



# Request for Decision Bylaw Amendment Application

File No: P 723 510  
Reference: Bylaw Nos. 3222 & 3223  
Date: March 30, 2023

**Subject:** Bylaw No. 3222 & Bylaw No. 3223 (Panorama / Panorama Mountain Village Inc)  
**Applicant:** Panorama Mountain Village Inc  
**Agent:** Richard Haworth, Haworth Development Consulting  
**Location:** 2020 Summit Drive, Panorama  
**Legal:** Parts of Lot 3, District Lot 16352, Kootenay District, Plan NEP62180, Except Plan NEP66019 (PID: 024-193-607)  
Block H, District Lot 16352, Kootenay District (PID: 026-608-961)

**Proposal:** To amend the OCP and Zoning designations for parts of the subject properties to permit subdivision for future resort development

**Development Agreement:** None

- Options:**
1. THAT Bylaw No. 3222 cited as “Regional District of East Kootenay – Panorama Area Official Community Plan Bylaw No. 2997, 2020 – Amendment Bylaw No. 1, 2023 (Panorama / Panorama Mountain Village Inc)” be introduced; and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.
  2. THAT Bylaw No. 3223 cited as “Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 391, 2023 (Panorama / Panorama Mountain Village Inc)” be introduced, and further, that confirmation of issuance of the necessary notice, approval, or final determination that the site is not a contaminated site under the *Environmental Management Act* in accordance with section 557 of the *Local Government Act* is required prior to bylaw adoption.
  3. THAT Bylaw No. 3222 cited as “Regional District of East Kootenay – Panorama Area Official Community Plan Bylaw No. 2997, 2020 – Amendment Bylaw No. 1, 2023 (Panorama / Panorama Mountain Village Inc)” not proceed.
  4. THAT Bylaw No. 3223 cited as “Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 391, 2023 (Panorama / Panorama Mountain Village Inc)” not proceed.

**Recommendation: Options 1 & 2**  
The proposal is consistent with OCP Policies and future resort development.

**Property  
Information:**

**Current OCP Designation:**

Lot 3: RES-A, Resort Accommodation which supports a range of residential, commercial accommodation and commercial land uses; including row houses, townhouses, condominium hotel, and hotel. Supported accessory commercial uses include recreational facilities, food services, resort commercial uses, childcare facilities, banquet and conference facilities and resort administrative offices.

Block H: RES-R, Resort Recreation which supports recreational use and associated amenities and infrastructure, including ski terrain, ski lifts, golf course, golf course club house, mini-golf, tennis courts, trails and day use / skier parking.

**Proposed OCP Designation:**

Lot 3: RES-R, Resort Recreation which supports recreational use and associated amenities and infrastructure, including ski terrain, ski lifts, golf course, golf course club house, mini-golf, tennis courts, trails and day use / skier parking.

Block H: RES-A, Resort Accommodation which supports a range of residential, commercial accommodation and commercial land uses; including row houses, townhouses, condominium hotel, and hotel. Supported accessory commercial uses include recreational facilities, food services, resort commercial uses, childcare facilities, banquet and conference facilities and resort administrative offices.

**OCP Objectives & Policies:**

- The management of lands designated RES-R, Resort Recreation are recognized to prioritize use and maintenance of associated facilities for commercial recreation purposes in accordance with the Master Development Agreement. However, the management of these lands should not preclude public recreational access to established trails, lands and recreation sites within and beyond the boundary of the plan area.
- The centralization of commercial retail uses and services within the Resort Core, other than existing satellite commercial uses and on-mountain facilities, is supported.
- The integration of commercial services that cater to the day to day needs of visitors and residents, such as basic grocery items is encouraged.
- All commercial uses except those located within the Springs Creek subarea must be serviced by a community water system and a community sewer system.
- Commercial accommodation uses are generally directed to existing multi-family development nodes and adjacent lands within the Resort Core subarea.

**Property Information – cont'd:**

**Current Zoning:**  
RES-2, Resort Recreation Zone  
RES-4, Resort Core Zone

**Proposed Zoning:**  
RES-2, Resort Recreation Zone  
RES-4, Resort Core Zone

**Parcel Size:**  
Lot 3: 3.5 ha (7.92 ac)  
Portion Proposed for rezoning: ~1000 m<sup>2</sup>

Block H: 0.6 ha (1.5 ac)  
Portion Proposed for rezoning: ~880 m<sup>2</sup>

**Density:**  
RES-2 zone: one (1) dwelling unit per parcel  
RES-4 zone: buildings and structures on a parcel must not exceed a floor area ratio of 3.5.

**ALR Status:** Not within the ALR

**Interface Fire Hazard Rating:** Low, within the Panorama fire service area

**BC Assessment:** Recreational and Business (other)

**Water and Sewer Services:** Community Water and Sewer.

**Professional Studies:**

None

**Additional Information:**

- Uses associated with a Ski Resort offered in the RES-4 zone and not the RES-2 zone include (but are not limited to), retail trade industry, hotels & motels.
- The subject parcels are not affected by flood concerns and are not within known archaeological sites or areas of higher archaeological potential.
- Adoption of the proposed application is subject to approval by the Ministry of Environment due to the property's history of specified industrial use. The RDEK submitted a Site Disclosure Statement on behalf of the applicant February 13, 2023. Per Section 557 of the *Local Government Act* a Regional District cannot approve an application until a Release Notice or Certification Document from the Ministry of Environment is obtained.

**Consultation:**

Section 475 of the *Local Government Act* requires that local government consider the depth and breadth of consultation to be undertaken with persons or organizations that it considers may be affected by the proposed OCP amendment. Consultation completed to date for this amendment includes referral of the bylaw to the following organizations.

**Consultation -  
cont'd:**

In addition, there will be an opportunity for discussion with the public prior to the commencement of the public hearing.

**APC Areas F & G:** Support Recommended

**Referral Agencies:**

- **Interior Health Authority:** No response to date
- **Transportation & Infrastructure:** No response to date
- **Environment:** Interests Unaffected
- **Mountain Resorts Branch:** The rezoning application is consistent with the approved Master Plan for Panorama and MRB supports the application. Given that both Block H and Lot 3 are private land parcels that have registered provincial interests on title, we will continue to work with the Agent and Panorama to ensure the provincial interests are maintained and/or modified as required through the subdivision process.
- **Ktunaxa Nation Council:** No response to date
- **Akisqnuq First Nation:** No response to date
- **School District No. 6:** No response to date
- **Telus:** Interests Unaffected

**Documents  
Attached:**

- Bylaws
- Location Map
- Land Use Map
- OCP Designation Map
- Zoning Designation Map
- Aerial Photo
- Applicant Proposal Letter
- Application Maps

**RDEK  
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