



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: August 10, 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:

1. *THAT a representative from the Freshwater Fisheries Society of British Columbia be permitted to address Council regarding the proposed iCasa development and to provide an updated statement on the project.*
2. *THAT the update report dated August 10, 2017 from the Director of Development Services in relation to the OCP Amendment and Rezoning for 13610 Banks Crescent be received.*

PURPOSE:

To consider a request from the Freshwater Fisheries Society of BC to address Council regarding the proposed iCasa development and to provide an updated statement on the project and to provide a progress update on review and study components.

BACKGROUND and DISCUSSION:

1. The Freshwater Fisheries Society of BC has requested an audience with Council to provide an updated statement regarding the subject application.

Before authorizing the applicant to speak to Council, a motion to that effect must be made and passed unanimously by Council.

If the motion passes, the representative for Freshwater Fisheries BC should be invited to speak before there is further discussion on this item.

2. At the July 24, 2017 meeting, council requested an anticipated timeline for completing the component reviews and scheduling a Public Hearing. Staff have reviewed the timelines for completing the study and review of infrastructure components and are currently anticipating completion of the work and reporting to Council by October 10, 2017.
3. If the Freshwater Fisheries Society of BC addresses Council it is anticipated more information will be available to Council on this item under review.

4. Staff are in contact with the School District in regards to using the school gym for the Public Hearing, a tentative date of October 26, 2017 has been requested based on the current projected infrastructure review completion and reporting to Council on October 10, 2017. As a part of the October 10, 2017 staff reporting to Council a recommended date for Public Hearing would be presented for Council's consideration.
5. Items that have been identified as requiring additional study and review include the infrastructure items noted above that continue to be under review and information gathering remains incomplete. It continues to be recommended to Council that the process for completing the study and review continue and a Public Hearing not be scheduled until this process is complete: If Council were to bring forward a resolution to schedule a Public Hearing prior to the study and review being completed it is recommended that the resolution not include a specific date and time but request staff to schedule for a time and date when statutory notification requirements can be met and suitable facilities are available. Such a resolution would read:

That staff be directed to schedule a Public Hearing for the Banks Crescent Bylaws as soon as possible at a time and date when suitable facilities are available and statutory notification requirements can be met.

6. As previously noted, additional areas of review and study may be identified through the information gathering process. Once the study and review is completed a summary report will be prepared including a summary of the community consultation comments and questions received with responses and answers provided where possible and/or applicable. It is anticipated that the additional information gathered would likely result in more detailed additional and/or alternate amenity provisions being recommended.
7. As noted under Legislation and Policy, with the Development Agreement a 219 Restrictive Covenant is registered which is a no build and no disturb covenant. This covenant is not released on any portion of the property until the detailed design drawings for off-site infrastructure are received and approved for the phase, each phase agreement must follow the overall Development Agreement. The Development Agreement for each phase would be required to be in place with the required security before a Building Permit could be issued.

LEGISLATION and POLICY:

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

The mechanism proposed to be used for addressing concerns, requirements, conditions and bonding security would be a Development Agreement. The Development Agreement would be completed, presented to Council and would need to be approved in advance of the Rezoning Bylaw being adopted. As the proposed development would not be constructed all at once the Development Agreement would include provisions to be addressed at each construction phase. As part of this process, a No-Build and No-Disturb 219 Restrictive Covenant would be registered prior to adoption of the Rezoning Bylaw. This covenant would only be released for each phase once the detailed designs are approved and/or provisions are completed and bonding security is in place.

FINANCIAL IMPLICATIONS:

There are no financial implications anticipated to result from the subject recommendation.

CONCLUSION:

The study and review continues to progress with the infrastructure review projected to be completed and reported to Council on October 10, 2017. At that time Council would be requested to consider scheduling a Public Hearing October 26, 2017.

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