



BOARD REPORT

TO: Chair and Directors

File No: BL851-12
PL20170213

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

DESCRIPTION: Report from Christine LeFloch, Development Services Assistant, dated June 21, 2018.
3451 Trans-Canada Highway, Revelstoke

RECOMMENDATION #1: THAT: "Electoral Area B Zoning Amendment (Eagle Pass Heliskiing) Bylaw No. 851-12 be read a third time this 19th day of July, 2018.

RECOMMENDATION #2: THAT: adoption of "Electoral Area B Zoning Amendment (Eagle Pass Heliskiing) Bylaw No. 851-12 be withheld until documentation has been received about the Eagle Pass day lodge water system.

SHORT SUMMARY:

This application proposes to add a special regulation which would apply to a portion of the subject property and is intended to clarify existing uses on the subject property related to two heli-tourism operations including heli-tourism day lodge, guest lounge and staff accommodation. The proposed bylaw amendment would also add new definitions related to these uses. A public hearing was held on June 20th, 2018 to hear representations from the public regarding the proposed bylaw amendment.

VOTING:	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
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BACKGROUND:

The Board gave second reading to Bylaw 851-12 at its meeting held April 19th, 2018 and delegated a public hearing to be chaired by Director Parker. The public hearing was held on June 20, 2018 at 6:30 PM at the Revelstoke Community Centre to hear representations from the public regarding the proposed bylaw amendment. Shawn West and Scott Newsome, both of Eagle Pass Heliskiing, attended the meeting. There were no other members of the public in attendance. A record of the public hearing is attached to this report. At this time it is appropriate for the Board to consider the proposed bylaw for third reading.

As the property is located within 800 m of a controlled access highway, statutory approval from the Ministry of Transportation and Infrastructure is required prior to adoption of the amending bylaw.

POLICY:

See staff report "2017-12-01_Board_DS_BL851-12_EaglePass_1st.pdf" attached.

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

A public hearing was held on June 20th, 2018 regarding the proposed amending bylaw. The meeting was attended by staff, the area Director, and two representatives of Eagle Pass Heliskiing. There were no members of the public in attendance. One piece of correspondence was received from an adjacent property owner, however they did not raise any objections to the proposed bylaw amendment. Please see the Communications section below for further details.

See "Public_hearing_notes_2018-06-20_BL851-12.pdf" attached.

See "Public_Submissions_BL851-12.pdf" attached.

At the public hearing the applicant noted that the owner may wish to establish an additional helicopter operation on the subject property on the opposite side of the highway in the future. Staff advised that the current bylaw amendment is intended to allow only the two existing operations, and that if a third business is contemplated in the future, they would need to make application to further amend the bylaw to allow the proposed new use at that time.

The subject property is located within 800 metres of a controlled access highway. As such, statutory approval of the Ministry of Transportation and Infrastructure is required.

During the referrals process Interior Health noted that as it is a commercial use, a Drinking Water System Operating Permit may be required for the Eagle Pass day lodge water system. Documentation of this has not yet been submitted. Staff is recommending that adoption of the bylaw amendment be withheld until this information has been provided by the applicant, or until the applicant provides confirmation from Interior Health that it is not required.

SUMMARY:

The staff recommendations suggests that it is now appropriate for the Board to consider Bylaw No. 851-12 for third reading. Upon third reading, the bylaw will be submitted to the Ministry of Transportation and Infrastructure requesting statutory approval. Following Ministry approval and submission of documentation for the Eagle Pass heli-tourism day lodge water system the bylaw will be brought back to the Board for adoption.

IMPLEMENTATION:**Consultation Process**

Since the proposed bylaw amendment is specific to the subject property and adjacent property only and there are no designation or zoning map changes being proposed, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for the zoning amendment when a notice of development sign was posted on the subject property.

COMMUNICATIONS:

A public hearing was held on Wednesday, June 20th, 2018 to hear representations from the public regarding the proposed bylaw amendment. Staff sent notification of the public hearing to property owners within 100 metres of the subject property and published notices in the Revelstoke Times Review on June 6th, and June 13th, 2018. The public hearing was attended by Development Services staff,

Director Loni Parker, the applicant and another staff member from Eagle Pass Heliskiing. No members of the public were in attendance.

One piece of correspondence was received from Stella Jones who own an adjacent property. They wished to advise that they do not have any objections to the proposed bylaw amendment, but did have concerns with the potential for the current owner or a future property owner to be unhappy with the Stella Jones operation due to the ongoing industrial noise and dust. They noted that by sharing this information in advance it is expected that the applicant accepts the reality that they are located next to an industrial site and does not expect Stella Jones to modify their operations in the future. They also noted that they would like assurance from the CSRD that the proposed bylaw amendment would not in any way affect their operations. This letter is attached for information as (Public_Submissions_BL851-12). The letter was forwarded to the applicant, who contacted Stella Jones to discuss their concerns. The applicant advised staff that they are well aware of the industrial uses in the area and intentionally located their business on the subject property as they felt it was an appropriate location that would not have adverse impacts on the surrounding neighbourhood.

DESIRED OUTCOMES:

That the Board endorse the staff recommendations.

BOARD'S OPTIONS:

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
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

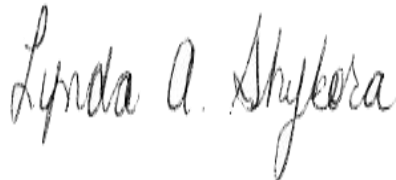
Report Approval Details

Document Title:	2018-07-19_Board_DS_BL851-12_EaglePassHeliskiing.docx
Attachments:	<ul style="list-style-type: none">- BL851-12_Third.pdf- 2018-04-19_Board_DS_BL851-12_EaglePass_2nd.pdf- BL851-12_Second_as_amended.pdf- 2017-12-01_Board_DS_BL851-12_EaglePass_1st.pdf- BL851-12_First.pdf- Public_Submissions_BL851-12.pdf- Public_hearing_notes_2018-06-20_BL851-12.pdf- Agency_referral_responses_BL851-12.pdf- Maps_Plans_Photos_BL851-12.pdf
Final Approval Date:	Jul 11, 2018

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



Gerald Christie - Jul 10, 2018 - 8:46 AM



Lynda Shykora - Jul 10, 2018 - 8:53 AM

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton - Jul 11, 2018 - 11:27 AM