



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL851-14  
PL20180000117

**SUBJECT:** Electoral Area B: Electoral Area B Zoning Amendment (Revelstoke Backcountry Guides) Bylaw No. 851-14

**DESCRIPTION:** Report from Erica Hartling, Development Services Assistant, dated November 21, 2018.  
Unsurveyed Crown land, Twin Butte area, East of Revelstoke

**RECOMMENDATION #1:** THAT: "Electoral Area B Zoning Amendment (Revelstoke Backcountry Guides) Bylaw No. 851-14" be given second reading this 7<sup>th</sup> day of December, 2018.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Electoral Area B Zoning Amendment (Revelstoke Backcountry Guides) Bylaw No. 851-14" be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to the Director of Electoral Area B, being that in which the land concerned is located, or the Alternate Director if the Director is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

## SHORT SUMMARY:

The proposal is to rezone 0.07 hectares of Crown land from RSC - Rural Resource to RC2 – Resort Commercial 2; to permit an intensive use site for a tenured backcountry skiing operation, which will include a backcountry lodge and accessory structures.

The bylaw was given first reading and the Board directed staff to refer the bylaw to applicable agencies and First Nations for comment. Comments have been received and are summarized in this report. It is now appropriate for the Board to consider the bylaw for second reading and referral to a public hearing.

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## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

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## BACKGROUND:

See "2018-09-20\_Board\_DS\_BL851-14\_Revelstoke\_Backcountry\_Guides.pdf",  
"Maps\_Plans\_Photos\_BL851-14.pdf",  
"Winter\_Backcountry\_Recreation\_Tenure\_Management\_Plan\_2017.12.13.pdf",  
"Agency\_Comments\_Crown\_Tenure\_4405817.pdf", and Provincial\_Offer\_Letter.pdf" attached.

## POLICY:

See "2018-09-20\_Board\_DS\_BL851-14\_Revelstoke\_Backcountry\_Guides.pdf" attached.

**FINANCIAL:**

See "2018-09-20\_Board\_DS\_BL851-14\_Revelstoke\_Backcountry\_Guides.pdf" attached.

**KEY ISSUES/CONCEPTS:**

See "2018-09-20\_Board\_DS\_BL851-14\_Revelstoke\_Backcountry\_Guides.pdf" attached.

**Update**

Referral responses are attached, see "Agency\_Referral\_Responses\_BL851-14.pdf".

The Board gave first reading of Bylaw No. 851-14 at its September 20, 2018 Board meeting and directed staff to refer the bylaw amendment to applicable agencies and First Nations for comment. Referral comments have now been received and are summarized in the Communications section of this report and are also detailed and commented on below.

The Area B Advisory Planning Commission (APC) reviewed the application at their November 7, 2018 meeting. Staff attended this meeting and listened to the APC's discussion and answered questions they had concerning the application. Staff noted that Bylaw No. 851-14 is specifically looking at the proposed backcountry lodge. However, the APC discussion primarily surrounded the concern that the Province had authorized commercial recreational tenure (extensive use area), with overlap into the City of Revelstoke's Greeley Creek Community Watershed.

Staff noted that the City of Revelstoke was referred to on both the Crown land application and Bylaw No. 851-14. The City has now recommended approval, as the applicant has addressed the City's concerns surrounding the use in the Greeley Creek Community Watershed. The applicant has included the City's requirements in their approved Management Plan and have also moved all proposed structures outside the Watershed area.

Interior Health submitted referral comments on November 21, 2018, stating that their interests are unaffected and noted that the proposal is not located within the City of Revelstoke's Greeley Creek Community watershed.

The APC recommended to approve Bylaw No. 851-14 conditional on:

1. Winter use only with specific dates identified.
  - a. Staff is not recommending a site specific zone within the RC2 zone restricting the proposed backcountry lodge (i.e. intensive use site) to winter use only because the use (or potential use) of the lodge year round is considered appropriate. The RSC zoning permits backcountry recreation in the extensive use area surrounding the proposed lodge and does not restrict recreation to a specific season. Staff note that the Provincial tenure currently restricts the extension use area and intensive use site to an operational timeline of Dec 1 – May 1; if the applicant was to amend their tenure proposing summer use then the CSRD would receive a referral. The applicant has been in contact with staff and has confirmed that they do not plan to operate a summer business, noting that there is already a summer tenure offered to Selkirk Tangiers in the surrounding extensive use area.

2. Request for documentation of fly out waste disposal and receivership.
  - a. See "RBG\_Waste\_Management\_System.pdf" attached. Staff forwarded the APC comments to the applicant who submitted documentation about flying out the waste and where it is received.

**SUMMARY:**

Staff is recommending that Bylaw No. 851-14 be considered for second reading and referral to a public hearing in order to hear the views of the public on this matter.

**IMPLEMENTATION:**

See "2018-09-20\_Board\_DS\_BL851-14\_Revelstoke\_Backcountry\_Guides.pdf" attached.

**COMMUNICATIONS:**

If a public hearing is delegated, staff will set a date for the public hearing, and proceed with notification of property owners within 100 metres (Crown land - Province of BC) and publication of notices as required by the Local Government Act.

See "Agency\_Referral\_Responses\_BL851-14.pdf" attached.

Bylaw No. 851-14 was referred to the following agencies and First Nations for comment:

- Area B Advisory Planning Commission:  
Recommend approval of Bylaw No. 851-14 with two conditions. See discussion in Key Issues/Concepts of this report.
- CSRD Operations Management:  
No concerns.
- City of Revelstoke:  
Approval recommended subject to one condition. See discussion in Key Issues/Concepts of this report.
- Interior Health:  
Interests unaffected.

The following agencies did not respond to the request for comments:

- Ministry of Environment
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development - FrontCounter BC (Cranbrook)
- Adams Lake Indian Band
- Akisqnuq First Nation
- Ktunaxa Nation Council
- Little Shuswap Indian Band
- Lower Kootenay Band
- Lower Similkameen Indian Band

- Neskonlith Indian Band
- Okanagan Indian Band
- Okanagan Nation Alliance
- Penticton Indian Band
- Shuswap Indian Band
- Simpcw First Nation
- Splat'sin First Nation
- St. Mary's Indian Band
- Tobacco Plains Indian Band

**DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

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

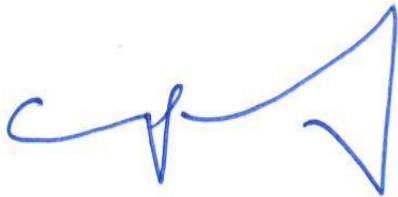
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. License of Occupation Agreement - Number 405561
2. Electoral Area B Official Community Plan Bylaw No. 850
3. Electoral Area B Zoning Bylaw No. 851

**Report Approval Details**

Document Title:	2018-12-07_Board_DS_BL851-14_Revelstoke_Backcountry_Guides.docx
Attachments:	<ul style="list-style-type: none"><li>- BL851-14_Second.pdf</li><li>- 2018-09-20_Board_DS_BL851-14_Revelstoke_Backcountry_Guides.pdf</li><li>- BL851-14_First.pdf</li><li>- Agency_Referral_Responses_BL851-14.pdf</li><li>- RBG_Waste_Management_System.pdf</li><li>- Maps_Plans_Photos_BL851-14.pdf</li><li>- Winter_Backcountry_Recreation_Tenure_Management_Plan_2017.12.13 - FINAL APPROVED PLAN.pdf</li><li>- Agency_Comments_Crown_Tenure_4405817.pdf</li><li>- Provincial_Offer_Letter.pdf</li></ul>
Final Approval Date:	Nov 23, 2018

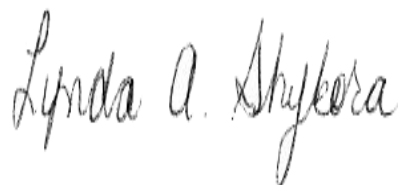
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 22, 2018 - 1:24 PM**



**Gerald Christie - Nov 22, 2018 - 5:20 PM**



**Lynda Shykora - Nov 23, 2018 - 11:58 AM**

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is stylized with a large initial "C" and a long, sweeping horizontal stroke at the end.

**Charles Hamilton - Nov 23, 2018 - 2:50 PM**