



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 Amendment (Illecillewaet Development Inc.) Bylaw No. 851-15

DESCRIPTION:

Report from Dan Passmore, Senior Planner, dated March 5, 2019.
354 Leoffler Road/Greely Road - Greely.

**RECOMMENDATION
#1:**

THAT: "Electoral Area B Official Community Plan Amendment (Illecillewaet Development Inc.) Bylaw No. 850-12", be given first reading this 21st day of March, 2019;

AND THAT: pursuant to Section 477 of the Local Government Act, the Board has considered this "Electoral Area 'B' Official Community Plan Amendment (Illecillewaet Development Inc.) Bylaw No. 850-12" in conjunction with the Columbia Shuswap Regional District's Financial Plan and its Waste Management Plan.

**RECOMMENDATION
#2:**

THAT: "Electoral Area B Zoning Amendment (Illecillewaet Development Inc.) Bylaw No. 851-15", be given first reading this 21st day of March, 2019.

**RECOMMENDATION
#3:**

THAT: the Board utilize a simple consultation process for Bylaw No. 850-12 and Bylaw No. 851-15, and the bylaws 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 and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations – Mountain Resorts Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- Ministry of Agriculture;
- Agricultural Land Commission;
- City of Revelstoke;
- CSR D Operations Management;
- CSR D Financial Services;

- School District #19; and
- All relevant First Nations Bands and Councils.

SHORT SUMMARY:

The properties that are the subject of this OCP/rezoning amendment application are located at Greely south and east of the City of Revelstoke south of the Trans-Canada Highway and across the Illecillewaet River in Electoral Area 'B'.

A number of these properties on the south side of the CPR main line had already been re-designated and rezoned for the Revelstoke Adventure Park proposed development by the Board in Bylaws No. 850-11 and 851-10 in November, 2016. The adventure park will combine recreational activities such as hiking, trail riding, bungee jumping, rock climbing, zip lining, rope courses, and mountain biking, with accommodation options such as hotels, tourist cabins, RV Park and yurts. Food services and commercial opportunities will also be featured.

As portions of some of the original properties were in the Agricultural Land Reserve (ALR), a large portion of the accommodation necessary to support the Adventure Park was eliminated from the previously adopted Bylaws at second reading, to conform to ALR Regulations. The owners of the property have subsequently re-visited their development proposal with Agricultural Land Commission (ALC) officials and re-located some of their uses on to adjacent properties, with the blessing of the ALC. The current proposal for OCP/Rezoning amendment is to align with the approvals given by the ALC.

This application is a new proposal to include these adjacent properties north of the CPR main line into the overall development plan by re-designating the new portions of property from RSC Rural Resource to RC – Resort Commercial and to rezone from RH – Rural Holdings to CDB4 – Comprehensive Development B4 (Illecillewaet Development Inc.). Additionally, the original Development Areas recognized in the CDB4 zone are required to be re-aligned and new Development Areas, including some new permitted uses in each area, added to reflect the new proposal.

VOTING:	Unweighted ☐ Corporate	LGA Part 14 ☒ (Unweighted)	Weighted ☐ Corporate	Stakeholder ☐ (Weighted)
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BACKGROUND:**PROPERTY OWNERS:**

Illecillewaet Development Inc./Illecillewaet Development Partnership Ltd.

AGENT:

Black Tie Properties LP (c/o Jason Roe and Gemma Woods)

ELECTORAL AREA:

'B' (Greeley)

CIVIC ADDRESS:

354 Leoffler Road/Greely Road

LEGAL DESCRIPTION:

1. Block A, Section 3, Township 24, Range 1, W6M, Kootenay District, Except Part Included in Plans 15088 and NEP22512 (PID: 018-834-434);
2. Legal Subdivision 4, Section 3, Township 24, Range 1, W6M, Kootenay District, Except Parts included in R/W Plans 633A and 15088 and Plan NEP22512 (PID: 016-775-988);
3. That Part of Legal Subdivision 3, Section 3, Township 24, Range 1, W6M, Kootenay District, Which lies west of a line parallel to and 5 chains distant from the westerly boundary, Except parts included in R/W Plans 633A and 15088 (PID: 016-777-751);
4. Legal Subdivision 16, Section 33, Township 23, Range 1, W6M, Kootenay District, Except Parts included in R/W 36 (PID: 016-777-905);
5. That Part of the SE ¼, Section 4, Township 24, Range 1, W6M, Kootenay District Which lies to the South of the left bank of the Illecillewaet River, Except (1) Part included in R/W DD12340, (2) Part included in R/W Plan 633A, and (3) Part included in Plans 15089 and NEP22512 (PID: 018-522-475);
6. That Part of Fractional Legal Subdivision 14, Section 33, Township 23, Range 1, W6M, Kootenay District, Which lies south of the left bank of the Illecillewaet River, Except Parts included in R/W Plans 633A and R/W 35 (PID: 016-777-883); and,
7. Legal Subdivision 15, Section 33, Township 23, Range 1, W6M, Kootenay District, Except Parts included in R/W Plans 633A and R/W 35 (PID: 016-777-891)

SIZE OF PROPERTY:

1. 22.72 ha (56.15 ac)
2. 14.57 ha (36.01 ac)
3. 3.56 ha (8.79 ac)
4. 16.63 ha (41.09 ac)
5. 17.89 ha (44.21 ac)
6. 12.71 ha (31.40 ac)
7. 16.40 ha (40.53 ac)

Total Area (Private Land) = 104.48 ha (258.18 ac)

Crown Land Tenure = 257.3 ha (635.8 ac)

SURROUNDING LAND USE PATTERN:

NORTH	TCH/Illecillewaet River
SOUTH	Crown Land/Revelstoke Mountain Resort
EAST	Rural Residential/Crown/Greeley Creek
WEST	Crown Land/Illecillewaet River

CURRENT USE:

Single Family Dwelling/Agriculture

PROPOSED USE:

Adventure Park - Comprehensive Resort Commercial Development

OCP DESIGNATION:

Electoral Area B Official Community Plan Bylaw No. 850

RSC – Rural Resource and RC – Resort Commercial

PROPOSED OCP: RC – Resort Commercial

ZONING:

Electoral Area B Zoning Bylaw No. 851

RH - Rural Holdings and CDB4 - Comprehensive Development Zone B4 (Illecillewaet Development Inc.)

PROPOSED ZONING: CDB4 – Comprehensive Development Zone B4 (Illecillewaet Development Inc.)

POLICY:

See attached "BL850_BL851_Excerpts_BL850-12_BL851-15.pdf". See also attached "ALC_2018-03-01_Letter_RE-Uses.pdf", and "ALC_LC2487_Modification.pdf"

FINANCIAL:

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

KEY ISSUES/CONCEPTS:**Sewage Disposal**

A community sewage treatment facility requiring the approval of the Ministry of Environment (MoE) under the Municipal Sewage Regulation (MSR) is proposed to be designed and constructed to service the developed areas of the Adventure Park. These systems are proposed to be constructed in the first phase of the site development. The applicant has previously provided details regarding the proposed system to CSRD staff as part of the previous OCP/Rezoning amendment applications.

Water Supply

The applicant has advised that the subject properties currently have an existing agreement with the City of Revelstoke for agricultural purposes. They had advised that they were working with the City to alter the existing agreement to allow for commercial use of this treated water supply. This process led to the City of Revelstoke proposing annexation of the properties as a pre-condition of supplying water.

As an alternative, the applicant is proposing water supply from a surface water license from a source on an unnamed creek which flows through the property. The applicant has applied for a license from the Water Rights Branch to use this source. The applicant will need to have a Certificate of Public Convenience and Necessity (CPCN) issued by the

Province before a water distribution system for the proposed new lots can be approved from this proposed surface water source. The Interior Health Authority will need to approve the treatment and distribution systems under an Operating Permit. The applicant has provided CSRD staff with details regarding the source and the supply system.

Servicing General

The previous OCP amendment introduced new Development Permit requirements for this development for form and character, servicing details will be required to be provided to the staff, which will then be provided to the Board in consideration of issuance of a Development Permit.

Access

Primary access to this property is from Leoffler Road, which crosses over the CPR main line to intersect with Greeley Road which passes over a single lane bridge over the Illecillewaet River before it intersects with the Trans-Canada Highway. The applicant has been working with the Ministry of Transportation and Infrastructure (MoT) in order to determine its requirements. To this end the applicant engaged a Traffic Consultant to provide MoT with the following reports;

- Traffic Impact Assessment Revelstoke Adventure Park,
- Collision Review Supplementary Report; and,
- Queue Lengths at Bridge Supplementary Report.

Based on these assessments MoT has provided the applicant with its requirements for access to the proposed adventure park, and has approved Bylaw No. 851-10. Bylaw No. 851-10 rezoned the area south of the CPR main line to permit Revelstoke Adventure Park.

MoT will need to approve new BL851-15.

Wildfire Threat

The applicant engaged consultants to provide studies dealing with the threat of wildfire on the site, as follows;

- Wildfire Threat Analysis and Mitigation Report
- Wildfire Prevention and Response System; and,
- Revelstoke Adventure Park Recommended Wildfire Development Guidelines.

Wildfire interface Development Permit area guidelines have been incorporated into the OCP previously.

Hazard Lands – Steep Slopes

The applicant has engaged a Qualified Professional to conduct a Terrain Stability Assessment on the site. In addition, a geotechnical report was also conducted on the bluffs. As a result of this work, a Hazard Lands steep slopes Development Permit area and guidelines were included into the OCP previously for this development.

Hazard Lands – Illecillewaet River Flood and Debris Flow Area

Staff are proposing the inclusion of a new Development Permit Area into the Revelstoke Adventure Park Guidelines to deal with the new lands being included into the proposal as they are adjacent to Illecillewaet River, and may be subject to hazard from flooding and debris flows. The guidelines require a registered professional to certify that the lands are suitable for the scale of development proposed and would trigger with any development proposal including subdivision.

Environmental Issues

The applicant has had a wildlife overview assessment as well as a Riparian Area Assessment Report conducted for the site. As a result, new Development Permit area guidelines for the site were incorporated into the OCP. Additionally, the applicant has advised that storm run-off standards that promote the infiltration of run-off water into the ground will be incorporated in the designs for the development infrastructure.

Archaeological Sites

The applicant engaged the Splat'sin First Nation to conduct a Preliminary Field Reconnaissance of the site to determine if there were any potential archaeological sites on the property. The study concluded that the site had low archaeological potential and that no further archaeological work is recommended.

Crown Land Tenure

The applicant has provided a copy of License of Occupation No. 405380, for the areas of Crown Land proposed for use as part of the Adventure Park. The tenure includes a Management Plan and has been attached as "Adventure_Park_Tenure_Management_Plan.pdf".

Agricultural Land Commission

The Agricultural Land Commission (ALC) approved a non-farm use on some of the subject properties for the proposed adventure park (ALC Resolution #254/2014). This was reviewed by the Board and supported at the October 17, 2013 regular meeting. During the previous subsequent OCP/Rezoning amendment application, Development Services staff were concerned that the previous rezoning application, as given first reading, outstripped the original development proposal which was submitted to the ALC as part of the non-farm use application. As a result staff included the ALC in the list of referral agencies so they could review the full extent of the proposal as set forward in the application.

The ALC reviewed the previous bylaw given first reading in summer, 2016, and advised that it did not comply with the approval for non-farm use given under ALC Resolution # 254/2014. As a result the applicant amended the application in July, 2016, to eliminate tourist accommodation sleeping units as a principal use in DA1, and eliminated DA5 in its entirety. In addition, a special regulation was added to DA2 to ensure that holiday cabins and spa facilities would not be constructed on portions of the land within the ALR.

The applicant was also proposing minimum parcel sizes for subdivision for all of the Development Areas, a number of which include properties that are within the ALR. This did

not comply with ALR minimum lot size requirements in the RH zone of 60.0 ha, and was also amended.

ALC staff advised the applicant in summer, 2016 that an application to exclude the lands from the ALR would be required, should the applicant wish to continue with their full slate of uses. The applicant, as previously noted, opted to revise the bylaw to eliminate the offending uses, in an effort to begin the project sooner, given the constraints on timing to have the bylaw approved. The applicant submitted the ALR Exclusion application, which was reviewed by the Board of the CSRD at the same October 20 regular meeting where third reading of the bylaws was held. The exclusion application was subsequently reviewed by the ALC. The ALC refused the application for exclusion under ALC Resolution #130/2017.

A second approval (ALC Resolution #255/2014) which was reviewed by the Board at their November 13, 2013 regular meeting, and subsequently approved by the ALC, permitted a 21 lot subdivision impacting properties north of the CPR main line, which were not included in the previous rezoning application.

The applicant appealed directly to ALC staff, who in the letter attached "ALC_2018-03-01_Letter-Uses.pdf", approved a 1.0 ha hotel site on an adjacent portion of property north of the CPR RoW, and west of Greely Road. This letter was copied to CSRD staff who advised the applicant that an application for an OCP/Rezoning amendment would be required as the hotel site was in an area not rezoned in the previous bylaw for this use.

The new current application for rezoning includes the areas north of the CPR main line in the CDB4 zone. The applicant had also subsequently forwarded their current development proposal to the ALC. The ALC response "ALC_2018-10-19_Letter_LC2487_Modification.pdf" is also attached and approves relocation of a number of uses originally on the south side of the railway tracks to north of the railway tracks on the area also approved for subdivision. The letter approves the reduction of lots in the subdivision from 21 to 14, and relocation of 212 camping sites and 30 yurts.

Nearby Residential Subdivision

The applicant applied for and received approval from the ALC for a 21 lot subdivision on adjacent property. This was the subject of ALC Resolution # 255/2014. This area was not originally included in the previous proposal, but the applicant has included this area in the current proposal. The area is proposed to be subdivided into 14 new parcels rather than the originally approved (by the ALC) 21 lots.

Proposed New Development Areas

The CDB4 zone currently has 4 Development Areas. The proposed rezoning amendment would expand the zone onto the additional adjacent parcels north of the CPR main line and do away with the 4 current Development Areas in favour of a new proposal re-aligning the former Development Area boundaries as well as incorporating other properties into 6 new Development Areas. The application materials indicate that the key changes are the result of inclusion of the portions of the properties north of the CPR RoW and locating the proposed new Hotel, Campground and RV Park.

The new Development Areas are summarised as follows:

Development Area 1

This area is for the main base camp activities and will feature food, beverage and retail stores and serve as the main focus for arrivals and separation into the various adventure options via a chairlift and gondola. This is similar to the previous DA1, but the boundaries have been re-aligned.

Development Area 2

This area will see the creation of a man-made lake feature which will offer surfing on standing waves, together with swimming and boating opportunities. Multi-use trails, festival space, horse stables and a driving range will be situated in this area. This is similar to the previous DA3, but includes the area that was previously DA2, while eliminating the uses previously permitted in DA2 and expanding the area,

Development Area 3

This area is where the majority of the adventure activities will take place, including mountain biking, tree top rope courses, zip lining, bungee jumping, sky swing, sightseeing and hiking. A gondola from the base camp area will get passengers to a cliff top lodge offering a viewing deck, food and beverage service, retail shop, function rooms and guest accommodation rooms. This is similar to the previous DA4, but has had some additional uses included such as a Hotel as a principal use, together with Spa Facilities, 200 camping spaces, 100 Holiday Cabins and 50 Camping Yurts, as secondary uses. Please note the camping spaces, holiday cabins, yurts and the new hotel were not previously contemplated in this area.

Development Area 4

This is where the ALC approved riverside hotel and restaurant will be located. This new Development Area is on a portion of the property not previously included in the CDB4 zone.

Development Area 5

This area is for Park and Open Space. This new Development Area is on a portion of the property not previously included in the CDB4 zone.

Development Area 6

This area is for the re-located Campground and RV Park, (re-located from DA2) which will also provide accommodation in yurts. Festival and special event space is also proposed in this area. This new Development Area is on a portion of the property not previously included in the CDB4 zone and in the ALR. This area is proposed for subdivision into 14 lots each larger than 1.0 ha and will encompass the previous DA2 campground and yurt proposal.

The proposal is fully described in the attached "Adventure_Park_Rezoning_Proposal.pdf". This document summarizes all of the various studies which have been prepared by the applicant's consultants to date.

CDB4 Specific Definitions

In addition to re-aligning the development area boundaries and including new development areas, the applicant has also proposed some changes and additions to the definitions

originally included in the CDB4 zone. Specifically, Festival and Special Events Space, Swimming Pool, and Train Station have been added, and Ground Floor Commercial has been eliminated.

Greely Road

The subdivision application includes a proposal to close approximately 1.0 km of the current Greely Road which runs along the Illecillewaet River, which would then form a part of the 14 new lots. The proposal includes a plan to dedicate a new Greely Road along the north side of the CPR mainline to service the proposed new lots.

OCP Considerations

When adopted the Electoral Area B Official Community Plan Bylaw No. 850 would not have supported this intensity of tourist commercial development in this area. That changed when the Board reviewed the original application for the Adventure Park and adopted an amendment to the OCP to allow the park to be rezoned. The current application is for an extension of the Adventure Park area into portions of property currently designated as RSC Rural and Resource. This also is not supported by current policies. It is important to note that although the CSRD was involved in the original application for subdivision in the ALR for these areas, the CSRD was not involved in the decisions of the ALC to support the changes in number of lots created, or the new proposed uses requested by the applicant.

SUMMARY:

The applicant has applied to re-designate additional portions of property north of the CP rail line in the Greely area to accommodate an ALC approved hotel, as well as other areas north of the original properties which are proposed to be part of the overall Adventure Park plan. At the same time the applicant has applied for a rezoning amendment to zone these additional property areas to the CDB4 zone, and to re-align the Development Areas in the CDB4 zone, and to incorporate some new Development Areas.

The current CDB4 zone supports approximately 362 tourist accommodations, in the form of camping spaces, yurts, tourist cabins and hotel units. The new proposal is at approximately 612 units, without an exact figure for the riverside hotel. This application represents a significant intensification as well as expansion of the land base for the proposed development

Staff are recommending that the Board give the Bylaws first reading, and to direct staff to begin the referral process.

IMPLEMENTATION:

Although CSRD Policy P-18 regarding Consultation Processes-Bylaws, recommends that a complex consultation process be followed when considering Comprehensive Development proposals, the application is not a new proposal, but is actually re-working an already approved development proposal to accommodate additional areas. As such, staff is not recommending a complex consultation process for this proposal, but the simple consultation process.

Rather, neighbouring property owners will first become aware of the application for OCP and zoning amendments when a notice of development sign is posted on the subject

properties, no more than 30 days after the Board has given the bylaws first reading, in accordance with Development Services Procedures Bylaw No. 4001.

COMMUNICATIONS:

If the Board gives Bylaw No. 850-12 and Bylaw No. 851-15 first readings, the bylaws will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to recommendation of delegation of a public hearing.

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 and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations – Mountain Resorts Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- Ministry of Agriculture;
- Agricultural Land Commission;
- City of Revelstoke;
- CSRD Operations Management;
- CSRD Financial Services;
- School District #19; and
- All relevant First Nations Bands and Councils, as follows:
 - Adams Lake Indian Band;
 - Akisqnuk 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's'in First Nation;
 - St. Mary's Indian Band;
 - Tobacco Plains Indian Band

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.*

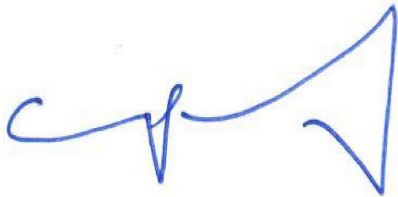
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851

Report Approval Details

Document Title:	2019-03-21_Board_DS_BL850-12_BL851-15_Illecillewaet-Development-Properties.docx
Attachments:	- BL850-12_First.pdf - BL851-15-First.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 - Maps_Plans_BL850-12_BL851-15.pdf
Final Approval Date:	Mar 11, 2019

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



Corey Paiement - Mar 11, 2019 - 10:38 AM



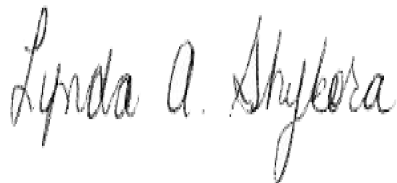
Gerald Christie - Mar 11, 2019 - 10:48 AM



Jodi Pierce - Mar 11, 2019 - 10:56 AM



Darcy Mooney - Mar 11, 2019 - 11:00 AM



Lynda Shykora - Mar 11, 2019 - 11:20 AM

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

Charles Hamilton - Mar 11, 2019 - 11:22 AM