



BOARD REPORT

TO: Chair and Directors

File No: BL 850-12
PL20190000008

BL 851-15
PL20190000009

SUBJECT: Electoral Area B: Electoral Area B Official Community Plan Amendment (Illecillewaet Development Inc.) Bylaw No. 850-12 and Electoral Area B Zoning Bylaw Amendment (Illecillewaet Development Inc.) 851-15

DESCRIPTION: Report from Ken Gobeil , Senior Planner, dated July 5, 2019.
354 Leoffler Road, Greeley

RECOMMENDATION #1: THAT: "Electoral Area B Official Community Plan Amendment (Illecillewaet Development Inc.) Bylaw No. 850-12", be given second reading this 18th day of July, 2019;

RECOMMENDATION #2: THAT: "Electoral Area B Zoning Amendment (Illecillewaet Development Inc.) Bylaw No. 851-15", be given second reading, as amended, this 18th day of July, 2019;

RECOMMENDATION #3: THAT: a public hearing to hear representations on "Electoral Area B Official Community Plan Amendment (Illecillewaet Development Inc.) Bylaw No. 850-12" and "Electoral Area B Zoning Amendment (Illecillewaet Development Inc.) Bylaw No. 851-15" be held;

AND THAT: notice of the public hearing be given by the 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 Director Brooks-Hill, as Director of Electoral Area B being that in which the land concerned is located, or Andy Parkin, Alternate Director, as the case may be, give a report of the public hearing to the Board.

SHORT SUMMARY:

Illecillewaet Development Inc. is applying for an amendment to the Electoral Area B Official Community Plan Bylaw and Zoning Bylaw to incorporate proposed expansions of the Revelstoke Adventure Park.

The Revelstoke Adventure Park is located east of Revelstoke at Greeley, south of the Trans-Canada Highway.

First reading to these bylaw amendments was given March 21, 2019. Since that time staff have sent referrals to affected agencies and First Nations. Referral responses have been received and are summarized in this report. It is now appropriate for the Board to consider Bylaw No. 850-12 for second reading; Bylaw No. 851-15 for second reading as amended; and to delegate a public hearing.

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:

See "2019-03-21_Board_DS_BL850-12_BL851-15_Illecillewaet-Development-Inc.pdf" attached.

POLICY:

See "BL850_851_Excerpts_BL850_BL851-15.pdf" attached.

FINANCIAL:

There are no financial implications to the CSRD as a result of this application. See "2019-03-21_Board_DS_BL850-12_BL851-15_Illecillewaet-Development-Inc.pdf" attached.

KEY ISSUES/CONCEPTS:Referral Responses

All referral responses received are explained in the Communications Section. All agency responses are included in "Agency_Referral_Responses_BL850-12_BL851-15.pdf" attached.

Most of the referral responses received did not have substantial concerns with the application that are applicable to the proposed bylaw amendments. However, responses from the Electoral Area B Advisory Planning Commission (APC); Agricultural Land Commission (ALC); and the Little Shuswap Lake Indian Band require further consideration.

Electoral Area B Advisory Planning Commission (APC)

The APC supported the application, with recommendations to clarify staff-housing, keep land in the ALR, and to improve the railway crossing.

Development Area 3 is the only part of area of the Comprehensive Development B4 (CDB4) Zone that could accommodate staff accommodation. Staff accommodation is not permitted in the ALR, or the Crown Tenure Area. The proposed Zoning Amendment that received first reading included 'staff accommodation' as a permitted secondary use in Development Area 3.

In response to APC comments, CSRD staff and the applicant drafted a revision to the bylaw amendment to provide more details for staff accommodations. The amendments include provisions for a variety of housing types. This ensures staff could be accommodated throughout the various phases of development.

Exclusion from the ALR was not included in this application.

Railway crossings are regulated federally, and by the railway owner of the rail line (CP Rail). The applicant indicated that CP Rail required the rail right-of-way to be fenced off. The applicant also indicated they have also been in discussion with CP Rail about installing a controlled crossing.

Little Shuswap Lake Indian Band

On June 24, 2019, the Little Shuswap Lake Indian Band requested more time to review before they submit a formal referral comments.

Staff followed up with the Little Shuswap Lake Indian Band and provided clarification on the referral package and requested a tentative date to expect a formal response. The Little Shuswap Lake Indian

Band has not given a timeline for when the CSRD could expect a response. However, as per the Local Government Act, the CSRD can accept any comment up until the close of the public hearing.

The applicant has also followed up with the Little Shuswap Lake Indian Band to answer questions and address concerns directly.

Agricultural Land Commission (ALC)

The ALC compared the proposed amendment to the previous approvals. They noted that permitted uses proposed in Development Areas 1 and 2 were not consistent with previous approvals granted. ALC comments included recommendations for the following amendments:

Development Area 1:

- Remove "Festival and Special Event Space" from the list of permitted secondary uses;
- Remove "Swimming Pool" from the list of permitted secondary uses.

Development Area 2:

- Remove "Swimming Pool" from the list of permitted secondary uses.

Festival and Special Event Space:

- Festivals or other events that take place in the ALR that are outside of Development Area 1 must meet the requirements of the Agricultural Land Reserve Use Regulation, which requires the property to be assessed as a farm in order for the land to be used for festival or similar event.

This effectively prohibits special events or festivals from taking place in the ALR because the property is not assessed as a farm.

The Applicant has requested that Festival and Special Event Space be added to Development Area 3 so that they could have potential to develop this use in the portion of the area that is outside of the ALR.

Applicant Response & Revisions

The applicant has provided a statement responding to the referral responses; see "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15" attached.

Staff worked with the applicant to incorporate the items in the referral responses from the Electoral Area B APC and the ALC in a revised zoning amendment Bylaw No. 851-15:

- Changes requested by ALC in referral response dated June, 12, 2019 have been made to Bylaw No. 851-15 as recommended:
- "Festival and Event Space" was added to Development Area 3 to accommodate the proposed use in an area outside of the ALR;
- The definition of Staff-Accommodation was updated to include a variety of housing types (camping space, dwelling unit, dormitory);
- Other new provisions include:
 - Allowing up to 10% of built camping spaces to be used for staff accommodation.
 - Allowing up to 10% of built holiday cabins to be used for staff accommodation.

SUMMARY:

Staff recommends that Official Community Plan amendment Bylaw No. 850-12 be given second reading because there are no required amendments to the bylaw amendment as are result of the referral responses.

Staff recommends that Zoning Amendment Bylaw No. 851-15 be given second reading, as amended, because:

- The amendments required by the ALC have been made;
- Staff accommodation options have been expanded; and
- The request for more time from the Little Shuswap Lake Indian Band would still be accommodated because comments can be submitted until the public hearing is closed.

IMPLEMENTATION:

See "2019-03-21_Board_DS_BL850-12_BL851-15_Illecillewaet-Development-Inc.pdf" attached.

Neighbouring property owners first became aware of the application when 'Notice of Development' signs were posted on the property April 25, 2019.

If the Board approves the staff recommendation, a public hearing will be scheduled to receive input from the public. Staff will proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

COMMUNICATIONS:

Staff sent referrals to affected agencies and First Nations on March 23, 2019:

Agency	Comment
Electoral Area B Advisory Planning Commission (APC)	<p>Due to the appointment of new the new APC members, the APC meeting took place June 12, 2019.</p> <p>The APC supported the application, with recommendations to clarify staff-housing, keep land in the ALR, and to improve the railway crossing.</p> <p>Two members of the APC did not support the application based on staff accommodation concerns.</p> <p>See 'Key Issues/Concepts' above for more information.</p> <p>The applicant attended the APC meeting and was on hand to answer any questions and speak to any concerns directly. See "Agency_Referral_Responses_BL850-12_BL851-15.pdf".</p>
Interior Health Authority (IHA)	IHA reiterated comments from the 2016 bylaw amendment referral for the Revelstoke Adventure Park (Bylaw 830-11, 851-10).

	<p>In their response IHA also noted the importance of local food production.</p> <p>These comments do not affect the bylaw amendment applications.</p> <p>The applicant's comments in "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15" addressed comments made by the IHA.</p>
Ministry of Transportation and Infrastructure (MoTI)	<p>No concerns and will sign the Zoning Amendment Bylaw No. 851-15 after third reading.</p> <p>The Ministry of Transportation and Infrastructure (MoTI) has authority of roads within the regional district. MOTI has authority to require traffic impact assessments, and any road upgrades (eg. Highway intersection, or the Greeley Bridge) as part of any subdivision, or development permit application. Although the MoTI has stated they have no concerns with this referral, they are able to require studies and upgrades in the future.</p>
Ministry of Environment	<p>Referral response included recommendations for protecting riparian areas and natural habitats.</p> <p>These comments are applicable to the Development and Building Permit stage and do not affect the bylaw amendment applications.</p> <p>In the applicant's response letter "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15", the applicant identified consultants working on their application, and the legislative requirements they identified for development in riparian areas. The applicant also outlined a "Revelstoke Bear Aware Program" which provides guidelines to reduce risks of human/bear conflicts.</p>
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Mountain Resorts Branch	No response.
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch	No response.
Ministry of Agriculture	<p>The Ministry of Agriculture noted the importance of local food production.</p> <p>These comments do not affect the bylaw amendment applications.</p>

	<p>The applicant addressed comments regarding food security in their response to the comments made by IHA, see "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15" attached.</p> <p>The Ministry of Agriculture's response was submitted with the ALC's response.</p>
Agricultural Land Commission (ALC)	<p>The ALC compared the proposed zoning amendment application to the previous approvals ALC approvals granted and provided a response based on those previous decisions.</p> <p>The ALC required a number of permitted uses to be removed for some of the Development Areas of the proposed Comprehensive Development B4 (CDB4) Zone. Bylaw No. 851-15 has been amended to remove these uses.</p> <p>See 'Key Issues/Concepts' above for more information.</p>
City of Revelstoke	No concerns.
CSRD Operations Management	<p>Operations Management reiterated comments from the 2016 bylaw amendment referral for this property (Bylaw no. 850-10 & 851-11).</p> <p>It was noted that the application is consistent with the CSRD's Solid Waste Management Plan as per Section 477 of the Local Government Act.</p>
CSRD Financial Services	The proposed bylaw has been reviewed as per S.477 of the Local Government Act and is consistent with the CSRD's current financial plan.
School District #19	No concerns.
All relevant First Nations Bands and Councils as follows:	<p>The CSRD did not receive a response from any First Nations from referrals sent on March 23 2019.</p> <p>On June 19, 2019, staff sent First Nations an introduction to the new Senior Planner working on the file which included a second request for comment.</p> <p>In the applicant's response letter "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15", the applicant included information on their own efforts – separate from the CSRD – to engage with First Nations.</p>
<ul style="list-style-type: none"> Adams Lake Indian Band 	No response.

• Akisqnuq First Nation;	No response.
• Ktunaxa Nation Council;	No response.
• Little Shuswap Indian Band	On June 24, 2019, the Little Shuswap Lake Indian Band requested more time to review the second referral submitted on June 19, 2019. See 'Key Issues/Concepts' above for more information.
• Lower Kootenay Band	No response.
• Lower Similkameen Indian Band;	No response.
• Neskonlith Indian Band;	No response.
• Okanagan Indian Band	No response.
• Okanagan Nation Alliance	No response.
• Penticton Indian Band	No response.
• Shuswap Indian Band	No response.
• Simpcw First Nation	No response.
• Splots'in First Nation	No response.
• St. Mary's Indian Band	No response.
• Tobacco Plains Indian Band	No response.

The applicant has provided a statement responding to the referral responses; see "Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15".

If the Board supports second reading of Bylaw No. 850-12; second reading as amended for Bylaw No. 851-15; and delegates a public hearing, staff will proceed with notification of the public as required by the Local Government Act and the Development Services Procedures Bylaw No. 4001 (local newspapers, website, and letters mailed to all property owners within a 100-metre radius).

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. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851
3. Development Services Procedures Bylaw No. 4001

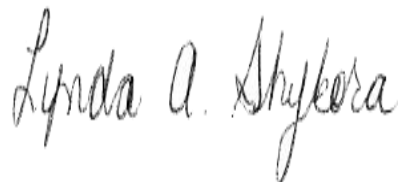
Report Approval Details

Document Title:	2019-07-18_Board_DS_BL850-12_BL851-15_second_amended_Illecillewaet-Development-Inc.docx
Attachments:	<ul style="list-style-type: none">- BL850-12_second_Illecillewaet-Development-Inc.pdf- BL851-15_second_amended_Illecillewaet-Development-Inc.pdf- 2019-03-21_Board_DS_BL850-12_BL851-15_Illecillewaet-Development-Inc.pdf- BL850-12_first_Illecillewaet-Development-Inc.pdf- BL851-15_first_Illecillewaet-Development-Inc.pdf- BL850_BL851_Excerpts_BL850-12_BL851-15.pdf- Adventure_Park_Rezoning_Proposal_RS.pdf- Adventure_Park_Tenure_Management_Plan_RS.pdf- ALC_2018-03-01_Letter_RE-Uses.pdf- ALC_2018-10-19_Letter_LC2487_Modification.pdf- Agency_Referral_Responses_BL850-12_BL851-15.pdf- Applicant_Letter_Referral_Responses_2019-06-20_BL850-12_BL851-15.pdf- Maps_Plans_BL850-12_BL851-15.pdf
Final Approval Date:	Jul 8, 2019

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



Corey Paiement - Jul 5, 2019 - 3:31 PM



Lynda Shykora - Jul 8, 2019 - 2:03 PM

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is fluid and cursive, with a large initial "C" and a stylized "H".

Charles Hamilton - Jul 8, 2019 - 2:25 PM