



Request for Decision Bylaw Amendment Application

File No: P 724 555
Reference: Bylaw No. 3346
Date: October 22, 2024

Subject: Bylaw No. 3346 (Fairmont Hot Springs / Fairmont Hot Springs Resort Ltd.)
Applicant: Fairmont Hot Springs Resort Ltd.
Agent: Richard Haworth, Haworth Development Consulting Ltd.
Location: Fairmont Resort Road & Fairway Drive, Fairmont Hot Springs
Legal: Lot A, District Lots 18 and 4596, Kootenay District Plan 18179
(PID: 014-057-425)

Proposal: To amend the zoning designation of the majority of the subject properties to reflect the current use of the land and facilitate expansion of the existing RV Park to permit an additional 30 sites.

Development Agreement: None.

1. THAT Bylaw No. 3346 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 17, 2024 (Fairmont Hot Springs / Fairmont Hot Springs Resort Ltd.)” be introduced.
2. THAT Bylaw No. 3346 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 17, 2024 (Fairmont Hot Springs / Fairmont Hot Springs Resort Ltd.) not proceed.

Recommendation: **Option #1**

The proposal is consistent with the current use of the land and these lands were previously designated with the current proposed zone designation. The proposed commercial recreation and tourism use aligns with the vision of the current resort ownership and is in an area identified as appropriate in the OCP.

Property Information:

OCP Designation: RES-MU, Resort Mixed Use

OCP Objectives & Policies:

- Focus tourist commercial development in Fairmont Hot Springs.
- Support commercial recreation and tourism land uses within the plan area where the use is compatible with adjacent land uses.

**Property
Information -
cont'd:**

- Applications for the development of new campgrounds in the plan area should include development contributions to assist in mitigating the impacts of the proposed development, including contributions to address the cost of managing solid waste generated within campgrounds.
- In the event of Fairmont Hot Springs Resort (FHSR) expanding their resort operations, FHSR must provide an updated Employee Housing Strategy (EHS) to the RDEK. In the event that the updated EHS identifies that insufficient employee housing is being provided by FHSR, development permits or other approvals for commercial or resort development may be withheld. Any shortfall in the number of employee housing units that resulted from new development or changes to existing employee housing must be provided prior to the issuance of further development permits or other approvals that would result in the creation of new demand for additional employee housing units. Following the preparation of an updated EHS by FHSR, the provision of employee housing opportunities must be in accordance with a new strategy or as otherwise directed by the RDEK Board.
- Future land uses should not compromise the integrity of badger habitat, Class 1 and 2 ungulate winter range or Big Horn Sheep habitat range particularly located along west facing slopes.
- Habitat connectivity, sensitive ecosystems, vulnerable plant communities and movement or endangered animal species must be considered at the time of rezoning or OCP amendment applications. Notwithstanding the development permit requirements of Section 20.3 of this plan, additional development approval information may be required by the RDEK as part of the development approval process.

Current Zone Designation: RES-4, Resort Core Zone

Proposed Zone Designation: RES-1, Recreation Accommodation Zone

Parcel Size:

Total Area: 26.9 ha (66.5 ac)

Area under application: 21.9 ha (54.1 ac)

Density: The RDEK Campground Bylaw identifies a maximum total parcel campsite density as 30 campsites per gross hectare, calculated on the total area of the parcel on which the campground is located. The applicant identifies that they are proposing 30 new sites.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Ranging from low to high, within the Fairmont Hot Springs fire protection area

BC Assessment: Recreation and Business/Other (Campground & Vacant)

Water and Sewer Services: Fairmont Hot Springs Utilities. RV sites will include electrical hook-up and water and sewer connections.

Property Information - cont'd:

Flood Hazard Rating: Meredith Creek cuts through the south portion of the property. Floodplain regulations must be met for development.

Professional Studies:

None

Additional Information:

- The existing RV park includes 184 RV campsites on the main property, with an additional 10 RV sites and 8 cottages on the surrounding lands.
- A campground permit has been submitted for the 30 new RV sites. It was identified through the initial review that a bylaw amendment application was required as the current zoning does not permit a campground.
- The current density of the RV park is 7.2 units per hectare (UPH). The additional 30 sites proposed will increase the site density to 8.3 UPH. The RDEK Campground Bylaw permits no more than 30 campsites per hectare.
- The application states that the subject property currently operate as the Fairmont RV Park. These properties were previously zoned RES-1 but were rezoned to RES-4 in anticipation of redevelopment by the previous owners of the resort. The current owners are seeking to rezone these lands back to RES-1 in recognition of their present use and to permit future expansion of the RV Park.
- The application states that the new RV sites will include a parking area for an RV as well as a gravel or paved area for a picnic area. All new sites are proposed for use seasonally, from May to October, with seasonal leases for all new sites. No nightly rentals are proposed.
- After requesting information about employee housing the applicant noted to staff that the resort's employee numbers are down about 25% in the past year. Delivery of service has been streamlined to address issues with hiring. As a result, there is ample staff accommodation available and the applicant's do not foresee it becoming an issue. As the new campsites proposed are to be seasonal leases there will be no additional staff required to maintain these sites.
- The subject properties are within Environmentally Sensitive Development Permit areas for wetlands and riparian ecosystems, habitat for species at risk for Vivid Dancer, Montana Larkspur and Nuttall's Sunflower and Bighorn Sheep Habitat. A development permit application will be required prior to issuance of a Campground Permit.

Consultation:

Advisory Planning Commissions:

APC Area F: Support recommended

Referral Agencies:

- **Interior Health Authority:** Septic requirements will be addressed at campground permit issuance stage.

**Consultation
cont'd:**

- **Transportation & Infrastructure:** No issue with additional campsites.
- **Water, Land & Resource Stewardship:** Standard referral response.
- **Ktunaxa Nation Council:** No comment to date
- **Shuswap Band:** Based on initial review, the nature of the proposed activity, its location, the current information available to their office at this time, they do not see any apparent significant impacts to their Indigenous rights. However, they may at a future date want to revisit consultation should new information become available.
- **School District No. 5:** No comment to date
- **Telus:** No comment to date
- **Mountain Resort Branch:** No concern

**Documents
Attached:**

- Bylaw
- Location Map
- Land Use Map
- Zone Designation Map
- Rezoning Proposal
- Campground Expansion Proposal
- Aerial Photo

**RDEK
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