



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: November 10th, 2017 File: 2016-1787
TO: Linda Tynan, Chief Administrative Officer
FROM: Dean Strachan, MCIP, RPP, Director of Development Services
SUBJECT: OCP Amendment and Rezoning – 13610 Banks Crescent - Update

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT the update report dated November 10th, 2017 from the Director of Development Services in relation to the OCP Amendment and Rezoning for 13610 Banks Crescent be received.

PURPOSE:

To receive an update on review and study components for the proposed OCP Amendment and Rezoning of 13610 Banks Crescent.

BACKGROUND and DISCUSSION:

1. At their meeting of October 23, 2017 Council directed staff to proceed with having a third party professional review of the proposed Aquifer Protection Strategy. Staff have engaged an Engineering Firm to conduct the review. Unfortunately, with the time required for the review and the limitations on available suitable professionals we have been provided a tentative timeline for completion of mid-December.
2. The Lark Group submitted two letters, one is on their efforts to engage residents and businesses in support of the proposed project dated. The second letter requests Council to consider the scheduling a Public Hearing at the November 14, 2017 meeting.

If Council were to consider this request, staff would recommend that Council provide direction to staff to schedule the Public Hearing at earliest time and date that would meet statutory requirements for notification and when suitable facilities were available. Staff would also recommend that the Public Hearing not be scheduled on a date prior to the scheduled receipt of the Aquifer Protection Strategy third party review report. Please note, the third party review may result in findings and/or recommendation that may result in Council seeking additional information. If Council were to request additional information the Public Hearing may need to be postponed.

Staff would also recommend that Council request that the final negotiated proposal for amenity contributions be submitted and provided to Council before the Public

Hearing date is finalized. With these considerations we would likely be looking at a mid-December Public Hearing date.

3. Kris Johnson, Director of Work and Utilities prepared a summary of the information and discussion which took place in a Council workshop format at the October 25, 2017 Committee of the Whole meeting (see attached). Please note that if Council wants any further specific information they can direct staff to investigate further.
4. Discussions around amenity contributions continue with the applicants. As of the date of the report negotiations have begun but a revised proposal for presentation to Council has not been submitted by the applicant. If the proposal or additional information is received prior to the meeting it will be added to the report.

LEGISLATION and POLICY:

The Bylaws related to the subject application have received second reading, however, a Public Hearing has not yet been scheduled.

FINANCIAL IMPLICATIONS:

There are no financial implications anticipated to result from the subject recommendation. However, as noted in the attached summary document there are financial implications related infrastructure related to the subject application provided for Council review and consideration.

CONCLUSION:

A summary of the study and review process for infrastructure has been provided for Council review and consideration, amenity contribution negotiations are on-going, Aquifer Protection Strategy third party review is underway.

OPTIONS:

1. Move the motion as recommended by Staff.
2. Request additional information on one or more updates provided.

Submitted by,



Dean Strachan, MCIP, RPP
Director of Development Services

Approved for Agenda



Linda Tynan, CAO

Schedule A – Infrastructure Impacts

Overview

A workshop was held with Council and Staff to discuss the operational and financial impacts of this proposed development at 13610 Banks Crescent on District infrastructure. Staff defined direct offsite work, proposed amenity contribution and Development Cost Charges (DCCs) then explained how these related to various infrastructure components including water, stormwater, sewer, roads and electrical. The following will outline the information discussed at the workshop and provide further information regarding the impact to the District.

Direct Offsite Work

Any extension or upgrades required to service a development are referred to as direct offsite works. These are required based on bylaws or engineering analysis of the development and its impact on the infrastructure. All costs associated with direct offsite works are the responsibility of the Developer.

Proposed Amenity Contributions

Development often leads to a demand for additional community amenities that are not required or provided for under other legislative provisions. Therefore, a local government and a Developer can negotiate amenity contributions that are agreed to be provided and paid for by the Developer as part of the rezoning process. These contributions can either be planning and servicing considerations or public interest considerations. Once an amenity contribution is agreed to, it is obtained by the local government by making it a condition if the rezoning application is approved and will form part of the development agreement.

Development Cost Charges

A development cost charge, or DCC, is a way to assist local governments in paying for the capital costs of future infrastructure upgrades or new infrastructure. DCCs are payable by Developers upon obtaining an approval of subdivision or a building permit. These are enforced through a DCC Bylaw which allows DCCs to be established and collected for the construction, upgrade or improvements to infrastructure related to the following services:

- roads, other than off-street parking;
- sewage;
- water;
- drainage; and,
- parkland acquisition and improvement

Water

The water demands for the proposed development were modeled to determine the impacts on the existing water system. Components of the water system included in this analysis are distribution mains, pressure reducing valve station, pump stations and the water treatment plant. For this development, possible service connections locations that were identified in the conceptual design were modelled. The water model analysis was conducted to determine if any components within the system would require upgrades in order to meet the water demand calculated for this development. The analysis showed that no upgrades were required elsewhere in the water system. During the detailed design, the service location will be confirmed. If the service connection is located directly off the existing watermain on Solly Road, the direct offsite work would include installing a water service connection to the system and extending it to the site. If during the detailed design process a connection to the existing watermain along Latimer Avenue is considered, the direct offsite works would also include upgrading the watermain from the site

to Solly Road. These costs are required to service the development and are therefore the responsibility of the Developer.

There have not been any amenity contributions relating to the water system proposed by the Developer. As part of the water model analysis, possible service connection locations were reviewed to confirm capacity within the various water system components are sufficient to service the site. Depending on which service location option that is selected, there will be some improvements or upgrades to the water system near the development site that would be considered direct offsite work and be the responsibility of the Developer to complete at their full cost. As a result, Staff have not identified any items that should be considered as amenity contributions.

The Water DDCs required for this development are \$439,700. As noted above, these funds are collected and can only be used by the District to pay for the projects outlined in the DCC Bylaw.

From an operation and maintenance perspective, the only new infrastructure being added to the system is the service connection. With regards to the Water Treatment Plant, the additional maximum daily demand from the development is estimated to be 500m³/day or 0.5ML/day. The Water Treatment Plant has a capacity of 75ML/day so the increase in demand is minimal. Therefore, no significant increase in operational or maintenance costs associated with the water system is expected.

Stormwater

All stormwater from the proposed development is required to be captured, stored then released into the District's stormwater system at a restricted rate. Examples of direct offsite costs for stormwater include extension of a discharge pipe from the site and connection to the existing stormwater system as well as any downstream pipe upgrades required due to any additional flow within the piped system caused by the development. Direct offsite works also include installing catchbasins on Latimer Avenue near Gillespie Road and connecting these to the stormwater system as identified in the District's Master Drainage Plan.

No amenity contributions have been proposed by the Developer relating to stormwater and Staff have not identified any items that should be considered.

The Stormwater Drainage DDCs required for this development are \$147,147 which are collected to pay for the stormwater projects outlined in the DCC Bylaw.

The storm pipe extension from the site to the connection with the existing system and the two catchbasins that are to be installed on Latimer are the only additional storm infrastructure that will become the responsibility of the District to maintain in the future. This is not a significant amount of additional infrastructure, therefore the increase in maintenance and operational cost associated is expected to be minimal.

Sewer

Modelling analysis was completed to determine the downstream impacts with the sewer collection system from the proposed development. Components such as sewer mains, lift stations and the wastewater treatment plant were reviewed. Based on this analysis, a section of sewer pipe (approximately 80m length) is required to be upgraded between the proposed development site and the Butler Street Lift Station. Other direct offsite works include extension of the discharge pipe offsite and connection to the existing sewer system.

No amenity contributions have been proposed for the sewer system. Staff identified that future upgrades for the Butler Street Lift Station may be a possible item for consideration. However, modelling analysis was completed, and it was determined that the peak flow to the Butler Street Lift Station will increase from 22.9 L/s to 31.4 L/s, or 37%. However, the lift station has a capacity of 70 L/s so even with the additional flow, there is still more than 50% of the lift station capacity remaining. The increase flow will increase the frequency and/or duration that the lift station pumps operate so the operation and maintenance costs for the lift station would increase as flows to the lift station increase but no upgrades are required.

For the Wastewater Treatment Plant (WWTP), the average peak daily flows recorded from 2014-2016 was roughly 2,700 m³/day compared to the WWTP capacity of 4,000 m³/day. In 2017 during the Okanagan Lake flood event, the peak flows to the WWTP increased significantly due to residents pumping groundwater into the sanitary sewer system. Once the issue was investigated and residents were advised not to pump groundwater into the sewer system, the peak flows reduced back to expected levels.

The average design flow rate and peak design flow rate for the development are calculated to be approximately 350 m³/day and 1,000 m³/day. If peak flows from the development of 1,000 m³/day were actually experienced, the WWTP peak flow would increase from 2,700 m³/day to 3,700 m³/day, or to about 92% of the WWTP capacity. It should be recognized that peak design flows are quite conservative compared to actual peak flows experience in the system. Based on the current actual peak flow of 2,700 m³/day which is for a service population of approximately 6,200 people, the actual peak flow per capita is about 440 L/person/day. Based on the projected population for the development of 996 people, the actual peak flow experience may only be 438 m³/day versus the design peak flow of 1,000 m³/day. This means the WWTP peak flow would only increase by 16%, from 2,700 m³/day to 3,138 m³/day which would push the peak flow to 78% of the WWTP capacity. The increased flow to the plant would increase the operational cost of the WWTP somewhat but would not require the District to upgrade the treatment capacity of the WWTP.

The Sewer DCCs required for this development are \$485,219 which are collected to fund sewer projects outlined in the DCC Bylaw. Following the completion of the Wastewater Master Plan Update, the DCC Bylaw should be reviewed to determine if an amendment is required to add any additional projects and adjust the DCC rates accordingly.

Roads

Based on a one-day traffic count completed as part of the Traffic Analysis report submitted by the Developer and the traffic volumes from the District's Transportation Management Plan, the existing traffic along Solly Road is estimated to be approximately 1,500 vehicles per day (vpd). The proposed development is expected to increase the traffic on Solly Road and Latimer Avenue by 2,032 vpd; 527 vpd with Phase 1 and 1,505 vpd with Phase 2. Solly Road and Latimer Avenue are local roads which typically can handle up to 1,000 vehicles per day compared to a collector road which can typically handle up to 8,000 vehicles per day. Note that these typical capacity limits are not specific trigger points that obligate a local government to complete road upgrades. It is up to the local government to determine when it is practical to upgrade a roadway. Existing challenges with Solly Road and Latimer Avenue were noted such as narrow asphalt widths, tight corners, limited sightlines, steep sections, and the existing condition and structure of the roads.

Direct offsite works that have been identified are improvements to the proposed development access locations off of Latimer Avenue and realignment of the Solly Road and Latimer Avenue

intersection by adding a left-hand turn bay on Latimer Avenue for vehicle travelling north and turning west.

For amenity contributions, the Developer has proposed to install a new sidewalk along on one side of Solly Road and Latimer Avenue from Highway 97 to the development site. Construction of a walkway, including a wooden staircase, from MacDonald Place heading east towards MacDonald Street was also proposed. Based on the additional traffic volumes expected from this development, reconstruction of approximately 700m of Solly Road and 300m of Latimer Avenue to collector road standards should be considered. The estimated costs to upgrade these roadways an 8.6m wide asphalt roadway with sidewalk on one side is roughly \$1.8M; \$1.2M for Solly Road and \$0.6M for Latimer Avenue. Staff will initiate negotiations on these additional items with the Developer.

With the reconstruction of Solly Road and Latimer Avenue, the maintenance over the next 5-10 year would be less than if the roads were left as is. However, the increased roadway width, the addition of retaining walls and the addition of a sidewalk along one side of the roadway would increase the long-term renewal costs for this roadway. Also, it is expected that the level of service for snow and ice control for this section of road would increase if the road classification increases from a local road to a collector road.

The Road DCCs that the Developer is required to pay for this development is \$1,447,254 which are collected to pay for the sewer projects outlined in the DCC Bylaw.

Electrical

The electrical system includes components such as power poles, conductor lines, transformers and substations. Based on the estimated electrical load for the proposed development, the electrical model was analyzed to confirm if any improvements to these various components are required to service this site. Direct offsite works that are required include upgrades to the conductor wire and power poles from Highway 97 to the site and any connection requirements or fees as per the Electrical Bylaw. The required works also includes extension of the power system on the east side of the site to provide a power service connection to the site for construction since the existing service located on the west side of the site will be disrupted when the onsite power poles are removed during construction.

As an amenity contribution, the Developer has proposed to improve the electrical system located east of the site to Lakeshore Drive by converting any overhead lines to underground and remove any remaining power poles. Based on the modeling analysis, no other considerations for electrical amenity contributions were identified. However, the projected peak electrical load for this development is approximately 4.1 megawatts which will require Fortis to upgrade the capacity of the Prairie Valley Substation which will be at their cost. The District and Fortis are in discussion of the long-term plan for this substation as infill development and other new developments continue to increase the load on the electrical system.

DCCs do not include electrical systems, therefore no DCC for electrical are required to be paid for this development.

November 7, 2017

**iCasa Resort Living, Summerland BC
at Shaughnessy Green (the "Project")**

ATT: Mayor and Council
RE: iCasa Community Support Campaign Update

Dear Mayor and Council,

We write to provide an update regarding the Community Support Campaign that our team has had underway since July 18, 2017. Not only have the responses been overwhelmingly positive as per the below summary, but the opportunity to discuss the project with all members of the community has been an incredibly valuable experience; both for us and we hope for the community as well.

The Campaign provides for open and transparent discussion with neighbors of the project, Summerland residents and businesses alike. We value the opportunity to listen to individuals' excitement for the project, their support for the project, their need for the project (both residents and businesses) and of course in some cases, their concerns for the project.

Please find below a breakdown of the Campaign statistics to date:

Total Contacts Made to Date :	2958
Signed support letters	1209 (159 by business)
Support without signature	270
Online support	46
Neutral	524
Not Home	746
Opposed	163

Of those who responded either in favour or opposed, 1525 (or 90.3%) were in favour and 163 (or 9.7%) were opposed. A package including the supporting documents will be submitted in confidence to the District.

Sincerely,



Lark Enterprises Ltd.
Malek Tawashy,
Development Project Manager



November 2, 2017

**iCasa Resort Living, Summerland BC
at Shaughnessy Green (the "Project")**

**ATT: District of Summerland Mayor and Council
RE: Request for Public Hearing**

Dear Mayor and Council,

With our acknowledgement for the time, energy and resources that have been invested by the District to date in review of the above referenced Project, please accept our request for the scheduling of the statutory public hearing.

We request that the public hearing be announced at, and occur within the appropriate number of days following, the next council meeting which we understand will be on November 14, 2017.

Sincerely,

A handwritten signature in blue ink, appearing to be "Malek Tawashy", written in a cursive style.

Lark Enterprises Ltd.
Malek Tawashy,
Development Project Manager