie Bench area. At that location, patrons stay at the lodge and also embark on their heli-skiing trips directly from that site.

The current application is for the Eagle Pass operations base, which is where patrons who are staying at different accommodations are shuttled or arrive in their own vehicle prior to embarking on a heli-skiing day trip.

The principal permitted use on the property is the airfield use and the heli-skiing base building is permitted as an accessory use. According to the agent, the Eagle Pass heli-skiing base has been operating from this location for three (3) years. The existing building includes the operations base on the main floor of the building and seasonal staff housing which is located on the second floor. According to the FireSmart Assessment completed by the agent, the Wildfire Hazard level for this property is 2 or Low.

The applicant originally applied for a Temporary Use Permit for the proposed use, however the Liquor Control and Licensing Branch informed staff and the applicant that they are unable to issue a liquor license without permanent zoning in place for the proposed use. As such, the applicant is now applying for a bylaw amendment to allow the proposed use permanently. The TUP application was referred to applicable agencies for comment. These agencies have also been sent a follow up

email notifying them that the application has been changed to a bylaw amendment and requesting updated comments based on the change to a permanent zoning amendment. Referral comments received to date are summarized below.

Proposal

To allow service of beer and wine, as an après-ski service only for clients of Eagle Pass Heli-Skiing. Alcoholic beverage service is to take place in the Eagle Pass Heli-Ski base building only.

Beverage Service Area

The applicant has indicated that the area proposed to be used for the service of beer and wine is approximately 40x50. He notes that this area also includes washrooms, the front desk and a mechanical room. He has noted that the building occupancy is 80 people but they do not expect to be serving more than 30 people at any time.

Liquor License

The applicant has made application to the Liquor Control and Licensing Branch (LCLB) for the proposed beer and wine service. Issuance of a liquor license is pending approval of this application.

Sewage Disposal

The applicant has indicated that the ski base building is connected to an onsite septic system and has provided documentation of the system which is sized for a 7 bedroom staff accommodation.

Water Supply

Water for the development is provided by an onsite groundwater well.

Access and Parking

Access to the Eagle Pass Heli-ski and Glacier Helicopters bases is from a common access off of the Trans Canada Highway (TCH). From there the driveway splits in different directions and leads to individual sites on the property for each operation. The applicant has indicated that they can accommodate 75 vehicles in their parking lot. Approximately half of the guests of Eagle Pass are generally transported to the site by the company shuttle while the other half arrive in their own vehicles. As such, on a normal day of operations the applicant states that the parking lot is only half full. The addition of alcohol service will not add to the client base and parking needs as it will only be offered to clients who have just returned from a day of heli-skiing.

Steep Slopes

The portion of the property that the heli-ski base is sited upon is relatively flat. The portion of the property lying north of the TCH contains steep slopes ranging from 30-50%.

SUMMARY:

The applicant has applied to amend the Electoral Area 'B' Zoning Bylaw No. 851 to include site specific regulations to permit the service of beer and wine as an après-ski service in the Eagle Pass

Heli-Skiing building on the subject property. The applicant originally applied for a Temporary Use Permit and referrals were sent to agencies at that time. Comments received are summarized below. As this is now a full bylaw amendment, referrals should also be sent to applicable first nations.

IMPLEMENTATION:

Consultation Process

Since the proposed bylaw amendments are specific to the subject property only and there are no zoning map changes being proposed, staff recommend the simple consultation process.

COMMUNICATIONS:

Neighbouring property owners first became aware of this application when a sign was posted on the subject property, in accordance with Section 7.2 of the Development Services Procedures Bylaw No. 4001 as amended. The sign was originally posted for the TUP application. The applicant has since amended the sign to state that it is for a rezoning.

Referrals:

The original TUP application was referred to the following agencies for comment:

| | |
|---|---|
| CSRD Operations Management | No concerns re: alcohol permit. Proponent should ensure they have appropriate spill response and fire suppression capabilities due to the large fuel tank on the property that is located outside of the Revelstoke Fire Suppression District. |
| CSRD Finance Department | No comments. |
| Liquor Control and Licensing Branch | Our policies do not allow us to issue a liquor license unless the property is permanently zoned to allow for liquor service. |
| Ministry of Transportation and Infrastructure | The Ministry interests are unaffected by this proposal. |
| Advisory Planning Commission 'B' | Recommended that the application for rezoning be supported. |
| Interior Health Authority | From a healthy community perspective Interior Health does not have any concerns regarding the proposed temporary use at this location; except to recommend the onsite sewerage system be assessed by an Authorized Person under the BC Sewerage System Regulation. Beverage service is a non-residential use which may have an effect on the Daily Design Flow of the on-site sewerage system. As such, the impact of this use on the |

| | |
|--|--|
| | <p>system should be assessed, and any required upgrades should be completed prior to approving the Temporary Use Permit.</p> <p>Interior Health does not have any approved facilities for this location. If this is a commercial building serving staff, and now also proposing beverage service to patrons, a Drinking Water System Operating Permit under the BC Food Premises Regulation may also apply. One of the requirements for this permit will be confirmation the sewerage system is suitable for the beverage service use.</p> |
|--|--|

These agencies were also advised that the application has changed to a permanent rezoning application and have been asked to update their comments if applicable. The TUP application was not referred to First Nations. Staff are recommending that the following first nations be sent referrals regarding the rezoning:

- Adams Lake Indian Band
- Akisqnuk First Nation
- Ktunaxa Nation Council
- Little Shuswap Indian Band
- Lower Kootenay Band
- Lower Similkameen Band
- Neskonlith Indian Band
- Okanagan Indian Band
- Okanagan Nation Alliance
- Penticton Indian Band
- Shuswap Indian Band
- Simpcw First Nation
- Splat'sin First Nations
- St. Mary's Indian Band
- Tobacco Plains Indian Band

DESIRED OUTCOMES:

That the Board give first reading to Bylaw No. 851-12 and refer the bylaw to applicable first nations for comment.

BOARD'S OPTIONS:

1. *Endorse the Recommendation(s).*

2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851
3. Electoral Area B Advisory Planning Commission Minutes dated October 18, 2017

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 2017-12-01_Board_DS_BL851-12_EaglePass.docx |
| Attachments: | - BL851-12 First.pdf - Agency_referral_responses_BL851-12.pdf - Maps_Plans_Photos_BL851-12.pdf |
| Final Approval Date: | Nov 18, 2017 |

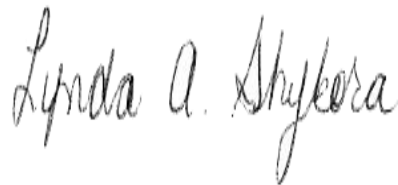
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 16, 2017 - 12:16 PM



Gerald Christie - Nov 17, 2017 - 9:14 AM



Lynda Shykora - Nov 17, 2017 - 12:18 PM



Charles Hamilton - Nov 18, 2017 - 11:28 AM