



BOARD REPORT

TO: Chair and Directors

File No: BL851-13
PL20180000065

SUBJECT: Electoral Area B: Electoral Area B Zoning Amendment (Boulder Mountain Resort) Bylaw No. 851-13

DESCRIPTION: Report from Erica Hartling, Development Services Assistant, dated August 1, 2018.
3069 Trans Canada Hwy, West Revelstoke

RECOMMENDATION #1: THAT: "Electoral Area B Zoning Amendment (Boulder Mountain Resort) Bylaw No. 851-13" be read a first time this 16th day of August, 2018.

RECOMMENDATION #2: THAT: the Board utilize the simple consultation process for Bylaw No. 851-13, and it be referred to the following agencies and First Nations:

- Area B Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Land Authorizations;
- CSRD Operations Management;
- CSRD Financial Services;
- City of Revelstoke;
- All relevant First Nations Bands and Councils.

SHORT SUMMARY:

The properties that are subject to this rezoning amendment application are located approximately 3.5 km west of the City of Revelstoke, off the Trans-Canada Highway and north of the railway line, in Electoral Area B. The proposal is to rezone 2.3 HA of Crown land, situated east and adjacent to the existing Boulder Mountain Resort property, from RSC - Rural Resource to HC - Highway Commercial; to permit tenting sites for the April-October camping season. The proposal also includes new tourist cabins on the west side of the Boulder Mountain Resort (BMR) property, ten in the form of park model buildings and three stick built. Two of the proposed stick built cabins are over the permitted floor area for a tourist cabin and a site specific regulation under the HC zone is proposed to allow for two 150 m² tourist cabins on the subject property. Bylaw No. 851-13 also proposes some minor text amendments to provide clarification and consistency throughout the bylaw.

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:

PROPERTY OWNERS:

1. Urban Enterprises Corp., Inc. No. A0087871 (BMR)

2. Province of British Columbia (Crown land)

AGENT:

Jason (J.C.) Carlin c/o Boulder Mountain Resort

ELECTORAL AREA:

B

LEGAL DESCRIPTION:

BMR = Parcel B (See 1593481), Legal Subdivision 9, Section 30, Township 23, Range 2, West of the 6th Meridian, Kootenay District

Crown land = Parcel A (See 85285I) of the North West Quarter of Section 29, Township 23, Range 2, West of the 6th Meridian, Kootenay District, Except Part Included in Plan R257

PID:

BMR = 008-081-620

Crown land = 016-651-782

CIVIC ADDRESS:

BMR = 3069 Trans Canada Hwy, Revelstoke, BC

Crown land = Trans Canada Hwy, Revelstoke, BC

SURROUNDING LAND USE PATTERN:

North = Trans-Canada Hwy, Crown land

South = Rural vacant private land, railway line

East = Crown land, portion of application for tenting sites

West = Ministry of Transportation and Infrastructure, vacant land

CURRENT USE:

BMR = commercial resort/campground: camping spaces, lodge building (including 2 tourist accommodation units, office, and washrooms), and utility and washroom buildings

Crown land = vacant

PROPOSED USE:

BMR = commercial resort/campground: addition of 13 tourist cabins, 9 camping spaces, and an outdoor pool

Crown land = commercial resort/campground: 14 tenting sites with 2 pit toilets

PARCEL SIZE:

BMR = 2.77 HA | 6.85 Acres

Crown land = 56.10 HA | 138.63 Acres (subject area for the proposed BMR campground extension is 2.3 HA)

DESIGNATION:

Electoral Area B Official Community Plan Bylaw No. 850

BMR = HC - Highway Commercial

Crown land = RSC - Rural and Resource

ZONE:

Electoral Area B Zoning Bylaw No. 851

BMR = HC - Highway Commercial

Crown land = RSC - Rural and Resource

PROPOSED ZONE:

BMR = HC - Highway Commercial, with site specific regulation

Crown land (2.3 HA) = HC - Highway Commercial

SITE COMMENTS:

See "Maps_Plans_Photos_BL851-13.pdf" attached.

The subject property (i.e. BMR - Boulder Mountain Resort) has been operated as a campground/RV park for over 40 years, formerly known as Canada West RV Park. The property is located off of the Trans-Canada Highway, north of the railway line, and contains a freshwater spring that originates upslope of the Trans-Canada highway, approximately 400 m from the property. Pawlitsky Spring (local name) was day lighted and diverted in the early 1970's to supply the campground with potable water. Pawlitsky Spring is located in the center of the resort and flows south for approximately 100 m before leaving the property.

The resort property was issued a Riparian Area Regulation (RAR) Development Permit and a Commercial Development Permit in 2013, for a group camping area (just outside the designated SPEA), new electrical building and washroom, and a renovation to an existing utility building. The BMR property and subject Crown land do not contain steep slopes; however, the RAR report was accompanied by a geotechnical engineer's stability assessment for the sidewalls of the creek.

The previous owner completed minor repairs and maintenance to existing infrastructure, as well as built the new washroom building. The current owner purchased the subject property in April 2017 and renamed the campground/RV park to Boulder Mountain Resort. The owner reduced the east resort's existing 32 RV sites to 23, to create a more spacious experience for campers and to reduce the strain on the existing east park's septic system. The owner has also completed interior renovations to the main office/lodge building (before adoption of Building Bylaw No. 660), removed the two existing ATCO trailers, and completed substantial improvements to water, septic and electrical services in order to effectively service the existing and proposed uses of the resort.

The owner is now proposing: tent sites (camping spaces) to the west of the resort's existing RV sites (outside the designated SPEA), walk-in tent sites on the Crown land to the east (currently treed and vacant), and an addition of 13 tourist cabins on the west side of the resort.

POLICY:

Electoral Area 'B' Official Community Plan Bylaw No. 850

2. Planning Strategy

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.

3. Rural Resource

3.3 Policies - 3.3.7

Develop a zone for resort or intensive recreation uses on Crown Land and require rezoning approval for new resort or intensive recreation uses. This process will provide an opportunity for public input and a comprehensive review of the proposal including: environmental impact (sensitive and hazardous areas), servicing (water, sewer, roads, power generation, waste disposal) and other relevant issues.

4. Residential

4.4 Community Specific Policies - 4.4.24 West Revelstoke – Trans-Canada Highway

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.

5. Commercial

Highway Commercial

5.3.8 The Highway Commercial area is a gateway to the City of Revelstoke and emphasis will be placed on ensuring that development contributes to a positive image of the community, including:

- a. the development of an attractive gateway to the community through careful building and site design, landscaping and signage;
- b. efficient circulation of vehicles and pedestrians;
- c. effective screening and buffering of commercial uses from adjacent residential uses; and
- d. development will be subject to a development permit subject to the Commercial Development Permit Area (Section 5.4).

5.4 Commercial Development Permit Area

The form, character, appearance and landscaping of commercial properties is an important part of what makes a place attractive and livable. The commercial properties in Area 'B' are located in areas that are highly visible (e.g. Trans-Canada Highway) and/or focal points within communities. Attention to design details will ensure that a high development standard is maintained for commercial areas.

*A Commercial Development Permit is required for the proposed development due to the commercial designation. Staff are processing Development Permit No. 850-28 concurrently with Bylaw No. 851-13. If Bylaw No. 851-13 reaches adoption, then DP 850-28 will also be presented to the Board of Directors at this meeting.

Electoral Area B Zoning Bylaw No. 851

Part 5: Zones

Crown land: 5.3 Rural and Resource - RSC

Principal Uses

- (1) The *uses* stated in this subsection and no others are permitted in the Rural and Resource zone as *principal uses*, except as stated in Part 3: General Regulations:
 - (a) *airfield*

- (b) *agriculture*
- (c) *aquaculture*
- (d) *backcountry recreation*
- (e) *forestry*
- (f) *guest ranch*
- (g) *horticulture*
- (h) *kennel*
- (i) *small-scale sawmill*
- (j) *resource extraction*
- (k) *single family dwelling*
- (l) *standalone residential campsite*
- (m) *timber harvesting*

Secondary Uses

- (2) The *uses* stated in this subsection and no others are permitted in the Rural and Resource zone as *secondary uses*, except as stated in Part 3: General Regulations:
- (a) *accessory use*
 - (b) *home occupation*
 - (c) *residential campsite*
 - (d) *secondary dwelling unit*

Boulder Mountain Resort: 5.12 Highway Commercial - HC

Principal Uses:

- (1) The *uses* stated in this subsection and no others are permitted in the Highway Commercial zone as principal *uses*, except as stated in Part 3: General Regulations:
- (a) *amusement establishment*
 - (b) *campground*
 - (c) *convenience store*
 - (d) *day care*
 - (e) *hotel*
 - (f) *general trade contracting office and works yard*
 - (g) *mini storage*
 - (h) *motel*
 - (i) *office*
 - (j) *owner/operator dwelling*
 - (k) *outdoor sales*
 - (l) *personal service*
 - (m) *plant nursery and services*
 - (n) *pub*
 - (o) *public assembly facility*
 - (p) *recycling drop-off facility*
 - (q) *rental shop*
 - (r) *restaurant*
 - (s) *retail store*
 - (t) *service station*
 - (u) *single family dwelling*

- (v) *wholesale* establishment

Secondary Uses:

- (2) The *use* stated in this subsection and no others are permitted in the Highway Commercial zone as a *secondary use*, except as stated in Part 3: General Regulations:
- (a) *accessory use*
 - (b) *home occupation*
 - (c) *secondary dwelling unit*
 - (d) *tourist cabin*
- (c) Maximum parcel coverage: 40%
- (d) Maximum density of tourist cabins or camping spaces per parcel
- where a parcel is serviced by both a community sewer system and a community water system = 40 per hectare
 - in all other cases = 6 per hectare
- (i) Combined maximum number of camping spaces and hotel/motel/lodge units per parcel = 50
- (k) Maximum height for:
- principal buildings and structures = 11.5 m
 - accessory buildings = 10 m
- (j) Minimum *setback* from:
- *front parcel boundary* = 5 m
 - *interior side parcel boundary* = 5 m
 - *exterior side parcel boundary* = 5 m
 - *rear parcel boundary* = 5 m

Part 4: Parking and Loading Regulations

- Campground: one parking space for each camping space plus one visitor parking space per 10 camping spaces
- Hotel/motel/lodge: two parking spaces plus one per sleeping unit, one loading space, and four bicycle parking spaces
- Office: one parking space per 30 m² of floor area
- Tourist cabin: two per tourist cabin

Part 3: General Regulations

3.16 TOURIST CABINS

- (1) A tourist cabin must:
- (a) have a floor area of less than 65 m² ;
 - (b) have a door direct to the outdoors; and
 - (c) be located on a parcel 1 ha or larger in area.
 - (d) have all parking associated with tourist cabin be on-site. Two (2) parking spaces shall be provided:
 - (i) per tourist cabin;
 - (ii) in compliance with the dimensions and access requirements as set out in Part 4 of this Bylaw;

Part 1: Definitions

BUILDING is a structure used or intended for supporting or sheltering a *use* or occupancy but does not include a tent, *recreational vehicle* or ***park model***;

CAMPGROUND is the *use* of land, *buildings* and structures for *temporary* accommodation in tents or *recreational vehicles* on *camping spaces*, and is not used as year round storage or accommodation for *residential use* for a period exceeding 182 days in a calendar year. This *use* may include accessory facilities for eating and assembly purposes, washrooms, bathing and laundry facilities, entrance kiosk, campground manager's accommodation, convenience retail with a maximum gross floor area of 100 m²;

CAMPING SPACE is the *use* of land in a *campground* for one *camping unit*;

CAMPING UNIT is one *recreational vehicle*, or one camping tent. ***Park models*** are not considered *camping units*;

LODGE is a *building* which complies with the definition of a "*hotel*" except that a lodge does not include a *restaurant* and areas used for public retail and public entertainment purposes;

OFFICE is the *use* of land, *buildings* and structures for the purpose of carrying out an occupation or professional activity but does not include retail sales, industrial *uses*, public assembly, or *personal service use*;

PARK MODEL is a trailer or recreational unit which conforms to CSA Z241 Standard for RVs and which has a *gross floor area* which does not exceed 50 m²;

RECREATIONAL VEHICLE is a vehicular-type of portable structure on wheels, without permanent foundation, that can be towed, hauled or driven and that is primarily designed for *use* as *temporary* living accommodation for the purposes of recreation, camping and travel, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes. ***Park models*** are not *recreational vehicles*;

TOURIST CABIN is the *use* of land for a detached ***building*** used exclusively for tourist accommodation for the *temporary* accommodation for the traveling public;

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

Staff is proposing that 2.3 HA of the subject Crown land be rezoned from RSC - Rural and Resource to HC - Highway Commercial. The HC Crown land will be subject to a provincial License of Occupation, which the owner has applied for. The License of Occupation would only permit non-serviced walk-in tenting sites, two pit toilets, and parking. Access to the Crown land parking area will be through the BMR property, there will be no additional accesses off of the Trans-Canada Highway.

As the applicant has proposed 10 tourist cabins in the form of cedar park model buildings, staff is proposing to amend the tourist cabin definition in Bylaw No. 851, to include park models as a permitted building type. Currently, Bylaw No. 851 does not permit the use of park models in any zone. As park models have a maximum floor area of 50 m² and are typically used for seasonal use, staff feel like they would be well suited as a tourist accommodation unit, specifically as a tourist cabin.

Proposed text amendment to include Park Model in Tourist Cabin definition:

TOURIST CABIN is the use of land for a detached *building* or ***park model*** used exclusively for tourist accommodation for the *temporary* accommodation for the traveling public.

The owner has purchased two 1850s timber frame cabins, to be moved onto the property and reconstructed and renovated as a future tourist accommodation project. These two proposed tourist cabins each will have a floor area greater than the permitted 65 m² and not more than 150 m². Staff proposes to amend the HC zone to include a special regulation for the subject property only, as follows:

Special Regulations

(5) In this subsection, lands are described by legal description and by map. In the event of any discrepancy between the legal description of the lands and the map, the map governs.

- (a) Notwithstanding subsection 3.16 (1)(a), only two of the permitted tourist cabins shall each have a floor area up to and no more than 150 m², on the property legally described as Parcel B (See 1593481), Legal Subdivision 9, Section 30, Township 23, Range 2, West of the 6th Meridian, Kootenay District.

During review of the rezoning application, staff found a few discrepancies in subsections (1), (2), and (3) of the HC zone and are proposing minor housekeeping amendments for clarity. Currently the densities of 'lodge' and 'staff accommodation' are regulated in the HC subsection (3) but are not listed as permitted uses under subsections (1) and (2). Tourist cabin is listed under subsection (2) and not in subsection (1) with the other principal tourist accommodation uses. Staff are proposing to amend the HC zone as follows:

- i) Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.12 is hereby amended as follows:

by adding (g) lodge and (v) tourist cabin to subsection (1)

by adding (d) staff accommodation to subsection (2); deleting (d) tourist cabin from subsection (2)

As camping spaces can either be serviced or non-serviced tent/RV sites, they do not require the same level of water and sewerage servicing as do tourist cabins. Currently, the HC zone regulates the density of camping spaces, motel/hotel/lodge units at a maximum of 50. In addition, the HC zone regulates the density of tourist cabins and camping spaces depending on the parcel size and level of servicing available. Staff are proposing to remove 'camping spaces' from the additional HC density restriction, as they do not require the same level of servicing as tourist cabins. The amendment will apply to both the HC and Resort Commercial 1 zones, as these two zones currently have the additional density restriction on tourist cabins and camping spaces.

- ii) Sections 5.12(3)(d) and 5.14(3)(d) are deleted in their entirety and replaced with the following:
Maximum density of tourist cabins per parcel
- where a parcel is serviced by both a community sewer system and a community water system = 40 per hectare
 - in all other cases = 6 per hectare

Sewage Disposal

East Park: existing Type 1 gravity fed septic system services the campground section of BMR. The system consists of an approximately 3500 gallon tank and the field is unknown. It appears to be dry wells; but could be a linear field. The field has not been inspected, but a ROWP has submitted a letter stating that they have serviced and maintained the system for the last fifteen years and it appears to continue to be in good working order.

West Park: The lodge and the ten proposed 'park model' tourist cabins, will all be connected to a new pressure distribution system with Type 2 effluent to a sand mound. The agent has supplied a copy of a Record of Sewerage System and a ROWP's report for this system. The three proposed 'stick built' tourist cabins will be connected and serviced by their own septic system, this system will be designed once there are more concrete plans for the three tourist cabins, and a septic filing will be required with the building permit application for the three cabins.

Water Supply

The subject property will be serviced by a waterworks system. The agent has supplied a copy of an issued waterworks construction permit for the subject property.

Access and Parking

See "Maps_Plans_Photos_BL851-13.pdf" attached.

Primary access to this property is from Trans-Canada Highway. The Ministry of Transportation and Infrastructure (MoT) is proposed to be sent a referral on the proposal, so any concerns they may have with the resort's access or parking will be noted. The agent has proposed more than the minimum required parking spaces for each of the permitted uses, as regulated in Bylaw No. 851.

RAR

The proposed development is all located outside the SPEA and will meet the conditions of the issued RAR DP.

Commercial Development Permit

Section 5.4 of the OCP designates a Commercial Development Permit Area (CDPA) for the purpose of establishing objectives for the form and character of commercial development. A Commercial Development Permit (DP) must therefore be issued prior to any new construction of, addition to or alteration of buildings or structures on the subject property. The owner has placed two new tourist cabins on the property without having first obtained a DP. The agent has applied for the necessary DP, but it cannot be processed until this rezoning has been completed.

Building Regulation

The agent has applied for a building permit for the proposed tourist cabins, but it cannot be issued until this rezoning has been completed.

Crown Land

The owner made a Crown land application for a License of Occupation for the subject Crown land to the east of BMR, for walk in tent sites that will be accessed from the existing resort. This Crown land application is pending approval of the rezoning application.

SUMMARY:

DS staff is recommending BL851-13 be given first reading and sent to the referral agencies listed below for the following reasons:

- The subject private property has been operated as a campground/RV resort for over 40 years and the current owner is continuing this permitted use.
- The rezoning is consistent with the OCP policies for the designated area.
- The current owner is working towards upgrading and improving the resort's layout and infrastructure to accommodate tourists with both cabin and camping options.
- The property's servicing has been upgraded and will adequately service the existing and proposed uses.
- The proposed tent sites on the Crown land portion, require a License of Occupation from the Province.
- The form, character, appearance, parking, and landscaping of the resort will be addressed in the required Commercial Development Permit.
- The proposed buildings require a Building Permit.

IMPLEMENTATION:**Consultation Process**

CSRD Policy P-18 regarding Consultation Processes- Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application when a notice of application sign is posted on the property.

Referral Process

The following list of referral agencies is recommended:

- Area B Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Land Authorizations;
- CSRD Operations Management;
- CSRD Financial Services;
- City of Revelstoke;
- All relevant First Nations Bands and Councils.

COMMUNICATIONS:

If the Board gives Bylaw No. 851-13 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to delegation of a public hearing.

DESIRED OUTCOMES:

That the Board endorse the 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. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851
3. Riparian Areas Assessment, completed by Azimuth Forestry and Mapping Solution dated December 10, 2012
4. Terrain Stability Assessment, completed by Onsite Engineering Ltd. dated December 14, 2012
5. RAR DP, issued June 14, 2013
6. Commercial DP, issued July 18, 2013
7. Waterworks Construction Permit, October 10, 2017
8. Sewerage Permit, August 24, 2017
9. ROWP Letter
10. Crown Land Tenure Application and Management Plan

Report Approval Details

Document Title:	2018-08-16_Board_DS_BL851-13_BoulderMountainResort.docx
Attachments:	- BL851-13.pdf - Maps_Plans_Photos_BL851-13.pdf
Final Approval Date:	Aug 2, 2018

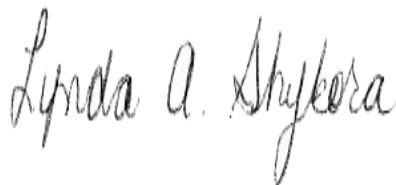
This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Tommy Test

Corey Paiement - Aug 1, 2018 - 10:31 AM



Gerald Christie - Aug 2, 2018 - 9:51 AM



Lynda Shykora - Aug 2, 2018 - 2:01 PM



Charles Hamilton - Aug 2, 2018 - 2:10 PM