



DISCLAIMER NOTICE

The contents in this document are the views of their authors. The District of Summerland makes no representations or warranties as to the accuracy of the information. Any reliance you place on such information is at your own risk.

Links to other websites contained in this document are not under the control of the District of Summerland and do not imply a recommendation or endorsement of the views expressed within them.

Please visit <http://www.summerland.ca/planning-building/banks-crescent> to view District of Summerland Reports, Legislation, Policy, Assessments, Studies, and Drawings on the proposed development.

A handwritten signature in black ink that reads "Jeremy Denegar". The signature is written in a cursive style and is positioned above a horizontal line.

Jeremy Denegar
Corporate Officer

Karen Jones

From: Donna Wahl <[REDACTED]>
Sent: June 12, 2017 3:58 PM
To: Peter Waterman
Cc: Janet Peake; Erin Carlson; Erin Trainer; Toni Boot; Richard Barkwill; Doug Holmes; Development Services; Karen Jones; Tricia Mayea
Subject: Neighbourly stress

Dear Mayor and Elected Council Officials,
Yesterday I had the mindboggling experience of helping calm a distressed member of our neighbourhood whom I barely knew. Why is this mindboggling? Because this Summerland resident burst into tears in my driveway over the prospect of Lark's proposed development of Banks Crescent.
Mayor Waterman, you were elected on your pro-agricultural platform. What is this town coming to when you allow members of the community to endure this level of emotional strain and anxiety for such a long duration?
Concerned resident
Donna Wahl

Action

File: _____
Acknowledged: _____
Copy to:
___ Mayor
___ Council
___ CAO
 Council Correspondence
___ Reading File:
___ Agenda Item: PH
Referred to _____
Completed by: J

Karen Jones

From: ROBERT BUSCHERT [REDACTED] >
Sent: May 3, 2017 9:40 PM
To: Erin Trainer; Janet Peake; Richard Barkwill; Toni Boot; Erin Carlson; Doug Holmes; Peter Waterman
Subject: Seniors Development on banks Crescent

To the Mayor and City Councillors of Summerland
My name is Bob Buschert

I would like to adress my concerns regarding the Proposed Developement on Banks Crescent.

I am not opposed to a much needed seniors development in Summerland, but the location of the development has some serious concerns to me. Especially the potential damage to the spring water that is used by the Summerland Fish Hatchery.

For the past 10 or so, I was contracted by the Freshwater Fisheries Society of BC (Summerland Fish Hatchery) to maintain the property, including land, buildings and the spring water supply, of the Fish Hatchery. Over the years I monitored, maintained and made improvements to the spring water supply, located directly below the proposed development. I noted that this spring is very sensitive to any environmental changes in the area. It did not take to much activity in the area to cause disruption to the water, even animal activity, ducks, raccoons, deer, bears etc, would cause problems to the spring water.

Nobody seems to know where the origin of the spring is. The biggest problem that I could see is that the construction work could cause some underground problems to the spring. The construction of the roads, excavation, and foundation construction uses HEAVY COMPACTION EQUIPMENT, which causes vibrations through the soil, WHICH IS SILT, BY THE WAY, IF YOU DIDN'T ALREADY KNOW---THAT WOULD BE CLAY, and serious underground cave-ins could occur as a result of this. All you have to do is note the problems of the development above Peach Orchard Beach. Silt is not a desirable base to construct large, even small buildings on top of. In fact, engineers will tell you that it is the worst material to build on.

I have heard that the developers are working on a contingency (back-up) water proposal for the Hatchery, but the water would have to be the same amount, or more, the correct temperature, have the right mineral content, no chlorine, no diseases or other factors that would affect the fish, and would have to be 100% reliable. Any mechanical back-up system would also have to have a back up system that would guarantee no water interruption-- the back up system would now be the main water supply. The Hatchery fish can only survive for a couple of hours without the spring water. I feel that a catastrophic event to the spring water would definatly spell THE END TO THE END TO THE SUMMERLAND FISH HATCHERY. Not to mention the employees that would be displaced as a result. There also is no underground water in the area that would support a well with sufficient water supply, as test well were drilled in the area to no avail. In fact a test well was drilled approximately 30 feet from the lake and 250 feet deep and the result was no water. So, well water as a back-up system, is not viable

There is also concerns regarding the run-off water from the roads directly above the gully. Where will this all go?

My opinion is that this is a very risky proposal, and it is highly likely that it would have a some effect on the Fish Hatchery Water supply. There are much better locations for a similar development, that would be closer to the town center.

Please feel free to call me at 250-494-1104 or e-mail me at bob.barb@shaw.ca if you have any questions that I might be able to help you with.

I am sure you will make the correct decision regarding this matter, as you are a very competent Council.

Thank you for your time to read my letter and consider my concerns.

Bob Buschert
10122 Beavis Place
Summerland

Action

File: _____
Acknowledged: _____
Copy to:
___ Mayor
___ Council
___ CAO
 Council Correspondence
___ Reading File: P.N.
___ Agenda Item: P.N.
Referred to _____
Completed by: _____

File: _____
 Acknowledged: _____
 Copy to: _____
 Mayor
 Council
 CAO
 Council Correspondence
 Reading File: _____
 Agenda Item: PA
 Referred to: _____

 Completed by: [Signature]

Karen Jones

From: [Redacted]
Sent: June 11, 2017 5:05 PM
To: Peter Waterman; Toni Boot; Richard Barkwill; Erin Carlson; Doug Holmes; Janet Peake; Erin Trainer
Cc: editor@pentictonherald.ca; news@summerlandreview.ca
Subject: 13610 Banks Crescent Request for Rezoning and OCP Amendment

Dear Mayor Waterman and Council,

It can easily be argued that Summerland's Bristow Valley, without easy access to community amenities and services, would be a hard sell to most seniors looking to downsize and reduce or give up driving. Yet the developers, Lark, have kept communications tightly focused on planned in-house health care and amenities so residents won't want or need to leave. Welcome to the Hotel California? Perhaps not quite that restricted because they do have a plan for a facility bus.

Lark's presentation to support their request to rezone the Banks Crescent property from agricultural to high-density mixed-use and amend our Official Community Plan (OCP) highlighted an exclusive, non-invasive neurological stimulation treatment for dementia. This is exciting. This is great science and likely a profitable business. But it's proposed for a bad location.

I do wonder how medical services provided via Telehealth from Manitoba would serve residents who need to be admitted to a local hospital. Would these remote health care providers have admitting privileges in Penticton or even in BC?

The response to Mayor Waterman's request for clarification on the number of assisted living versus market units struck me as vague and subject to change. I would expect beyond the extended care facility already leased by St. Elizabeth, the type of units built will be determined by what the developer can sell once the requested zoning is in place. High-density mixed-use is not restricted to seniors.

When asked why a proposal was submitted that did not conform to our OCP, the jaw-dropping response was that based on their communications with our city staff they did not feel it was an issue. Mayor and Council – our city staff work for you and for us. The OCP, the citizens' document in effect until 2019, and the platforms that brought you to office need to guide their work. For staff to trivialize the OCP simply not acceptable.

If council approves this development, the location is unlikely to attract many seniors who don't drive. We could then expect hundreds of units open to all ages, possibly even vacation rentals, services and retailers. In a different location that would be great. Summerland needs housing for all ages. But, for the Bristow Valley, traffic would face a major obstacle: There is only one single, narrow road to the site.

If the development proceeds, I'm not sure what scares me most; havoc created by building roads and sidewalks to OCP/Land Titles Act standards, or the risk of not. Either way, impact on the people who live on and around Latimer Avenue and Solly Road would be severe. Our many questions and concerns have been met with silence. We have been patient and respectful for too many months. We are tired, stressed and we fear for the future of our homes and neighbourhood.

Please put an end to it for us all and vote it down.

Carolyn Courtemanche, Summerland

Karen Jones

From: Doug Wahl <[REDACTED]>
Sent: June 8, 2017 10:07 PM
To: Peter Waterman; Janet Peake; Erin Carlson; Erin Trainer; Richard Barkwill; Doug Holmes; Toni Boot
Cc: Tami Rothery; Linda Tynan; Dean Strachan
Subject: GHG emissions, proposed Banks Cres + carbon sink potential of fruit trees

Hello Mayor and Council,

On December 16, 2016, the Lark Group sent a letter to Council offering some facts about the proposed development. One fact stated "the development directly delivers on climate change goal by minimizing urban sprawl and providing access to amenities within walking and cycling distances".

Given the scope of the development, including the developer's submission of an additional 1,660 vehicle trips per day, I think it would be prudent to examine the potential GHG emissions in relation to the development and how this might affect Summerland's climate action targets. Such an examination should consider the loss of the carbon sink potential of the existing land use (vineyard). I have included a link to a 2016 journal article on that subject:

<http://www.sciencedirect.com/science/article/pii/S0167880916300883>

On a slightly different subject, I would encourage the District of Summerland to investigate the potential for orchards and other crops to sequester carbon and what growers can do to decrease their carbon footprint. There is a potential that Summerland's agriculture sector could have a positive contribution to achieving our climate action targets. In addition, there has been recent controversy about planting conifers on ALR land for carbon credits. Perhaps there is an opportunity to obtain carbon credits by tracking new fruit trees that are planted in Summerland?

Thanks for your time and have a good weekend,

Doug Wahl

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2016.0.7924 / Virus Database: 4776/14543 - Release Date: 06/08/17

Action

File: _____
Acknowledged: ✓
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: AB
Referred to _____

Completed by: ✓

Karen Jones

Subject: FW: Banks crescent - Lark Group Development - A Fait Accomplai?

RESPONSE To Glen and Diane Witter:

June 13, 2017

Dean Strachan, Director of Development Services spoke with the Witters and clarified that no utilities are proposed to cut through their property.

The Lark Group acknowledged there was an error on the drawings and they are having them corrected.

From: Glen Witter [REDACTED]
Sent: June 11, 2017 10:16 AM
To: Peter Waterman <pwaterman@summerland.ca>; Erin Trainer <etrainer@summerland.ca>; Janet Peake <jpeake@summerland.ca>; rbarkwell@summerland.ca; Toni Boot <tboot@summerland.ca>; Erin Carlson <ecarlson@summerland.ca>; Doug Holmes <dholmes@summerland.ca>
Cc: Karen Jones <kjones@summerland.ca>
Subject: RE: Banks crescent - Lark Group Development - A Fait Accomplai?

To Mayor and Council, City of Summerland June 11, 2017

Re: Banks Crescent – Lark Group Development – A Fait Accomplai?

We live at 13415 Bristow Road, just above the vineyard. We are the lone house on the East side of Bristow Road contiguous to the proposed development.

We note the Lark group has spent considerable time and money laying out and promoting the proposed development. We presume this process has been in close discussions with the various departments of the municipality.

We are in possession of a copy of EUROSCAPE'S FIGURE 2 of May 8, 2017 high resolution overlay of the proposed development of what appears to be a satellite photo of the property. Our small property is clearly shown, as is the existing hydro line passing by us down through the Banks Crescent property. We also note a dotted line of the planned repositioning the hydro line to move it away from proposed construction to the side of the development.

We are also aware that the existing power line supplies much or most of Lower Town. We note that is a significant high voltage line. It is presumed the new development may draw as much or more than the current line and that an even more powerful transmission line (2 – 3 X) will be needed.

The rerouting planned in FIGURE 2 shows the proposed line not only cuts through our property but is proposed to take a turn (which means placement of a pole) in/at the corner of our living room.

1. Can hydro do this to us? Has hydro already agreed to this with the developer?
2. We strongly object to the potential (and proven) life-threatening danger such a powerful hydro line would present going through (or over) our house.
3. Upon reflection of the diagram, this looks like a fait accompli. That you've already made the deal for Lark group as they have gone so far with the groundwork. Please tell us this isn't true.
4. If this goes ahead, does it mean you have agreed with the Lark group that our home is expendable? Perhaps they have plans to buy us out? If so, we have not been informed. Perhaps you have agreed to forcing expropriation? Please tell this it is not true.

We are both retirees who have enjoyed our retirement in Summerland. We doubt you have any empathy for the duress you have placed upon us. In future, I suggest your personnel take the time to keep those impacted better informed.

Without prejudice,

Glen and Diane Witter,

13415 Bristow Road, Summerland



Action

File: _____
Acknowledged: DeW 6/13
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: _____
Referred to
Dean called.
Completed by: J

Karen Jones

From: Bonnie Nesbitt <[REDACTED]>
Sent: June 19, 2017 11:25 AM
To: Mayor and Council
Subject: Regarding proposed senior complex on Banks street

Dear Mayor and council members,

I am a new resident of the district of Summerland and have been following the progress of the "The applicant wishes to construct a 380 unit seniors housing complex with a mixture of market housing, independent, and assisted living units." I see that there are many studies in place regarding water and the hatchery, electrical, traffic, stability of the land etc. It is very good to look at every aspect.

I would invite you to consult with physicians in town as I don't see any report about the medical support of such a project. As you are well aware, there is a shortage of family doctors in the south Okanagan. My husband and I have been told that we will likely not have our own family doctor as there are not even any waiting lists for us to add our names.

I realize the senior accommodation is of utmost importance (I am a senior citizen myself) but I have lived in a community where a 200 resident nursing home was built without consultation with the medical community and it was not a very good outcome. A close friend who is a doctor in that community told us of the strain on an already busy medical community but not only for the doctors. The ambulance service was constantly being used to transport nursing home residents to the area hospitals for tests and such and was at times unable to deal with emergencies in a timely manor. The whole community health was impacted.

Please consider including a dialogue with the medical professionals in this area, along with the other very important issues regarding this proposed development.

Thank you very sincerely,
Bonnie Nesbitt
12559 Taylor Place
Summerland BC
VOH 1Z8

Action

File: _____
Acknowledged: ella
Copy to:
___ Mayor
___ Council
___ CAO
✓ Council Correspondence
Reading File: _____
Agenda Item: _____
Referred to: PH

Completed by: [Signature]

Banks Crescent Proposed Development contrary to Climate Action Plan in Summerland

Just so that all residents know: The Climate Action Plan, produced by a hard working group of caring residents and meant to make Summerland more environmentally and socially friendly is contrary to the impact of the proposed Banks Crescent Development. Please go to:

<http://www.summerland.ca/docs/default-source/works-and-utilities/climate-action/march-23-2011---final---summerland-ccap.pdf?sfvrsn=2>

The document contains all the detail for those interested in reading it, but following are the exact Goals as communicated in Summerland's Climate Action Plan:

- **Goal 1: Minimize urban sprawl and promote compact, energy efficient development with access to amenities within walking and cycling distance.**
- **Goal 2: Improve transportation efficiency.**
- **Goal 3: Support public participation, education and awareness initiatives.**
- **Goal 4: Identify and support effective greenhouse gas reduction initiatives.**
- **Goal 5: Promote energy conservation and dissemination of renewable energy technologies.**
- **Goal 6: Maintain and enhance the urban ecosystem.**
- **Goal 7: Demonstrate Municipal leadership.**

From the Goals alone it is hard to argue the incompatibility between Summerland's Climate Action Plan and the Bank Crescent proposed development.

Whether you like it or not, but climate change is real and we have to show the integrity and courage to do our share to make our environment more safe, clean and friendly for ourselves, but even more so for the generations after us!

xxxx

Nancy Goudy

RECEIVED
JUN 13 2017
City of Summerland

Action

File: _____
Acknowledged: 6/19
Copy to:
 Mayor
 Council
 CAO
 Council Correspondence
Reading File: _____
Agenda Item: PA
Referred to _____
Completed by: [Signature]

To: Mayor Waterman
To: Summerland Council Members

EGEM
JUN 28 2023
03

Dear Mayor Waterman, Dear Council Members,

We rarely correspond in writing with emotions, but we have to get the following off our chest.

We have lived in many different communities and settings most of our working life, but after careful consideration found a house in Summerland to retire and find peace & quiet for the long term. This dream come true will be shattered if the proposed development goes ahead. The ongoing decision process has turned into an every-day trauma for us and for many others in Summerland, particularly in Lower Town. With due respect, we believe the anxiety originates from a seemingly endless decision process with no clear line of sight and transparency. In addition, many well thought-out opinions have been communicated to you, but we do not know whether these are taken serious and/or are included in your decision.

May we recall our earlier correspondence that the communities whose residents have the highest level of attachment also have the highest rates of GDP growth? Improved local decision-making creates a shared sense of belonging, and ultimately strengthens the social, cultural, and economic vibrancy of communities. Emotional Attachment = Stronger Economy!

The current situation surrounding the proposed Bank Crescent Development is unprecedented for us. Given Mayor Waterman's election platform, given the strong public opposition, given the incompatibility with the OCP and the Climate Action Plan, given the Hatchery's, PIB's, and BCWF's opposition, the aquifer & slope risks, ambiance of Summerland, its small town feel, etc, we simply cannot seem to get our minds to understand how you can support this with a clear and pure conscience, how you can look at yourself in the mirror and feel good about your decision. This decision should be made with a genuine feeling for the future of Summerland, what is good for our neighborhoods, their future and their residents. Many elements in the decision process are not a slam dunk, but we need to look at them unbiased. Deep down we believe you know that the benefits of the tax base that you so often quote are questionable. There will be significant costs for maintenance, services and subsequent upgrades in an area with virtually no infrastructure and they will be there for the life of Summerland.

The Lark Group's benefits are clear, they are in the business to make money, but we are left to deal with the impact on the wellbeing of all Summerlanders for the long term.

Allow us to briefly discuss a case in Vancouver that was recently in the news, June 13, 2017, which directly applies to the Banks Crescent proposal. Please take notice of the thought process that the Vancouver Mayor and Council went through and the conclusions they reached. We have attached the latest newspaper article about this case. In question was a large condo complex to be build, similar to what is planned in Summerland, except, we would argue, the incompatibility between Lark's proposal and its surroundings seems far greater than was the case in Vancouver. Also, the risks associated with the Bank Crescent proposal far outweigh those of the proposal in Vancouver.

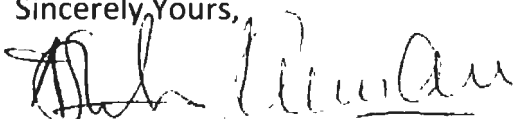
Chinatown: Vancouver Council rejects controversial development proposal:

"It's a signal to the development community that you must consider the surrounding neighborhood that you're working in" said Andy Yan, director of the City Program at Simon Fraser University, minutes after the mayor and council voted. After 26 hours of heated council debate and public hearings over the past three weeks, the mayor and councilors voted eight to three against the project, citing the building's height, lack of adequate social housing and deep community opposition. Yan said that Tuesday's decision could have resonance by the time the 2018 municipal election rolls around, adding: "This is the day that the new Vancouver begins. ... The way that we've built this city for the last 30 years needs to change. It needs context; it needs an element of consideration towards the communities that these developments will inhabit." Mayor Gregor Robertson voted against the proposal, saying: "It cuts far too deep a divide in the community to advance and see this built."

The above considerations must touch you, must make sense to you, and must help you in your decision process. We must not let developers control Summerland. Let us please focus on sensible development. Most of the residents moved here for the same reasons we did. Please do not shatter their dreams and their neighbourhoods!

Thank you kindly.

Sincerely Yours,



Aart and Jos Dronkers

Summerland , June 23, 2017

Action

File: _____
Acknowledged: 6/26
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: PA
Referred to _____

Completed by: 8

Karen Jones

From: Doug Wahl <[REDACTED]>
Sent: June 23, 2017 7:01 PM
To: Erin Carlson; Janet Peake; Erin Trainer; Peter Waterman; Richard Barkwill; Toni Boot; Doug Holmes
Cc: Linda Tynan; Kris Johnson; Dean Strachan
Subject: Comment about revenue analysis

Hello Mayor and Council – I have reviewed the revenue analysis for the proposed Banks Cres. development and was curious to see that utility charges (water & sewer) amounting to \$237,615 were included in the revenue stream. As you can see from the District’s own data, both water and sewer are close to revenue neutral (in fact, revenue neutral is a goal that the District set for metered water rates in 2017). For this reason and to achieve full transparency, I think it is imperative that a revenue analysis be presented simultaneously with a cost analysis.

Revenue Projection Summary:

Property Taxes based on 2017 Class 1 tax rates	\$ 199,338
Utility Charges based on 389 Units at current water and sewer rates	237,615
	<u>\$ 436,953</u>

DISTRICT OF SUMMERLAND	
Wastewater (sewer) Utility	
Revenue	\$ 2,800,000
Expenses	2,600,000
Amount Left for Capital and Reserves	\$ 200,000

DISTRICT OF SUMMERLAND	
Water Utility	
Revenue	\$ 5,000,000
Expenses	4,500,000
Amount Left for Capital and Reserves	\$ 500,000

Action

File: _____
Acknowledged: 6/26
Copy to:
 Mayor
 Council
 CAO
 Council Correspondence
 Reading File:
Agenda Item: PA
Referred to _____

Completed by: [Signature]

Sincerely,

Doug Wahl

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7924 / Virus Database: 4776/14598 - Release Date: 06/23/17

Karen Jones

From: Larry and Donna Young [REDACTED]
Sent: June 26, 2017 8:38 AM
To: Erin Trainer; Janet Peake; Richard Barkwill; Toni Boot; Erin Carlson; Doug Holmes
Cc: Peter Waterman; Linda Tynan; Dean Strachan; Alex Kondor
Subject: Summerland Council agenda June 26, 2017

To Mayor Waterman and Summerland Councillors:

The agenda for tonight, June 26, 2017 includes the Council report update for 13610 Banks Crescent. The report includes letters from both Lark Group and the Freshwater Fisheries Society of BC, that we would like to refer to.

The District of Summerland has only 2 available water licenses to Okanagan Lake. and they are considering giving up one of them in order to accommodate the approval of a high density 390 unit development at Banks Crescent.

The developer is required to provide a contingency water supply for the fish hatchery. The options are a drilled well option, which is certain to interfere with the Hatchery water supply, or the use of one of Summerland's water licenses. Even though the Freshwater Fisheries Society of BC has not approved this option, the developer has written to the District of Summerland requesting use of the water license.

We spoke to several former councilors and mayors from the past few decades in order to understand the reason these 2 licenses have been kept up to date and open. It was in preparation for emergency. We have certainly learned from Mother Nature this year and in the drought of 2003 that emergencies and unexpected events can occur.

We did a little research, and found that Summerland is the ONLY community on Okanagan Lake that does not have a permanent source in place to draw water from the lake. However we do have 2 water licenses that we can use if we are faced with a drought or catastrophic event that cuts off our main Trou Creek water source.

The Okanagan Water Basin Agreement refers several times to the option of drawing from Okanagan Lake during drought. And Summerland's own 2014 Water Availability Report even states that there is a shortfall of water licenses and suggests new conditional licensing on Okanagan Lake and the reconciliation of water licenses so that District of Summerland has sufficient licensing for existing and future water demands.

The Water Master Plan commissioned by the District of Summerland from Agua Consulting confirms that Okanagan Lake should be considered as an emergency supply source. It goes on to state that although Summerland holds sufficient water licensing for the foreseeable future, it recommends the expansion of an Okanagan Lake water supply for emergency domestic supply, and states that there should be new additional conditional licensing awarded to Summerland on Okanagan Lake.

So our questions are, why would the District of Summerland even consider giving up one of only 2 available water licenses? Those licenses should be considered a valuable asset and be kept for future emergency water use. And how can it be acceptable for our town to give such special benefits to a private developer at the expense of the future?

Donna and Larry Young
13420 Bristow Road
Summerland BC

Virus-free. www.avast.com

Action

File: _____
Acknowledged: CLH
Copy to:
___ Mayor
___ Council
___ CAO
/ Council Correspondence
___ Reading File:
___ Agenda Item: PW:
Referred to _____

Completed by: y

Karen Jones

From: Jan SCHUMACHER <[REDACTED]>
Sent: June 26, 2017 5:27 PM
To: Peter Waterman
Subject: OCP

Dear Mayor Waterman and Council Members,

In my mind, an Official Community Plan is the test by which development proposals are measured. If a proposal meets the requirements, it passes the test and should be a go. If not, well, that should be obvious.

I hope you and the council members will respect our OCP as the authority that guides your decisions about any and all development proposals.

Thank you and best regards.
Jan Schumacher
104-14395 Herron Road,
Summerland, BC

Sent from my iPad

Action

File: _____
Acknowledged: 6/27
Copy to:
 Mayor
 Council
 CAO
 Council Correspondence
 Reading File:
 Agenda Item: PH
Referred to _____

Completed by: [Signature]

Karen Jones

From: Rita Connacher <[redacted]>
Sent: June 26, 2017 4:50 PM
To: Peter Waterman; Toni Boot; Richard Barkwill; Erin Trainer; Erin Carlson; Doug Holmes; Janet Peake
Subject: Our Ref #141741 – The Lark Group –iCasa Resort Living – Newspaper and Brochure Ads - Standards Council Decision

Dear Mayor and Councilors,

A while ago, I challenged the advertising undertaken by the Lark Group for the proposed Bank Crescent development on 2 fronts:

1. That their ads in the Summerland Review (and other local newspapers) were misleading because the Lark Group were selling the iCasa Resort when the development hadn't been approved by the District;
2. That many of the claims made in the iCasa brochure were false, particularly the claim that the development would have NO impact on the hatchery.

The Advertising Council agreed with and upheld both complaints. Below is the case that has now been posted on their national website.

In their formal letter to me, the vice-president stated in relation to (1) above: "After carefully reviewing both the newspaper advertisement and the brochure, Council found that there did not appear to be any disclosure in the newspaper advertisement that the development was subject to approval. In the case of the brochure, Council found that the disclosure was not clearly legible. In both instances, this constituted a contravention of Clause 1(d) of the code".

In relation to (2) above, the vice-president stated: "Council found that the statement 'The Fish Hatchery and Aquifer will not be impacted' as misleading. In its response, the advertiser included a media release from the Freshwater fisheries Society of BC and an excerpt from the District of Summerland's Environmental Assessment Report. Neither document stated that the proposed development would have no impact on the Fish Hatchery and Aquifer. In fact, the latter document stated that 'the proposed development will not result in significant adverse environmental impacts at a local or regional level ...', which is materially different than claiming that there will be no impact, as stated on the advertising. On this point, Council concluded that the claim was misleading and was not supportable, contrary to Clauses 1(a) and (e) of the Code".

In addition to misleading the public, the Lark Group have changed the project scope several times, have re-defined their relationship with the Freshwater Fisheries Society of BC and have reduced their list of "amenities" to the District of Summerland. Kindly consider this subtle, misleading behavior over time and the distrust that this is building.

Kind regards,
Rita Connacher
[redacted]

From: Bennacer, Yamina [mailto:yamina.bennacer@adstandards.com]
Sent: Tuesday, June 20, 2017 11:23 AM
To: Rita Connacher

Action

File: _____
Acknowledged: 6/27
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: PA
Referred to _____

Completed: 8

Subject: RE: Our Ref #141741 – The Lark Group –iCasa Resort Living – Newspaper and Brochure Ads - Standards Council Decision

Dear Ms. Connacher,

This case has now been posted on our website. Please see link and details below:

<http://www.adstandards.com/en/Standards/adComplaintsReportsCurrent.aspx>

Clause 1: Accuracy and Clarity

Advertiser:	The Lark Group
Industry:	Real estate services
Region:	British Columbia
Media:	Brochures/leaflets/flyers
Complaint(s):	1
Description:	A condominium development for seniors in Summerland British Columbia was advertised in a brochure and in the local newspaper. In the body of the advertising it was stated that "The Fish Hatchery and Aquifer will not be impacted" by the development.
Complaint:	The complainant alleged that the advertisements were misleading because it was not made clear that the development had not yet been approved by the District of Sutherland and that the "no-impact" claim was not true.
Decision:	Council found no disclosure in the newspaper advertisement that the development was subject to approval by authorities. In the case of the brochure Council found that the disclosure was not clearly legible. On the second issue Council concluded that the statement "The Fish Hatchery and Aquifer will not be impacted" was misleading and unsupported by the evidence submitted by the advertiser.
Infraction:	Clauses 1(a) and (e).
Advertiser's Verbatim Statement:	"The Lark Group placed the iCasa Living newspaper ads to generate awareness of the proposed project in the Okanagan region and our intention was not to mislead the public. We referenced that the ads were not an offering for sale and assumed this would cover the legal aspects of the ads. We apologize for any confusion and will ensure any future ads will be referenced accordingly."

Sincerely,

Yamina Bennacer

Manager, Standards

yamina.bennacer@adstandards.com

Advertising Standards Canada
175 Bloor Street East
South Tower, Suite 1801
Toronto, Ontario M4W 3R8
www.adstandards.com
Tel: 416 961-6311 x 249
Fax: 416-961-7904



Advertising Standards Canada
Les normes canadiennes de la publicité

Important notice: The information contained in this email is privileged and confidential. It is intended only for the person or entity named above and should not be read by or disclosed to any other person or entity. If you are not the intended recipient of this communication, please notify the sender immediately at 416-961-6311 or by reply email. Thank you in advance for your cooperation.

Karen Jones

From: Marilyn Hansen [redacted]
Sent: June 27, 2017 5:31 PM
To: Peter Waterman; Erin Trainer; Janet Peake; Richard Barkwill; Toni Boot; Erin Carlson; Doug Holmes; Dean Strachan; Linda Tynan
Cc: editor@summerlandreview.com; news Summerland
Subject: A decision: When?

Dear Mayor and Council:

You must realize by now that a large portion of the citizens of Summerland do not agree with the location of the Banks development. One of the reasons your council was elected was because you all seemed to care about preserving agricultural land. While the Banks property is not in the ALR, it is not suitable for a large condominium development. Its proposed location is NOT in the OCP. Two landslides have occurred there; red zone is all around; the access road is narrow and would have to be widened; but most of all, the Fish Hatchery's water source would likely be compromised. **The developer cannot prove beyond a reasonable doubt that the Shaughnessy spring would not be affected.** The public does not think it right to offer Lark, a private developer, access to our Summerland Water License, which we may need in future years.

To widen Latimer, the front yards of home owners there would have to be cut off. Could portions of private property be legally confiscated to accommodate a private developer? Would you like this done to your yard and quiet street? Lark should look for another location.

If any of you is thinking of running for re-election, you'd better consider the level of anger in Summerland over the location of this project. Any councillor who votes in favour of the Banks development in its present proposed location will not be re-elected. Does the mayor really want to leave with a legacy of division and disgust?

Question: When are you going to come to a decision?

Marilyn Hansen [redacted]

Action

File: _____
Acknowledged: 6/28
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: AK
Referred to _____

Completed by: [Signature]

RECEIVED
JUN 30 2017
District of Summerland

Dear Editor,

It is quite puzzling to see so many people getting all fired up about the proposed iCasa Development at Banks Crescent. Not a single week goes by where there is not at least one letter in our local newspaper citing reasons why it should not proceed. And every other week Council receives a new batch of signatures for the petition against it.

The latest set of objections, submitted to the Summerland Review by Nancy Goudy, is based on a perceived increase of carbon emissions. This is perplexing because in terms of carbon emissions, high-quality, high-density housing within a green, walkable neighbourhood is near the top of the list of desirable human habitats.

Near the bottom of the same list though, are large, single family residences located far away from all services. This is where the Lighthouse Landing development in Trout Creek fits in. Six acres of productive orchard right on the shores of Okanagan Lake were razed to the ground and replaced with impermeable asphalt, concrete and roofing shingles. This is a flood zone which during the last few weeks needed protection from rising lake waters. Emergency crews were dispatched at tax payers' expense. Protected trees are being removed. And worst of all: there are no shops, services, doctors in a 6 km radius. Residents hop into their cars and drive to get whatever they need.

So why is everyone fussing about Banks Crescent and nobody raises an eyebrow about Lighthouse Landing?

Are those who object to the iCasa Development really concerned about the environment, the fish hatchery and finding the best place for older folks to live? Or are they just being swept along by a current of objections that is fed by those who do not like a change to their neighbourhood?

Consider the following: Summerland's historic Lower Town was chosen by us citizens as a place that needs to be revitalized. What better way than settling nearby a few hundred folks with lots of time and some spare change in their pocket. Build a walking/cycling trail to Lakeshore Road and the Lakeshore Pathway, get a few businesses to renovate and set up shop in some of the dilapidated commercial space, provide trips into downtown with a couple of electric commuter vans et voila, you have yourself a prime neighbourhood that checks all the boxes on the carbon emission to do list.

Let's look for ideas, folks, not for reasons why it can't be done.

Henry Sielmann, Summerland

Action

File: _____
Acknowledged: 6/30
Copy to:
___ Mayor
___ Council
___ CAO
 Council Correspondence
Reading File: _____
Agenda Item: PH
Referred to _____

Completed by: [Signature]

Karen Jones

From: Doug Wahl <[REDACTED]>
Sent: June 30, 2017 9:47 PM
To: Richard Barkwill; Erin Trainer; Erin Carlson; Peter Waterman; Janet Peake; Doug Holmes; Toni Boot
Cc: Linda Tynan; kyle.girgan@gofishbc.com
Subject: 1996 letter from DOS regarding rezoning of Banks Cres. property to farmland (agricultural)
Attachments: DOS rationale for rezoning the Kirschman property to farmland.pdf; "Certification"

Dear Mayor and Council

A while back, members of the public (including myself) and one or more Councilors asked whether the District of Summerland had records of past enquiries about developing the Banks Crescent (Kirschman) property. District staff said they could not locate any records of a development proposal coming before Council. I believe District staff are correct that no prior proposals have come before Council.

I recently asked the Freshwater Fisheries Society if I could access their historical files to see if they might have records of communication with the District of Summerland regarding protection of the aquifer and/or the general status of the property. In the attachment, you will see a letter, dated March 13, 1996, from the District of Summerland's Municipal Clerk responding to a letter from the Ministry of Environment, Lands and Parks about the importance of the hatchery. In the District's letter, the Municipal Clerk reports a decision by Council as follows:

"Council feels that the trout hatchery is a valuable asset to this community and for that reason have rezoned the Kirschman property to farmland to prevent future development of this property into residential".

In my view, the letter from the District of Summerland provides clear intent for rezoning the property to farmland (agricultural). I can provide you with copies of additional correspondence (1996 and earlier) between the District of Summerland and the Freshwater Fisheries Society regarding the status of the property and protection of the aquifer.

Sincerely

Doug Wahl

Action

File: _____
Acknowledged: _____
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
___ Agenda Item: PN.
Referred to _____
Completed by: [Signature]



February 23, 1996

Mayor and Council:

Re: Summerland O. C. P. :

YOUR FILE

This is a request that under Section 945 (4) (A) of the Municipal Act, the properties adjacent to the water supply for the Summerland Trout Hatchery be designated a "development permit area" in the new Summerland O. C. P. Please also refer to Section 7.3.2. (a) and (b) of the proposed Summerland O. C. P.

OUR FILE

You may not be aware that the Summerland Trout Hatchery produces 1.7 million rainbow and brook trout and distributes them to 250 lakes, mostly in south Central British Columbia. The economic benefit generated by this program is estimated to be in excess of \$25 million annually. As well, the Summerland Trout Hatchery attracts over 10,000 visitors annually and is involved with school programs from as far away as Barrhead Alberta.

The hatchery program is dependent on a spring water supply located below the H. Kirschman Property (13610 Banks Crescent). The water supply runs above ground for approximately 300 m. and is extremely vulnerable to contamination as a result of activities on adjacent properties. **There is no alternate supply of clean water for the hatchery, therefore, if the water is contaminated, the hatchery would not be able to function and fish stocking in the Okanagan area would be eliminated.**

I have met with Councillor Roberge and Summerland Planner G. Morley and discussed our concerns. It was suggested that because the area lies in an "environmentally sensitive zone" it is already afforded sufficient protection, however, this offers little protection from activities on adjacent properties.

Given the vulnerability of the water supply to contamination and the value of the fisheries program that the water supports, the water supply for the hatchery should be afforded the highest level of protection that the community plan allows. A map of the specific area to be included in the development permit area is attached. We are currently having our property and water supply surveyed in order to provide you with a more detailed map to follow.

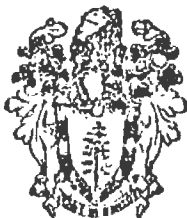
I believe that protection of this spring water supply is of mutual interest to both the municipality of Summerland and the Summerland Trout Hatchery and would be happy to work with Municipal staff to ensure that this valuable resource is protected.

Sincerely,

Mark Siemens
Manager, Summerland Trout Hatchery

file

cc: Gordon Morley - Municipal Planner
Ken Roberge - Councillor
Don Peterson - Manager i/c Fish Culture Section



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

P.O. BOX 159

SUMMERLAND, BRITISH COLUMBIA VOH 1Z0

TELEPHONE 494-6451

March 13, 1996

Summerland Trout Hatchery,
R.R. 1, Site 11, C-8
Summerland, B.C. VOH 1Z0

Attention: Mr. Mark Siemens, Manager

Dear Sir:

Re: OCP Bylaw Number 96-001

With reference to your letter of February 23, 1996, requesting Council designate the properties adjacent to the water supply for the Summerland Trout Hatchery as a "Development Permit Area" in the new OCP, I wish to inform this matter has been reviewed by Council.

Council feels that because the area lies in an "environmentally sensitive zone" it is already afforded sufficient protection, however Council has decided to reclassify the "Kirschman" property to farmland to give further protection to your area.

Council's decision not to create a special Development Permit Area for this property should not be interpreted as Council not being concerned over the future of the Summerland Trout Hatchery and its importance to the community. Council feels the Trout Hatchery is a valuable asset to this community and for that reason have rezoned the Kirschman property to farmland to prevent future development of this property into residential.

I would suggest if you still have concerns regarding this issue please contact Mr. Gordon Morley, Planner, who is prepared to discuss and outline our position with you.

Yours truly,

A handwritten signature in black ink, appearing to read "George Redlich", written over a horizontal line.

George Redlich,
Municipal Clerk

GR/ap

Tricia Mayea

From: Karen Jones
Sent: Wednesday, July 5, 2017 8:09 AM
To: Tricia Mayea
Subject: FW: Media Articles on Banks Cres. Part 1
Attachments: Banks Cres. media articles Nov 15 2016 to Feb 28 2017.pdf

So much to print...for Banks, part 2 coming.

Karen Jones | Executive Assistant | Municipal Hall



Ph: 250 404-4042 Fax: 250 494-1415
PO Box 159, 13211 Henry Avenue
Summerland BC V0H 1Z0
www.summerland.ca

Facebook: facebook.com/SummerlandBC

Twitter: twitter.com/SummerlandBC

From: Donna Wahl [REDACTED]
Sent: July 4, 2017 9:58 PM
To: Peter Waterman <pwatman@summerland.ca>; Erin Carlson <ecarlson@summerland.ca>; Erin Trainer <etrainer@summerland.ca>; Janet Peake <jpeake@summerland.ca>; Toni Boot <tboot@summerland.ca>; Richard Barkwill <rbarkwill@summerland.ca>; Doug Holmes <dholmes@summerland.ca>
Cc: Karen Jones <kjones@summerland.ca>
Subject: Media Articles on Banks Cres. Part 1

Dear Mayor Waterman and Elected Council Officials,
Please find attached, a copy of media articles on the proposed development of Banks Crescent to be put on the Public Record. This file has been split into two parts because of size. Part 1 from November 2016 to end of February 2017 is attached with Part 2 to follow shortly.
Sincerely,

Donna Wahl
Summerland

Posted: Tuesday, November 15, 2016 3:10 pm

SUSAN McIVER |  0 comments

SUMMERLAND —The public spoke and council listened.

Monday, a public hearing was held on an Official Community Plan amendment and a bylaw change that would have allowed council to delegate its authority to approve or deny development permits in relation to environmentally sensitive and high hazard areas to staff.

The rationale was that these permits require assessments by qualified professionals with little discretion on the part of the approving authority.

Subsequently, the motion to give third reading to the proposed changes was unanimously defeated.

Former councillor and RCMP detachment commander, Orv Robson was among the several members of the public who spoke against the proposed delegation.

"Council needs to be aware of all aspects of development. Don't just rubber stamp it," he said. "By abdicating authority, you are failing in your duties to the public."

Doug Wahl suggested a balance where less environmentally sensitive and lower risk situations could be handled by staff with council retaining authority over the others.

Wahl also questioned how the public would become aware of issues and could have input if they were dealt with entirely by staff.

"I object to this motion (to give third reading to the proposed changes). Council needs oversight. It allows for education and creates awareness in the community," said Coun. Janet Peake. "How is the public to become aware of high hazard areas if they are not on the council table.

Coun. Doug Holmes said the issue was also a question of transparency.

The proposed changes were initiated by council in an attempt to make obtaining permission more efficient for developers.

"I was originally concerned about staff time and undue delay for developers. I am now assured these aren't significant," Mayor Peter Waterman.

"We will continue to look at ways to cut red tape for developers," said Peake, who wanted to assure the public that council is "not doing anything in an underhand manner."

Posted: Tuesday, November 15, 2016 3:18 pm

SUSAN McIVER | 0 comments

SUMMERLAND — Coun. Doug Holmes received a round of applause from a standing-room only crowd Monday when he told council it needs to have a philosophical discussion on the proposed Banks Crescent project.

The project would see the construction of a 380 seniors' housing complex with a mixture of market housing, independent and assisted living units located on a bowl-shaped site east of Bristow Road and Solly Road.

The property is zoned agriculture and a large part of it has been a productive vineyard for many years.

"Do we want this development?" Holmes said.

Mayor Peter Waterman replied that a lot of clarity around various reports was needed.

"What about (holding the discussion) now?" Holmes said.

be away from town and would not integrate seniors into the community.

Mary-Anne MacDonald asked who would be liable if there were a slippage of the earth resulting in damage to nearby private homes.

In a 5-2 decision with councillors Holmes and Toni Boot in opposition, council gave first reading to the various amendments and bylaw changes needed for the development to proceed.

Council also directed staff to organize an open house in January before holding a public hearing.

"I'd like to hear from a lot of the people in the audience. This is not a done deal," Coun. Erin Carlson said.

Chief administrative officer Linda Tynan said the developer, Lark Group, may wish to hold its own public information session in December.

Kirk Fisher, CEO of the Lark Group, told council there would be five buildings—three would be units for 55 years and older residents and one would contain independent and assisted living units.

McIntosh said the buildings would be six stories with three levels of underground parking.

Use of the fifth building is yet-to-be-determined.

Fisher said the project, which would start with 130 units and have a build-out of up to seven years, would be a \$100 million capital investment.

He estimated the project would provide 200-300 construction and engineering jobs over three years and result in 75-100 full time equivalent positions upon completion.

McIntosh reported the project would generate approximately \$3 million in development cost charges and an estimated \$197,000 annually for the first three years.

Regarding the loss of seven acres of productive land, McIntosh wrote to council, "The loss must be considered in the context of the social, economic and cultural benefits this type of development will provide to the community."

"We can't have such a discussion without having more information," Coun. Richard Barkwill said.

Judging from the letters to the editors of local newspapers, emails sent to council and speakers at Monday's meeting, many members of the public already have enough information and are ready for Holmes' suggested discussion.

"This council was elected on their views to preserve agriculture whether ALR protected or common sense protected and we say let's hold their feet to the fire and force them to hold tight on their principles!" Jill and Peter Patton wrote in an email to mayor and council.

"It's just the wrong location. If this project goes ahead it will have a negative impact on Lower Town forever," Brian Wilkey told council Monday.

Diane Smith concurred that the project was in the wrong location.

In particular she mentioned the narrow hilly streets and that over 200 of the units are for 55-plus residents who will most likely have cars. Also the development would

In conversation with Summerland Coun. Toni Boot

Story Comments

Print Font Size: - +

Recommend 0 Tweet G+ 0 Pin it 0 Share 0



Posted: Monday, November 21, 2016 5:42 pm

0 comments

Toni Boot is a member of Summerland Council and director with the Regional District of Okanagan Similkameen.

In what was her first attempt at running for public office, she topped the polls finishing first of 21 candidates.

She spoke with Herald editor James Miller on Sunday in what will be the first of seven interviews with Summerland councillors over the next several months.

HERALD: As a former small business owner what do you think local governments can do to attract and promote business in the community? In what ways could Summerland do better?

Toni Boot

BOOT: It is just as important to retain Summerland businesses and help them expand, as it is to attract new companies. The best way for local government to attract new businesses is to practice land readiness: first identifying areas in the official community plan

designated for business/commercial development, and second ensuring the areas have services that are adequate for startup and future expansion. Local governments can also facilitate economic health through policy, for example creating business improvement incentives. The District has a contract with the Chamber of Commerce that includes business retention and expansion in their mandate. Additionally, we have recently been awarded a grant to hire, for a one-year period, an economic development coordinator to work with Chamber and District staff on a number of specified initiatives.

HERALD: Summerland benefits greatly from the activities of the people who choose to retire there. What do you think local government could do, if anything, to facilitate retirees' participation in the community?

BOOT: Summerland council recognizes lifestyle is a big factor when people are choosing where to retire. So much so, we have added a cultural pillar in our strategic plan and, after a year-long engagement process with the community, council recently approved our district's first cultural plan. The plan includes some 2,300 responses gathered by the cultural plan task force, a group of dedicated volunteers (many of them retirees), staff, and council liaisons. It includes recommendations and action items on everything from walking/biking trails to arts festivals; from agricultural celebrations to collaborative events with our First Nations.

HERALD: You and Coun. Doug Holmes voted in opposition to Banks Crescent. What is your primary concern with the proposed development?

BOOT: Coun. Holmes and I voted in opposition to holding public information sessions before we(council) had the opportunity to discuss the project more thoroughly. I understand the development provides seniors housing, property taxes, and jobs. However, for many reasons, I'm not convinced Banks Crescent is the right location for this type of development.

HERALD: Halfway into the term, what do you consider Summerland council's best achievement thus far?

BOOT: When we began our term this council faced a very divided community. Now, I feel the community is becoming united again. We made a commitment early on to communicate with our electorate and I continue to encourage everyone to stay engaged. There will always be someone unhappy with any decision we make, but I'm reasonably confident we have the support of the majority of Summerland residents.

Development strikes a nerve

Colin Dacre - Dec 2, 2016 / 5:00 am

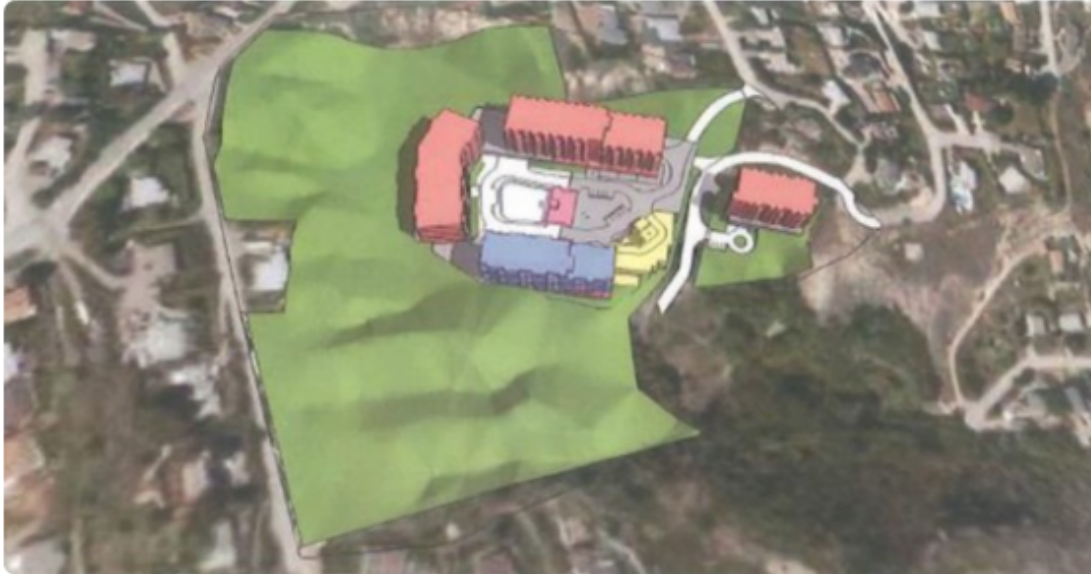


Photo: District of Summerland

Summerland council has received an avalanche of feedback on the proposed Bristow Valley development.

The Lark Group is planning to build a 380-unit seniors community in the Banks Crescent area on seven acres of non-ALR productive agricultural land.

A dozen letters from concerned residents hit council's desk this week, with worries varying from loss of farmland, to impacts on traffic and ground water in the area.

"They promise new sidewalks to nowhere, great medical alternatives from doctors that at this juncture don't exist, all necessary services coming in from Penticton or Kelowna, so more heavy traffic making more potholes on our roads and any monies involved staying in those communities - and for what end result? Money for the developers!" wrote Jill Patton

"I don't believe we are against such a development as long as it is in a location that makes more sense," she continued.

The project would generate about \$3 million in development charges for the district and increase property tax revenues by a total of \$591,000. Between 75 and 100 local jobs would be created to operate the facility, which would be operated by St. Elizabeth's, a non-profit that will donate 10 per cent of proceeds to local causes, such as hospice care.

First presented to council in April, many of the public got a first look at it at a neighbourhood open house hosted by the developer in May.

Following the developer's first formal presentation on Nov. 14, council passed the project's first reading with several conditions, directing staff to schedule an open house prior to a formal public hearing. The Lark Group has also committed to another info session of its own.

A district open house is planned for January.

'It's just too big'

Colin Dacre - Dec 7, 2016 / 11:29 am



The developers behind a proposed 350 unit seniors housing project were in Summerland Tuesday, trying to convince a skeptical neighbourhood their project is right for the community.

The \$125M project would bring about \$400,000 in property tax revenue and 75 to 100 jobs to the district, but many are opposed to the idea, citing everything from increased traffic, to blocked views and a placement too far from the downtown.

Kirk Fisher, Senior Vice President of the Lark Group, says they have developed 18 similar facilities, many which were initially opposed.

"Of course the first issue is change in a neighbourhood, and the next one is just lack of information and what's really going to happen. And what we found, is that once people have an awareness of exactly what is happening and they see the value to the community, they do support it."

The Lark Group came armed with pamphlets addressing nearly every concern raised by the public during their last open house, however with attendance quite a bit lower than expected on Tuesday, they still have plenty more people to reach.

The facility will aim to offer different levels of care ranging from market level seniors housing right up to dementia and complex care. That's something that appealed at the session, but most of the people Castanet News spoke to thought overall, the project was still just too big.

Fisher says the District of Summerland has made sure they have done their homework to make sure it's a good fit, noting there is a massive appetite for seniors housing in Summerland.

"We have to do traffic studies, we have to do a hydrological study... all those studies, required by the city are confirmed or are in place or they don't let you move forward."

The project has only passed first reading at Summerland Council, with several more developer and district held info sessions to go. If all goes well, Fisher says they are aiming to have shovels in the ground in the early spring.



SUMMERLAND REVIEW

Seniors' care facility proposed

A large seniors' care facility development has been proposed for the Banks Crescent area in Summerland.

JOHN ARENDT / Wed Dec 7th, 2016 11:00am / NEWS



Gary Tamblin discusses the iCasa Resort Living development proposal at an open house on Tuesday evening. The senior care facility

A large seniors' care facility development has been proposed for the Banks Crescent area in Summerland.

The iCasa proposal would have 380 suites to allow people to age in place and age within the community.

Gary Tamblin, owner, developer and chief executive officer with New Essence Health Care Management Services Ltd., said there is a need for the facility in Summerland.

At present, there are roughly 5,000 people 60 years of age and older living in Summerland.

"Summerland has a very critical need for senior support housing," Tamblin said.

The facility will benefit its residents, he added.

"Where we have a campus of care, we live longer and healthier lives because we are safer," he explained.

The care facility, once completed will be run by the Lark Group, a family-owned and operated development, construction and facility management company in British Columbia.

Tamblin said the Lark Group has developed and built other senior care facilities elsewhere in the province, including one recently completed facility in Chilliwack.

Saint Elizabeth Health Care, a Canadian health provider, will manage the facility.

Penti

SUM

ZE

FIRS

MO OF
Up to \$

55

70 Backs



While there are steep slopes in the area, Tamblyn said the buildings will be constructed on stable ground and efforts will be made to ensure the integrity of the slopes and protection of environmentally sensitive areas.

The property is not within the Agricultural Land Reserve, but it is within Summerland's Urban Growth Area. It has been identified for additional residential development.

Tamblyn said the development calls for a capital investment of \$125 million.

The project would employ 200 to 300 local full-time workers during the construction phase.

Once completed, the facility will have 75 to 100 permanent jobs and \$3 to \$4 million a year in salaries.

The property tax revenue from the project is estimated at \$400,000 annually.



SUMMERLAND REVIEW

Biologist questions impact of development

A fisheries biologist says a development proposed for the Banks Crescent area could have effects on the groundwater and the fish hatchery.

JOHN ARENDT / Wed Dec 14th, 2016 5:00pm / NEWS



A fisheries biologist says a large development proposed for the Banks Crescent area could have far-reaching effects on the groundwater and Summerland's fish hatchery.

The development plan calls for a 380-unit seniors' care facility, above the fish hatchery.

Doug Wahl said his concerns are about the potential environmental impact of the development.

"As a professional biologist, I have a duty of care to raise issues that could affect natural resources," he said. "The developer may tell you that everything is fine, but I am not convinced."

Wahl, who lives on Latimer Road, near the proposed development, will also be affected if the project goes ahead.

The proposed development would be near the discharge point of a large aquifer, he said.

"You need to examine the risks before you think about rezoning," he said. "I think it's a question of whether we want to take those risks."

Wahl said the hatchery is fed by Shaughnessy Springs, the discharge from a large aquifer underneath the town. He said the water reaching the springs has declined over time, which has staff at the hatchery concerned.

The developers, in a report outlining their proposal, have said geotechnical aspects will be addressed in the planning and construction.

"The planned buildings will not be built on the steep slopes," a report from the Lark Group states. "The property contains environmentally sensitive areas. These will be protected."



550 Du



70 Backstreet E



An engineer hired by the developer drilled several holes at the site and found little water. In a memo, the engineer reported that groundwater impacts are “anticipated to be limited.”

However, Wahl wonders if the scope of the developers’ consultants was too limited. If more extensive testing had been done, he said the test results and the engineers’ conclusions may have been different.

As a result, Wahl continues to have concerns about the effects of the development, should it receive council approval.

He said covering the site with concrete and pavement could have an effect on recharging the aquifer.

“Engineers, like any professional, can’t foresee everything on a project and they only assess what their client asks them to,” he said. “We know that engineers cannot guarantee the condo development will not impact the springs now or in the future.”

Fish hatchery concerns

Deborah Pfeiffer - Dec 17, 2016 / 7:35 pm

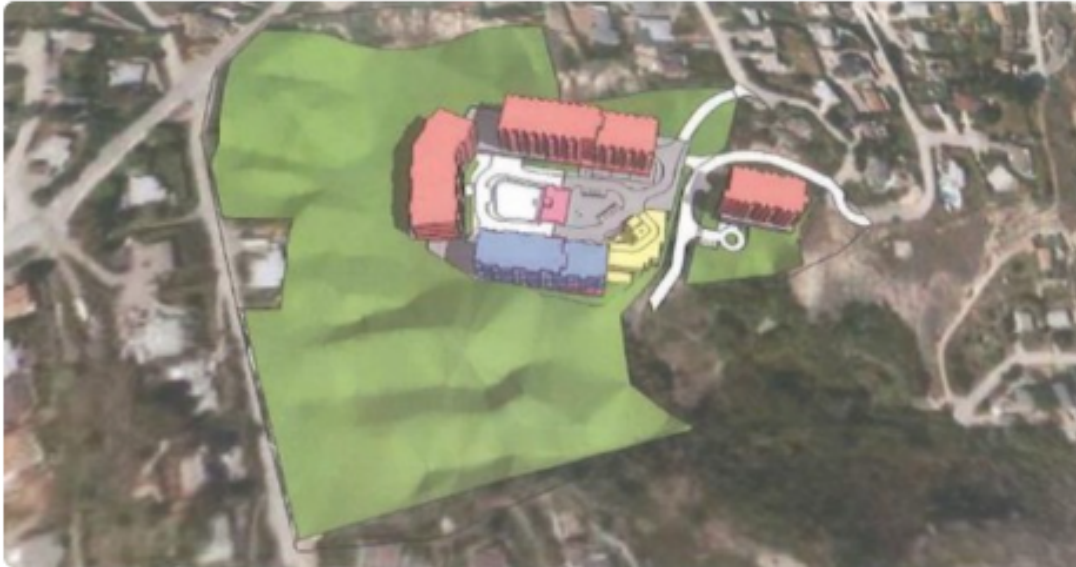


Photo: Contributed

A Summerland fish hatchery is exploring the potential impact of a development on a water source.

The Freshwater Fisheries Society of BC has retained MDM Groundwater Consulting Ltd to evaluate the impacts of the Banks Crescent [development](#), a 380-unit seniors' care facility, currently going through the development application process.

"We are pleased to see so many people care about the health of the fish hatchery and value it as an important part of the community. We have commissioned this study to make sure we have all the facts," said Tim Yesaki, vice president of operations, Freshwater Fisheries Society of BC. "At this time we don't know the full extent of the development's impacts and are awaiting response to our concerns.

We are having an ongoing dialogue with our consultant and the District of Summerland as we work through the process."

The review identified areas of possible concern and recommended courses of action for mitigating anticipated impacts.

The Summerland Trout Hatchery is considered a significant stakeholder in this process as its water is sourced entirely from a groundwater spring near the proposed development site.

They are in discussion with the District of Summerland regarding the concerns identified by MDM Groundwater Consulting Ltd and how they may be addressed in order to ensure the hatchery's health and sustainability.

The Summerland Trout Hatchery is one of six hatcheries owned and managed by the Freshwater Fisheries Society of BC.

Every year, the hatcheries raise and release over eight million trout, char and kokanee salmon into 800 lakes around the province.

The hatchery raises one million of the fish and stocks 300 lakes.

The Freshwater Fisheries Society of BC was created in 2003 and is mainly funded through freshwater fishing licence revenues.

It also manages special hatchery programs for endangered species including white sturgeon, conducts fisheries research, education and conservation programs and works to make angling more accessible for all.

Summerland fish hatchery commissions study on senior complex impact



By Neetu Garcha

Video Journalist Global News

Comments Facebook 18 Twitter Email Print ...



WATCH: A Surrey-based development company is addressing concerns about its proposed seniors housing complex in Summerland impacting water that supplies a local fish hatchery. Neetu Garcha reports.

Listen

- A A +

A Surrey-based development company is addressing concerns about its proposed seniors housing complex in Summerland impacting water that supplies a local fish hatchery.

The Summerland Trout Hatchery is the oldest active trout hatchery in the province.

It's owned and operated by the Freshwater Fisheries Society of B.C., which said the Summerland hatchery raises one million fish to stock 300 lakes in the province every year.

There is concern its water quality and quantity might be jeopardized by the proposed seniors' housing development.

That's because the water for the hatchery is sourced entirely from a groundwater spring near the 13-acre site just above Okanagan Lake, where the development would be built.

The developer, the Lark Group, hired a hydro geologist for consultation and the hatchery commissioned a separate study as well.

ADVERTISEMENT

Our deep roots in agriculture can help you thrive.

Contact us

"They did a number of test holes [...] in the reports it says no storm drainage is available but that's not correct," Summerland mayor Peter Waterman said.



“There is a storm drain available so any surface water will not be going into the spring.”

The hatchery was also worried about the project impacting the aquifer, which Lark Group senior vice president, Kirk Fisher said won't be a problem.

"We've done the drill tests that are required and the consultant has confirmed that the project does not affect the aquifer," Fisher said.

Fisher said the Lark Group is also working up strategies to mitigate potential sediment and erosion issues.

But still, there remains opposition to the development. Residents' concerns range from having any development on the land which is zoned by the district for agriculture and noise.

There's more public consultation planned for the early New Year, January 16th and 19th.

The developer hopes to have shovels in the ground by next summer.



B.C. town residents worry seniors' community could threaten natural springs

MARK HUME

VANCOUVER — The Globe and Mail

Published Wednesday, Dec. 21, 2016 7:45PM EST

Last updated Wednesday, Dec. 21, 2016 7:47PM EST

0 Comments



Print | License article



If a developer wanted to find an ideal community in which to build a residence for seniors, it would be hard pressed to find one better than Summerland.

Blessed with a perfect climate and gorgeous views of Okanagan Lake, the small town has neatly groomed public parks, swimming beaches and hiking trails. It is surrounded by a pastoral landscape of orchards and vineyards.

Business Vancouver recently chose Summerland, located between the cities of Penticton and Kelowna, as one of the top five places to retire in British Columbia. No wonder then that Lark Group, a Surrey-based developer, chose a site near the waterfront in Summerland for a proposed, 376-unit, \$125-million complex for a new seniors' village.

But the development, which would create 75 to 100 jobs and bring the town \$400,000 in annual taxes, is running into a lot of opposition from local residents who apparently aren't quite ready for a seniors home – or at least, not this one, not there.

"Shock," is the word Eric Tait uses to describe how he and many of his neighbours feel about the proposal to build the five-storey complex in Lower Town, a residential area about three kilometres from the town's centre. The site is a 14-acre parcel of land cupped in a small basin known as Bristow Valley, which is backed by steep clay banks. It currently has a vineyard on it, is surrounded by important wildlife habitat, and sits atop natural springs, which supply the nearby Summerland Trout Hatchery with a steady flow of cold, clean water.

"There is strong, strong opposition to this," Mr. Tait said of the proposal, which is currently before Summerland council, with public meetings planned for January.

But isn't housing seniors a vital service in any community, especially in an aging community where half the 11,000 population is 55 or older?

"Of course, yes, I believe this is necessary," Mr. Tait said. "If you want to build this facility for that, yes, we'd love to have it – but not in that location or on that scale."

Mr. Tait said a key concern is that run-off from the site could pollute the springs with oil or sediment and cause the oldest trout hatchery in B.C. to shut down.

"We think the hatchery will not survive the development," he said.

Hatchery manager Kyle Girgan declined to comment on the development, but did say that without pure water flowing from the springs his hatchery would be out of business.

"In terms of rearing fish, it's absolutely perfect," he said of the spring water. The hatchery started operations in 1918 and produces one million trout a year for stocking in 300 Okanagan lakes.

There are other fears, as the public comments posted on the District of Summerland website make clear. People expressed concern about increased traffic, the loss of agricultural land, the impact of having up to 600 new residents in a small town and about wildlife displacement.

"We are shocked and dismayed to hear that you would even consider rezoning the Bristow Valley for development," Diane Ambery wrote to council. "It is a stunning vista and home to deer, bear, marmots and other wild creatures."

"This valley is one of the last pristine natural beauty areas left in Lower Town," Arend and Josefa Dronkers wrote.

Others said the location is wrong because it is too far from the shopping district for seniors to walk and they urged council to relocate the facility closer to the town core.

Kirk Fisher, senior vice-president of Lark Group, which hopes to get permits to build the facility, said he's noted the concerns, but believes the project will find broad acceptance once people know more about it.

"That's why we have public information meetings because you get scared of these things until you really understand [the details]," he said. "Of all the seniors' communities that we've built people are always concerned to begin with and then after they hear all of the data and all of the information they are in support usually."

"That's why we have public information meetings because you get scared of these things until you really understand [the details]," he said. "Of all the seniors' communities that we've built people are always concerned to begin with and then after they hear all of the data and all of the information they are in support usually."

He said a hydrological assessment shows construction can take place without harming the springs and precautions will be taken to prevent environmental damage to the surrounding landscape.

Mr. Fisher thinks the project is not only in the right town, but in the right place.

"Our experience from building seniors villages is that while people do need to go into town every once in a while ... they more need to see distant, beautiful nature. That's what makes them healthy," he said. "They don't want to live in a town and not have a pretty view."

However, Mr. Tait says opposition is growing.

"Everyone will be there," he said of the public meetings planned by council.

Hatchery not forgotten

Colin Dacre - Dec 21, 2016 / 5:00 am

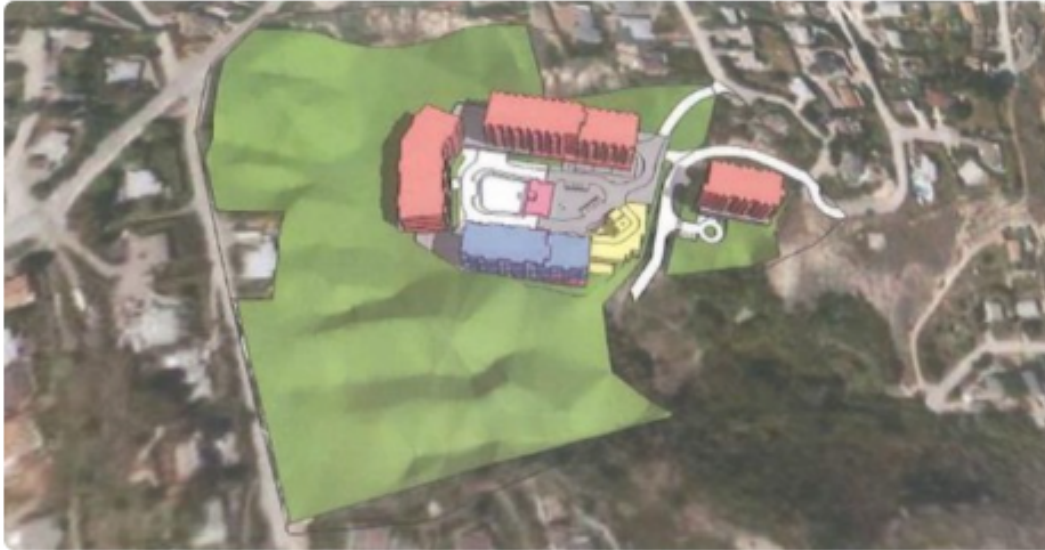


Photo: Contributed

The developer behind a proposed [seniors development in Summerland](#) says they have been in steady contact with the fish hatchery there over possible impacts of the project.

The BC Freshwater Fishery Society of BC issued [a press release last week](#), stating they have retained a consultant to look into concerns about impact on the hatchery's water source.

Tim Yesaki said they felt to need to make a statement because they have noticed many in the community making noise on their behalf without consulting them.

Both parties have agreed that two of the three concerns [raised in a report](#) from the hatchery's consultant have already been mitigated.

Testing found that the building's foundations will have no impact on the flow of the aquifer below the site, which is located about 30 metres under the surface. The project's foundations should be about 5 metres deep.

The development will also be piping its stormwater off site and into the municipal system at the request of fisheries.

"I think it's absolutely fair to have some initial concerns and the hatchery is such an important piece of the economy... so really our goal is to continue to work with the fish hatchery and their consultants to ensure that all the concerns are dealt with," said Malek Tawashy of the Lark Group.

"It's our plan to leave the hatchery in better condition and better economic activity than it was before we arrived, so we've talked with them about things we can do to improve their infrastructure," he added.

Yesaki said their final concerns revolve around the potential turbidity and sedimentation of the water. That problem has not been settled yet, but Yesaki said the whole process has been "positive" so far, and meetings are set between the two parties in the coming weeks on the matter.

The District of Summerland is holding a pair of open houses and public information sessions in January in the lead up to the public hearing on the development.

- Drop in session: Monday Jan. 16, 2017 3:30 p.m. - 7:30 p.m. at the Arena Banquet Room.
- Q&A and moderated session: Thursday, Jan. 19, 2017- 7:00 p.m. at the Centre Stage Theatre
- Public Hearing: Thursday, Jan. 26, 2017- 7 p.m. Location TBA



SUMMERLAND REVIEW

Hatchery examining development proposal

The Freshwater Fisheries Society of B.C. has hired a consultant to evaluate the potential impacts of a development proposal in Lowertown.

Wed Dec 21st, 2016 10:00am / NEWS



A seniors' care facility

The Freshwater Fisheries Society of B.C. has hired a consultant to evaluate the potential impacts of a development proposal in Lowertown.

The society, which operates six fish hatcheries in the province, including the Summerland Trout Hatchery, has retained MDM Groundwater Consulting Ltd. to study the potential impacts of the Banks Crescent Development. "We're engaged, we're involved in the process," said Tim Yesaki, vice-president of operations for the Freshwater Fisheries Society of B.C. "We're considered a significant stakeholder in this process."

The hatchery's water is sourced from a groundwater spring near the proposed Banks Crescent site.

Yesaki said the consultant's review has identified areas of possible concern. It also recommends courses of action to mitigate anticipated impacts. The report is on the municipal website at www.summerland.ca/planning-building/banks-crescent. "We are pleased to see so many people care about the health of the Summerland Fish Hatchery and value it as an important part of the community. We have commissioned this study to make sure we have all the facts," Yesaki said. "At this time we don't know the full extend of the development impacts and are awaiting response to our concerns."

Kirk Fisher, senior vice-president of the Lark Group, developers of the proposed seniors housing facility, said precautions are being taken to protect the aquifer and groundwater. He said a hydrologist has been hired to examine the aquifer.

The aquifer is at a depth of 30 metres, but the development will involve digging down five to six metres, so the aquifer will not be touched.



The aquifer is at a depth of 30 metres, but the development will involve digging down five to six metres, so the aquifer will not be touched.

In addition, Fisher said storm water from the development will not go to the aquifer.

Each year, the Summerland Trout Hatchery raises one million fish and stocks 300 lakes in the province. Yesaki said there have been other developments near the hatchery in recent years.

One of these, along the lake, was not a concern for the hatchery or the Freshwater Fisheries Society since it was at lake level and did not affect the water source.

Another development, on an uphill slope, was considered to have minimal impact to the spring. Other concerns were raised about the possibility of destabilization.

Summerland Council postpones public hearing

Posted: Wednesday, January 11, 2017 3:16 pm

Summerland Council postpones public hearing SUSAN McIVER | 0 comments

SUMMERLAND — A public hearing for a proposed seniors' housing development on Banks Crescent has been postponed to allow district staff more time to compile comments from community members that will come forward at two open houses ahead of time.

Council approved the delay Monday by a 5-1 vote on the advice of staff, which suggested the postponement will allow elected officials and the public more time to digest whatever information comes forward. Coun. Richard Barkwill was absent.

Coun. Doug Holmes cast the lone dissenting vote because of the possible risk of introducing an element of subjectivity when distilling the information.

Preparation of a summary of information presented at public sessions is a common methodology, chief administrative officer Linda Tynan said.

"I don't have a problem digesting large volumes of information and I don't need a summary," Holmes said.

Originally scheduled for Jan. 26, the public hearing will be held soon thereafter at a venue large enough to accommodate the anticipated large number of attendees.

"Something will come to council at its Jan. 23 meeting. There will definitely be a discussion," Tynan said.

At that time staff should know how much more, if any, time is required to prepare a report.

The proposed development would see the construction of a 380 unit seniors' housing complex consisting of 230 units of market housing and 100 independent and 50 assisted living units.

The five buildings would be predominantly six storeys in height built over three levels of underground parking. The living spaces would be wood-frame construction and the parking structures would be made of concrete.

Zoning on the site would need to be changed from A1-agricultural small acreage to CD8-comprehensive development zone 8.

At the end of Monday's council meeting, Summerland resident Brian Newlands urged council to require the developer to put up a substantial bond in order to cover the costs of any unanticipated problem such as earth slippage.

"I'm neither for nor against the development. I simply don't want taxpayers left with a bill," Newlands said.


Fact Box: Public Information Sessions

Open House, Monday, January 16, 3:30-7:30 p.m. at the Arena Banquet Room, second floor, 8820 Jubilee Road. Members of the public are invited to drop in anytime to meet with staff and review information boards and application documents.

Q & A Session, Thursday, January 19, starting at 7 p.m., Centre Stage Theatre, 9418 Main Street. The staff and mayor will be on stage to provide information and answer questions from the public in this moderated session.

Grassroots group opposed to Banks Crescent senior development

Story Comments

Print  Font Size:  



 Recommend

Share  6

 Tweet

 G+1  0

 Pin it  0

 Share  0

Posted: Friday, January 13, 2017 12:30 am

SUSAN McIVER |  0 comments

Summerlanders for Sensible Development is a fast-growing grassroots movement opposed to the Banks Crescent senior development.

The movement began early last fall when Aart and Josefa Dronkers became concerned about the lack of information on the project.

They decided they had "to do something" so they made a few small information pamphlets which they distributed door-to-door.

"My wife, Donna, and I learned about it only in October from neighbours. And the proposed project is only 100 metres from us," said Doug Wahl.

Today, the loosely knit group numbers about 200 members and is growing.



Banks Crescent

Summerlanders for Sensible Development members Aart Dronkers, standing above, and Doug and Donna Wahl have serious concerns about the Banks Crescent development.

To date, more than 300 people have signed a petition urging council not to change the zoning from agriculture to high density which would allow the residential and commercial development.

The signatures were obtained both through home visits and online at the group's website www.sensiblesummerland.com.

"From the beginning we wanted our actions to be professional and civil," said Wahl, a registered professional biologist with certification in environment and sediment control.

Dronkers is a structural geologist with decades of experience in Europe and Canada.

"Banks Crescent is on one of the highest risk sites in Summerland for this type of development," Wahl said.

He and Dronkers consider possible damage to the Summerland Trout Hatchery as the highest risk issue among the group's numerous concerns.

Operated by the Freshwater Fisheries Society of BC, the hatchery stocks approximately 300 lakes and contributes \$100 million to the economy.

After examining the geo-technical and hydro-geological reports commissioned by the developer and available on the municipal website, Dronkers has significant concerns.

"I am not questioning the expertise of the consultants. They did what they were commissioned to do," he said.

"To my knowledge there is no statistical risk analysis done that considers all the dependent and independent risk factors to assess the chance of water table damage and/or slumping during and after construction," Dronkers wrote to the mayor and council in December.

He also wrote, "I cannot find data or a discussion regarding the risk of heavy duty building activity and vibration disturbing the water table, and thus the water source of the fish hatchery."

The proposed development would consist of five six-storey buildings constructed over three levels of underground parking located in a bowl-shaped canyon.

The fish hatchery is located on the lakeshore, a short distance downhill from the proposed development site.

Water for the hatchery comes from Shaughnessy Springs, an outlet from an artesian aquifer.

An artesian aquifer is underground water confined under pressure by an overlying impermeable layer.

Any disturbance in the integrity of the confining overburden of the aquifer, such as cracks, faults or even deformation like tilting or folding, will influence the water flow, may shut down the spring and in the worst case cause breakthrough and discharge of water to the surface somewhere else Dronkers explained.

A break in the aquifer flow system could also cause significant land disturbance such as slippage of nearby houses.

"There is no way to be 100 per cent certain that a catastrophe won't happen," Dronkers said.

Knowing the exact location of the aquifer and its pressure, however, could prove helpful.

The Freshwater Fisheries Society commissioned a study in December to obtain additional information.

Wahl would like the council to delay making a decision about the project until the results of that study are available.

"A similar project undertaken on Crown land would require several years of study and be far more evidence-based," Wahl said.

In March 2016, a driller punctured a large regional artesian aquifer in Vancouver and triggered one of the largest uncontrolled artesian well spills in the province.

Several homes were damaged.

According to the standard disclaimer on the developer-commissioned studies, the liable third party in the event of a problem at Banks Crescent would likely be the municipality of Summerland Dronkers explained.

"A security bond posted by the developer? How to put a monetary value on the hatchery and on human life and property at the top of the cliffs?" Wahl said.

The association's other concerns include loss of agricultural land, seniors living in an isolated setting and the impact of such a large project on long term development in the community.



SUMMERLAND REVIEW

Information presented on Banks Crescent proposal

An open house, organized by municipal staff to present information about a seniors' housing facility, drew a sizeable crowd.

Wed Jan 18th, 2017 11:00am / NEWS



Gery Tamblin of the Lark Group explains details of a proposed development on Banks Crescent at an open house on Monday. The open house was organized by the municipality.

An open house, organized by municipal staff to present information about a seniors' housing facility, drew a sizeable crowd on Monday afternoon and evening.

The information session was held at the arena banquet room and included displays about the iCasa proposal.

The development is proposed for the Banks Crescent area.

It would have 380 suites to allow people to age in place and age within the community.

If the proposal is approved, the Lark Group, a family-owned and operated development, construction and facility management company, will run the facility.

Saint Elizabeth Health Care, a Canadian health provider, will manage the facility. Linda Tynan, chief administrative officer for the municipality, said the open house was organized by the municipality to provide information about the proposal.

She said it was well attended, with people representing a cross-section of the community.

"There were some really good questions, which will be brought forward to council," she said.

Penti

SUM



ZE

FIRS

MO
OI
Up to \$

55



70 Back



Representatives of the Lark Group were also present at the open house and were answering questions about their proposal.

After the meeting, several people contacted the municipality to complain about the presence of the developers at the meeting.

Tynan said the developers did not have a formal presentation and all information boards were set up by municipal staff.

She added that municipal council has not yet made a decision about this development.

"We're considering an application we've received," she said. A second municipal event about this development will be held on Thursday, Jan. 19. This event is a question and answer session. It will be held at Centre Stage Theatre, beginning at 7 p.m.

At the municipal council meeting on Monday, council will discuss the next stages in the development process.

Before approving this development, the municipality must hold a public hearing. The date and time of this hearing has not been determined.

Overwhelming interest prompts second open house on Summerland seniors' development

Posted: Sunday, January 22, 2017 4:35 pm

Overwhelming interest prompts second open house on Summerland seniors' development SUSAN MCIVER Special to The Herald | 0 comments

SUMMERLAND — A public Q & A session on a controversial seniors' development drew such a large response that a second meeting will be held so that everyone who wished to ask questions can do so.

Moderator and chief administrative officer Linda Tynan closed the session late Thursday evening after 23 people had asked questions.

A capacity crowd at Centre Stage Theatre gathered for the event.

The Q & A session was the second of two events organized by council and staff to inform the public about the proposed Banks Crescent development.

An open house at which representatives of the developers, the Lark Group, participated was held on Jan. 16.

The proposed development would consist of five separate six-storey buildings constructed over three levels of underground parking located in a bowl-shaped canyon.

The intended buildings would include approximately 230 units of market housing, 100 units of independent living and 50 units of assisted living.

In her opening remarks, Tynan said that council will be receiving information from the developers and the public before scheduling a public hearing.

Mayor Peter Waterman along with senior staff members were on stage to answer questions.

Tynan repeatedly said that questions should be limited to those seeking facts about the development, not expressing opinions.

Regardless, it was apparent from the questions and comments that many in attendance had serious reservations about or were opposed to the development.

Retired physician Larry Achtem perhaps best captured the mood when he told Waterman, "It is obvious the people say 'no'."

Of particular concern was the potential impact on the artesian aquifer beneath the proposed development and the associated spring that supplies the Summerland Trout Hatchery.

Concern was also expressed about the stability of the canyon slopes.

Director of the BC Wildlife Federation Jesse Zeman spoke of major projects in the province which had received government approval based upon positive reports from relevant consultants and had gone on to fail causing immense environmental damage.

The 2014 Mount Polley Mine disaster was among his examples.

An investigation into the disaster found that the dam's construction on an underlying layer of glacial till, which had been unaccounted for by the company's original engineering contractor, was involved.

Is there a water management plan for the proposed catchment basin and how does council plan to avoid disasters were among Zeman's questions.

"These questions will have to be handled by council on Monday," Tynan replied.

Aart Dronkers, a structural geologist said that the sediments (glacial till and silt) beneath the proposed development could easily be put into motion by pressure or water.

He thinks the geo-technical and hydro-geological reports commissioned by the developers do not thoroughly address the potential for disaster.

"Are you willing to take this risk? Are you willing to be responsible for any damage and loss of life?" he asked.

Dronkers did not receive a specific answer, but he and others were told staff and council were also concerned and wanted additional information.

Subsequently, registered professional biologist Doug Wahl said that not only was it stated on the developer's promotion pamphlets that there was no threat to the hatchery, but that a consultant for the developer had written in a local paper that "the proposed development will improve the fish hatchery."

"We are not stupid. We can dig through the facts," Wahl said.

Addressing Waterman, he said, "My perception is that you have already made up your mind."

In response to Wahl and a previous speaker, Waterman said that he had been initially excited by the project, and continues to recognize its potential economic benefits, but has come to have questions.

Dave Courtemanche asked if a new traffic study will be done specifically for Latimer Avenue regarding the estimated 40 fold increase in traffic.

"We'll be asking for the traffic study to be updated," director of development services Dean Strachan said.

Carolyn Courtemanche asked if the council was being distracted by the healthcare aspects of the project so the developers could gain approval for selling condos.

John Rasmussen asked about the total financial benefits of the project.

Waterman replied that the municipal budget is heavily dependent on property taxes and that the projected \$400,000 annual taxes from the development would be equivalent to several percentage points increase in current property taxes.

Earlier in the evening, Donna Wahl reminded Waterman that during the 2014 municipal election he had said, and written on his website, that residential growth does not pay for itself.

"For every dollar of property tax, costs over time are \$1.20 at a minimum."

Waterman made the statement in opposition to a proposal made by the former council to increase the property tax base by exchanging land in the ALR near the core of the town for land located some distance away.

The Banks Crescent land under consideration is zoned agricultural and is not in the ALR.

Other questions Thursday evening included the possible impact on existing businesses and on future residential sales and developments.


The last speaker, Josefa Dronkers, reported that the grassroots group, Summerlanders for Sensible Development, had obtained 962 signatures, on a petition to stop the development.

"And the number is growing," she said.

Freshwater Fisheries Society doesn't support proposed development in Summerland

Story

Comments

Print  Font Size:  



Contributed/Lark Group

In view

Artist's rendering of the view of the proposed project from Macdonald Place.

Posted: Sunday, January 29, 2017 3:25 pm

SUSAN McIVER |  0 comments

SUMMERLAND — The Freshwater Fisheries Society of B.C. cannot support the proposed Banks Crescent development until specified conditions are met to ensure the continued safe operation of the Summerland fish hatchery.

The society operates the province-wide resource which produces up to one million trout released annually into 300 lakes.

Following multiple meetings with the developer, hatchery manager Kyle Girgan informed municipal officials of the society's decision in a Jan. 16 email.

Girgan's email was posted on the municipal website late last week following a request from the public made at the Summerland council meeting of Jan. 23.

The potential impacts on the hatchery and slope stability are the primary on-going concerns raised about the development by Summerland residents.

In recognition of the importance of the fish hatchery, council passed a resolution on Jan. 23 that this issue be resolved before addressing the many other outstanding questions.

Council also directed staff to meet with representatives from the developers, the Lark Group, and the FFSBC.

As of press time, a meeting date had not been set although both parties had been contacted.

In his email, Girgan wrote the society's opinion is that "the most effective and appropriate approach for all application-related communication, including interactions between a stakeholder and the project proponents, is through district staff."

All communications to council and staff are available to the public.

The FFSBC's support of the project rests squarely on, among other conditions, the identification of a contingency water source.

The source must be accessible and capable of providing water of suitable quality and quantity required to maintain uninterrupted operations at the hatchery.

"Unless we can come up with a contingency water source all of this is window dressing," Girgan said Friday, referring to the numerous suggested ways of avoiding, monitoring and responding to potential threats.

The hatchery's sole source of water is a spring, Shaughnessy Spring, an outlet from an artesian aquifer under the development.

The proposed 380 unit seniors' complex, consisting of five six-storey buildings over three levels of underground parking, would be located a short distance uphill from the hatchery.

The use of water from Okanagan Lake as a contingency source would entail significant infrastructure and capital expenditures in order to bring the water to an acceptable standard Girgan explained.

A host of chemicals and other contaminants, including biological agents such as fish pathogens would have to be removed to meet the hatchery's stringent requirements.

The society's other demands include the identification and quantification of spring water quality parameters and thresholds as related to fish habitat.

The proponents must also commit to continuously monitoring the quality of water from both the spring and aquifer to determine the cause(s) of any water quality variations during construction.

Regarding suggestions to date on how to address turbidity of water supplying the hatchery, Girgan said, "If we notice some change in the spring, it's too late."

Girgan is quick to say that the hatchery is only one of several stakeholders in the proposed development.

The others include all Summerland residents, especially those living near the development sites, who might be affected by sloughing of the slopes, and local businesses.

Girgan concludes his email saying it is the opinion of the FFBC that "...determination of related spring and aquifer water quality parameters and thresholds, and provision of a contingency water supply are solely the responsibility of the project proponents, and are subject to both the stakeholders' and decision makers' (council) input and approval."

BCWF decries development

Colin Dacre - Jan 14, 2017 / 5:00 am



Photo: Contributed

The BC Wildlife Federation is wading into the debate over a proposed [seniors development in Summerland](#).

The group is urging members to attend a pair of public meetings on the project next week.

Jesse Zeman with the BCWF says they are worried about the possible impact the 380 unit development could have the Summerland trout hatchery's water supply.

"When you buy an angling license in BC now, the majority of it goes towards the freshwater fisheries society of BC, who operate the hatchery. So if you are an angler, you are also a shareholder in the hatchery and from our perspective, protecting our investment and the long term sustainability of fish and fishing is extremely important to our membership."

Last month the B.C. Freshwater Fisheries Society issued a statement telling the public they have retained a consultant to look into the concerns. Vice President of Operations Tim Yesaki said they made the move because there were people in the community speaking on their behalf.

At the time, Yesaki said some of the concerns raised by their consultant had been mitigated, while meetings were scheduled to tackle sedimentation and turbidity issues.

Malek Tawashy of the Lark Group, the developer behind the project said they have [every intention](#) of keeping the hatchery's water safe.

"It's our plan to leave the hatchery in better condition and better economic activity than it was before we arrived, so we've talked with them about things we can do to improve their infrastructure," Tawashy said in December.

Regardless, Zeman says the BCWF have been concerned about the project for months now, and will be attending the District of Summerland meetings to make their opinions known.

"The BC wildlife fed is the oldest and largest conservation organization in BC, and we have a very local, and are able to mobilize our membership on the advocacy end of things."

- Drop in session: Monday Jan. 16, 2017 3:30 p.m. - 7:30 p.m. at the Arena Banquet Room.
- Q&A and moderated session: Thursday, Jan. 19, 2017- 7:00 p.m. at the Centre Stage Theatre

Hostile crowd grills mayor

Colin Dacre - Jan 20, 2017 / 5:00 am



District of Summerland mayor and staff were in front of a hostile crowd Thursday evening at the Centre Stage Theatre.

Opponents of a proposed [380-unit seniors development](#) used the town hall meeting to grill the district over the \$125M project. About 250 people filled the theatre, taking turns to voice concerns that mainly centred around traffic and the project's impact on the groundwater that feeds the local hatchery.

"I think it's absolutely unbelievable that you can even begin to entertain running that volume of traffic down a road that services 13 houses and 50 cars a day," said one speaker, claiming traffic on his road would increase forty-fold.

Everyone that took the microphone was deeply opposed the to project, but Castanet spoke with some at the meeting who were in favour of the plan, but were not willing to provide their names or speak in front of the crowd.

"I've lived in Summerland for nine years and just seen it slowly decline, we need something like this to provide some jobs and maybe attract some young people," one man said outside the theatre, referring to the 75-100 permanent jobs that comes with the facility.

Mayor Peter Waterman said the project could bring upwards of \$400,000 in property tax revenue to the district, which has been economically stagnant.

He took flak on stage for an apparent perception that the development has already been approved, something he emphasized is far from the truth, "we have not made a decision."

"When you have a small town with very little economic activity, certainly when a big project comes along, I think it's reasonable to seem that you might be a bit excited," Waterman said

"But I think on balance, we have to look very carefully as all the ramifications that a development like this has on the community."

At least another half dozen people at the meeting never got the chance to speak, meaning another town hall is possible. Summerland council will be meeting on Monday to discuss the next steps.

Waterman said it's likely they will be requesting further information from the developer and trying to get answers to the questions and concerns raised on Thursday night. A formal public hearing on the matter has been postponed, until the district can gather more information.

However, the groups opposing the project are organized and growing.

The newly formed "Summerlanders for Sensible Development Group" has launched a full website, and presented the district with a petition of at least 960 people opposed to the plan.

"It was all questions about our environment, about our Summerland, our fishery and there are a lot of concerns - I think council should put it off their agenda right away," Jos Dronkers said following the meeting.

Seniors project survives vote

Colin Dacre - Jan 24, 2017 / 12:15 pm

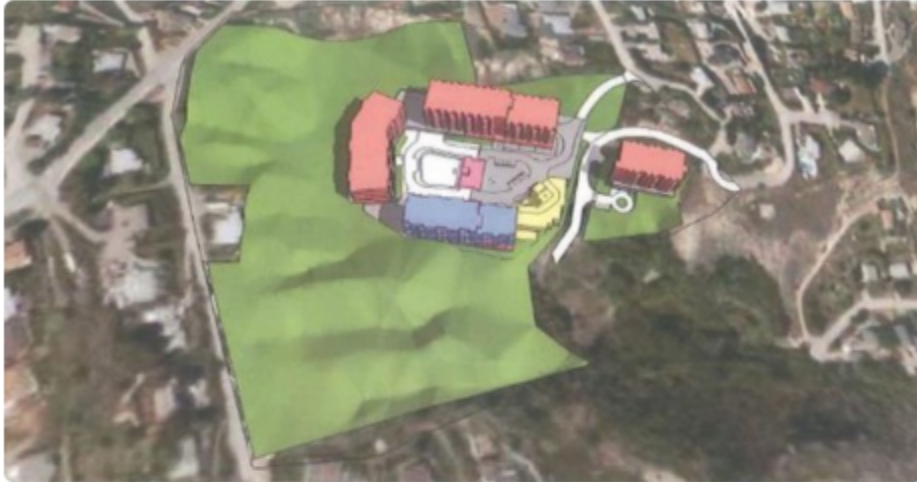


Photo: Contributed

The contentious Banks Crescent seniors development in Summerland survived an unexpected vote of confidence Monday evening.

The week after [a boisterous town hall](#) that packed the Centre Stage Theatre, council debated the next steps for the 380-unit seniors housing project.

As expected, Mayor Peter Waterman said they formally requested more information from the developer about the its [impact on the local trout hatchery](#).

"We need to probe into that further, because the other issues, although important, are we believe secondary to the concerns around the hatchery."

The district is planning a second town hall, on a date to be determined, after at last week's session ran until 9:30 p.m., with several people missing the chance to speak.

"But what happened last night was ... one of the councillors (Holmes) decided to move second reading," Waterman said noting council was not planning on holding an actual vote on the project going into the meeting.

After an "energetic" debate, Waterman said the motion passed 5-2.

The second reading means a formal public hearing is now required to move the project any further. Had the vote failed, it would have killed the development.

"The councillors that voted for the second reading, were looking to move the issue forward so more inquires could be made to satisfy their questions, primarily about the hatchery situation," Waterman said.

Summerland councillor fails in bid to kill proposed seniors' development

Posted: Tuesday, January 24, 2017 5:08 pm

Summerland councillor fails in bid to kill proposed seniors' development SUSAN MCIVER Special to The Herad | 0 comments

SUMMERLAND — Controversy increased Monday as Summerland Council took the next step in approving the Banks Crescent project and indefinitely delayed a promised second public Q & A session.

Meanwhile, council clearly recognized that the fish hatchery holds the trump card.

Coun. Doug Holmes' attempt to stop the project failed when council gave second reading to the OCP and zoning bylaws required for the development to proceed.

The vote was 4-2 with Holmes and Coun. Toni Boot opposed.

In his opening remarks, Holmes said that there were two types of questions raised in last week's two public sessions.

"Philosophical questions, matters of principle that have to be answered by us and questions of a more technical nature," he said. "I don't see the point of carrying on at all until we discuss these (philosophical) questions."

In November, Holmes received a round of applause from a standing-room only crowd when he wanted to have the same type of discussion about the proposed project.

Rather than holding a philosophical discussion, council approved first reading.

Monday, chief administrative officer Linda Tynan said that council could ask for second reading if it felt it had enough information to do its duty.

"I've heard enough," Holmes said to yet another round of cheers and applause from the citizens filling the council chamber.

Tynan advised that if the motion was defeated consideration of the project would end while if approved, discussion would continue and holding a public hearing would be mandatory

Holmes' objections to the project include the loss of productive agricultural land, incompatibility with the OCP and cultural plan and loss of human scale due to the large size of the development.

The four councillors in favour of continuing the discussions all felt they needed more information before making the decision.

Council then moved its attention to the staff report containing three recommended resolutions.

The first resolution was that a report on the public comments and questions from last week's two public sessions be received.

A 150 page report is now available on the municipal website.

The second resolution was that a second question and answer session be scheduled for January 31st.

Coun. Erin Carlson spoke in favour of delaying the promised second Q & A session until more information was available to answer questions, including information related to the fish hatchery.

A date for a second session was not set.

At the end of the meeting, resident Terry Green said he was disappointed and frustrated with this decision.

"I was told (by Tynan) that no decision other than stopping the development would be made by council before a second Q & A session was held," Green said.

"You (council) set up the process and now you're not following it."

Council did approve staff's third resolution that staff meet with the applicants (Lark Group) and representatives of the Fresh Water Fisheries Society of BC to review the concerns raised in relation to the fish hatchery and aquifer water source.

"The subject application has several complex components. As a result, there remain many outstanding questions and facts. However, the importance of potential impacts to the fish hatchery for council and the community has resulted in the recommendation that this item be addressed before we proceed with addressing other issues," director of development services Dean Strachan wrote to council.

"The Fresh Water Fisheries Society is a pivotal part of any decision making," Coun. Janet Peake said earlier.

Coun. Erin Carlson was questioned at the end of the meeting about her statements on whether or not risks are real and not just a matter of opinion and based on "fake science".

Her comments were understood by many to be directed to information being disseminated by the Summerlanders for Sensible Development group.

She replied that she was concerned that decisions be made on solid factual evidence.

"A lot of us are professionals—engineers, biologists, geo-tech specialists. We've done a lot of research and know what we're talking about. We've probably spent more time on this than council has. We're not just passionate, we're professional," Rita Connacher said.

In conversation with Doug Holmes

story **Comments**

Print Font Size:

Recommend 95 Tweet G+1 D Pin it D Share D



Special to The Herald

Doug Holmes

Doug Holmes is a Summerland councillor, an author, tennis coach, retired journalist, former Microsoft employee and an avid collector of vinyl albums.

Posted: Monday, January 30, 2017 5:07 pm

Penticton Herald Staff | 0 comments

Doug Holmes is a municipal councillor in Summerland.

His detailed past includes time spent as a journalist, author and employee with Microsoft. He now coaches at the Lakeshores Racquet Club in Summerland.

He spoke Monday with Herald editor James Miller about both issues related to the district plus details of his interesting past.

HERALD: You and Toni Boot are opposed to the Banks Crescent development in Summerland. What is your primary objection?

HOLMES: The scale and location are incompatible with the community's vision as set out in Official Community Plan (OCP). Planning should lead development. If development leads planning, you end up with a big mess.

HERALD: As someone who was involved with the Syrian refugee program in Summerland, how is that going?

HOLMES: The first anniversary of the arrival of both our sponsored families is coming up and with that our official support comes to an end. But the families will be

okay. They are well integrated into community thanks to the generosity and assistance of so many Summerlanders.

HERALD: What are your thoughts on the actions of President Donald Trump over the weekend?

HOLMES: Imprudent and misguided. Let's hope America's democratic institutions and system of checks and balances are strong enough to withstand this period of bigotry and xenophobia.

HERALD: Another cause you've championed is affordable housing. How can this be addressed in Summerland?

HOLMES: Mainly we need to ensure a mix of housing types and provide greater balance to the housing market. We can get there by being smart in our planning and zoning so that we encourage the redevelopment of teardowns, new carriage homes, and the subdivision of lots to allow for multiple houses on parcels that had been zoned for one.

HERALD: How about the many vacant storefronts in the downtown? What can be done to spur economic development in the district?

HOLMES: We need to continue to emphasize Summerland's quality of life and quality of place — the unique characteristics that define the community and make it attractive. This is often the deciding factor when people and businesses decide where to locate. Specific to downtown, we need to continue to create vibrancy and ensure our retail is concentrated on Main and Victoria streets.

HERALD: You ran and were elected for the first time in 2014. What was the biggest surprise you experienced once elected to Summerland Council?

Posted: Tuesday, February 14, 2017 12:00 am

SUSAN McIVER |  0 comments

SUMMERLAND —The controversial proposed Banks Crescent development continues to occupy much of council's attention.

At this evening's meeting (Tuesday, Feb. 14), director of development services Dean Strachan will provide an updated report on the OCP amendment and rezoning application from the developers.

On behalf of the grassroots group, Summerlanders for Sensible Development, Jos Dronkers will present the interim results of a petition signed by 950 individuals opposed to the high density development in the Bristow Valley (13610 Banks Crescent).

Council will consider the recommendation from Summerland fire chief Glenn Noble to deny the request from the City of Penticton for financial assistance toward the purchase of a marine rescue boat.

The staff recommendation to adopt the terms of reference for Cultural Development Committee will come before council.

The Okanagan Fisheries Foundation's request to provide a resolution of support for its application for funding from the Okanagan Basin Water Board is on the agenda.

Freshwater Fisheries Society doesn't support proposed development in Summerland

Posted: Sunday, January 29, 2017 3:25 pm

Freshwater Fisheries Society doesn't support proposed development in Summerland SUSAN McIVER | 0 comments

SUMMERLAND — The Freshwater Fisheries Society of B.C. cannot support the proposed Banks Crescent development until specified conditions are met to ensure the continued safe operation of the Summerland fish hatchery.

The society operates the province-wide resource which produces up to one million trout released annually into 300 lakes.

Following multiple meetings with the developer, hatchery manager Kyle Girgan informed municipal officials of the society's decision in a Jan. 16 email.

Girgan's email was posted on the municipal website late last week following a request from the public made at the Summerland council meeting of Jan. 23.

The potential impacts on the hatchery and slope stability are the primary on-going concerns raised about the development by Summerland residents.

In recognition of the importance of the fish hatchery, council passed a resolution on Jan. 23 that this issue be resolved before addressing the many other outstanding questions.

Council also directed staff to meet with representatives from the developers, the Lark Group, and the FFSBC.

As of press time, a meeting date had not been set although both parties had been contacted.

In his email, Girgan wrote the society's opinion is that "the most effective and appropriate approach for all application-related communication, including interactions between a stakeholder and the project proponents, is through district staff."

All communications to council and staff are available to the public.

The FFSBC's support of the project rests squarely on, among other conditions, the identification of a contingency water source.

The source must be accessible and capable of providing water of suitable quality and quantity required to maintain uninterrupted operations at the hatchery.

"Unless we can come up with a contingency water source all of this is window dressing," Girgan said Friday, referring to the numerous suggested ways of avoiding, monitoring and responding to potential threats.

The hatchery's sole source of water is a spring, Shaughnessy Spring, an outlet from an artesian aquifer under the development.

The proposed 380 unit seniors' complex, consisting of five six-storey buildings over three levels of underground parking, would be located a short distance uphill from the hatchery.

The use of water from Okanagan Lake as a contingency source would entail significant infrastructure and capital expenditures in order to bring the water to an acceptable standard Girgan explained.

A host of chemicals and other contaminants, including biological agents such as fish pathogens would have to be removed to meet the hatchery's stringent requirements.

The society's other demands include the identification and quantification of spring water quality parameters and thresholds as related to fish habitat.

The proponents must also commit to continuously monitoring the quality of water from both the spring and aquifer to determine the cause(s) of any water quality variations during construction.

Regarding suggestions to date on how to address turbidity of water supplying the hatchery, Girgan said, "If we notice some change in the spring, it's too late."

Girgan is quick to say that the hatchery is only one of several stakeholders in the proposed development.

The others include all Summerland residents, especially those living near the development sites, who might be affected by sloughing of the slopes, and local businesses.

Girgan concludes his email saying it is the opinion of the FFSBC that "...determination of related spring and aquifer water quality parameters and thresholds, and provision of a contingency water supply are solely the responsibility of the project proponents, and are subject to both the stakeholders' and decision makers' (council) input and approval."

Petition tops 1,000 signatures



Jos Dronkers shows a petition with more than 1,000 names, most from Summerland, opposed to the proposed Banks Crescent development. Dronkers and others went door to door collecting the names in December and early January, during some of the coldest days of the winter. — *Image Credit: John Arendt*

by John Arendt - Summerland Review
Summerland *posted* Feb 1, 2017 at 3:00 PM

A petition signed by people opposed to the Banks Crescent development has more than 1,000 signatures.

Work on the petition was started in December, after the seniors housing facility proposal was made public. Names are still being added.

During some of the coldest days of the winter, volunteers canvassed homes in Summerland to get signatures on the petition.

An online petition is also available.

Aart Dronkers, one of the people who started the petition, said the response has been impressive.

“This has grown into such an incredible piece of work,” he said.

While some signatures in the online petition have come from as far away as New York, Dronkers said 90 per cent are from Summerlanders and most of the rest are from people who live nearby.

He said the development proposal affects people outside the community because of the potential effects on the fish hatchery.

He and others have raised concerns about the risks to the hatchery, which stocks fish in many lakes in the southern interior of the province.

He added that people living near the proposed development and others in the community are frustrated with the proposed development.

In January, the municipality held an open house, followed by a public question and answer session about the development.

“We did not get any answers to our questions,” Dronkers said.

The complete petition will be presented to council later.

While members of council are not bound by petition results, Dronkers hopes the number of signatures will send a message.

“I think it could still carry weight,” he said. “I hope they start listening to us.”

The development proposal is still before council. It passed second reading on Jan. 24. Before it can be adopted, a public hearing must be held. The date of this public hearing has not yet been determined.

Seniors project crawls along

Colin Dacre - Feb 14, 2017 / 5:18 pm

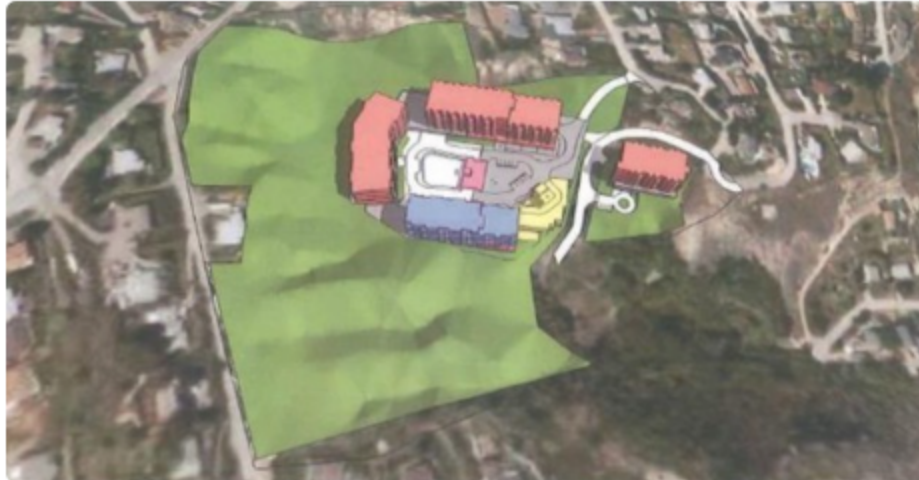


Photo: Contributed

Staff with the District of Summerland will be meeting with the Freshwater Fisheries Society of B.C. this week to review concerns about the potential impact a [380-unit seniors development](#) could have on the groundwater of the local hatchery.

The deeply contentious project proposed for the Bristow Valley would bring upwards of \$400,000 in property tax revenue to the district, but developers have [yet to sell the idea to the public](#) or Fisheries Society.

"At the time of preparing this email, FFSBC still has several outstanding concerns regarding confirmed hazards and related risks of impact to the Shaughnessy Springs," wrote hatchery manager Kyle Girgan in a Jan. 16 email.

"Accordingly, FFSBC currently cannot support the proposed project until spring water quality parameters and thresholds related to fish health are identified and quantified."

However, in a report dated Jan. 19, a hydrological engineering firm retained by the developer indicated erosion-induced turbidity concerns could be mitigated if silt fencing was installed on the vegetated portion of the slope above the spring.

"Ultimately, the locations of the silt fencing will be agreed to with FFSBC. With the incorporation of silt fencing, the risk associated with erosion-induced turbidity is interpreted to be low," states Matthew Cleary of Piteau Associates in the report.

The report recommends a dedicated spill response plan is developed in the case that a hazardous material such as gasoline is spilled. However, it does not address a request from the Fisheries Society for a contingency water source, so uninterrupted water can be supplied to the facility in the case of a spill or increased turbidity.

The District of Summerland has a number of other concerns about the development that will likely require more information such as traffic and sewer impacts, but Mayor Peter Waterman told Castanet last month the hatchery problems have to be dealt with first.

"We need to probe into that further, because the other issues, although important, are, we believe, secondary to the concerns around the hatchery," Waterman said.

The developer of the project, the Lark Group, has said they have every intention of making sure the hatchery's water is not adversely impacted.

Regardless, opposition to the development has organized. A petition opposed to the project from "Summerlander's for Sensible Development" will be formally accepted by council on Tuesday. The petition has 597 Summerland addresses, and 139 out of town addresses on the written petition with another 208 opposed online.

Last month, the project survived a [surprise vote of confidence](#) at council, with two councillors voting to kill plan.

Posted: Wednesday, February 15, 2017 5:32 pm

SUSAN McIVER | 0 comments

SUMMERLAND — Upcoming meetings between the proponents of the Banks Crescent project and the Summerland fish hatchery sparked discussion at Tuesday's council.

"Staff have now confirmed a meeting on Feb. 17 with representatives of the Freshwater Fisheries Society of B.C. to review the concerns raised," chief administrative officer Linda Tynan told council.

The FFBS which operates the Summerland hatchery previously stated that it cannot support the proposed development until specified conditions are met to ensure the continued safe operation of the hatchery.

Hatchery manager Kyle Girgan informed municipal officials of the society's decision in a Jan. 16 email.

In recognition of the importance of the hatchery, council passed a resolution on Jan. 23 that issues regarding the hatchery be resolved before addressing the many other outstanding questions.

Girgan also wrote that in the society's opinion "the most effective and appropriate approach for application-related communication, including interactions between a stakeholder and the project proponents, is through district staff."

Coun. Doug Holmes asked Tuesday about the number of individuals who would represent the FFBS and the proponent at meetings.

Holmes said he thought the 4-to-1 ratio of those attending a meeting held on Jan. 4 (four representatives associated with the proponents and Girgan) would be intimidating for the fisheries people.

Tynan replied that the Feb. 17 meeting was the first of many meetings and that the fisheries people had requested it be only with representatives from the district.

In the public comment period, resident Brian Wilkey asked if council would shut down the project in the event that the hatchery is not satisfied with alternative water solutions.

Receiving no response he rephrased the question, asking if even the hatchery says no, would council consider approving the project anyway.

Tynan replied that in the event of a lack of resolution of the hatchery's concerns, the matter would return to council for consideration.

Council receives rezoning petition

0 Like 7

by John Arendt - Summerland Review
Summerland posted Feb 15, 2017 at 3:00 PM

A petition with more than 900 names opposed to the Banks Crescent development proposal has been received by municipal council.

The petition, organized by Summerlanders for Sensible Development, was started after the Nov. 14 municipal council meeting.

It included a written document and an online component.

Jos Dronkers, who presented the petition following a public question and answer session in January, said 962 signatures were collected.

“Important is that those people that oppose this development come from all over Summerland and not just Lowertown,” she said in a letter to council. “Although the proposed development will have a profound impact on the character of Lowertown, we strongly believe, as you know, that the development also has a profound impact on all of Summerland and beyond.”



Karen and Bob Walker have been canvassing and campaigning in opposition to the proposed Banks Crescent development. The Walkers walk twice a day, each day, with their dogs Duke and Austin. Bob Walker carries a large placard on his back, announcing his disapproval with the proposed development. — *Image Credit: Photo Submitted*

Jeremy Denegar, director of corporate services for the municipality, said the written part of the petition meets the requirements of the Community Charter and provincial government standards, but the online petition, found at sensiblesummerland.com, does not meet these standards.

“Standard practice is not to publish online petitions,” Denegar said in a memo. “This is due to the inability of a government to reasonably verify the validity of the names on any online petition that is under the care and control of a third party.”

The online petition had a total of 208 signatures, but 29 were anonymous. Of the remaining 179, 94 were from Summerlanders and 85 were from outside the community.

The written petition, with 742 names in total, had 597 with Summerland addresses, 139 with addresses outside the community and six with addresses not provided.

Summerland mayor pledges environmental assessment for controversial seniors' development

Posted: Wednesday, February 15, 2017 4:53 pm

Summerland mayor pledges environmental assessment for controversial seniors' development SUSAN McIVER Special to The Herald | 0 comments

SUMMERLAND — The mayor of Summerland publicly committed Tuesday to a thorough environmental assessment of the proposed Banks Crescent project which will meet the municipal terms of reference.

When asked by The Herald during question period if such an environmental assessment would be done before council makes further decisions on the development, such as third reading of the application, Mayor Peter Waterman answered in the affirmative.

Earlier in the meeting, he deferred similar questions from resident Barbara Robson to chief administrative officer Linda Tynan, who said environmental questions would be addressed if the issues involving the fish hatchery were resolved.

Waterman said that the preliminary overview letter of environmental values at 1610 Banks Crescent from Ecoscape Environmental Consultants to the Lark Group, dated July 18 was indeed only a preliminary assessment and that a more thorough assessment would be done.

Waterman did not indicate when in the approval process the assessment would be done.

At the Jan. 19 Q & A session, director of development services Dean Strachan acknowledged that the July 18 assessment did not meet the district requirements.

"When did the district first know or suspect that the assessment did not meet the district's terms of reference," Robson asked Tuesday.

She did not receive an answer.

On Jan. 19 Strachan also said that the situation was being reviewed by both staff and the district's shared environmental planner.

"When will this review be available to the public?" Robson asked, again not receiving an answer.

She drew the mayor and council's attention to the Feb. 1 letter to them from four registered professional biologists, who wrote that the preliminary overview letter does not meet the district's terms of reference for environmental assessments.

Robson is concerned that the public has been given the impression that there are no environmental concerns with the project.

"Concluding that the proposed development will not result in significant adverse environmental impacts at a local or regional level cannot be done in the absence of a detailed environmental assessment report," the four professional biologists wrote.

Robson is particularly concerned that at the Jan. 16 open house information boards provided by the district indicated there were no significant environmental issues.

Indian Band strongly opposed to proposed Banks Crescent development

Posted: Sunday, February 26, 2017 8:00 pm

Indian Band strongly opposed to proposed Banks Crescent development SUSAN McIVER | 0 comments

SUMMERLAND — The Penticton Indian Band has come out against a controversial proposed development on Banks Crescent in Summerland.

In his Jan. 26 letter to Summerland mayor and council, Chief Chad Eneas explained that “after carefully considering all of the information available to PIB at this time, we write to inform you that we do not approve, consent or in any other manner agree to the proposed activity/development.”

Council will consider the letter and related recommendations at Monday night's meeting (Feb. 27).

Eneas wrote that the proposed development had not been adequately brought to the attention of the PIB and expressed disappointment that the band had not been included in a meaningful way in relevant discussions occurring over months or years.

Furthermore, the chief wrote that information regarding the development had been acquired from sources other than the proponent or the district.

Referring to the South Okanagan Commonage Specific Claim, Eneas wrote, “These lands are Syilx/Penticton Indian Band lands and we are of the opinion that the proposed operations have the potential to pose threat and burden to the environment, water, wildlife and our economy and thus impact Silyx Title and Rights. Any activities proposed within this specific claim area are wholly subject to Penticton Indian Band/Syilyx decision making authority.”

The potential impact of such a large development as Banks Crescent on the area's water supply is of particular concern to the PIB.

The proposed 380-unit seniors' housing complex could add hundreds of new water users.

Eneas stated that the current water supply for Summerland is not well equipped to handle an increase in population, the reservoir can be at capacity during non-peak times and the district's long-term plans for water use have not been shared with the PIB.

The proposed development also falls within an area of high archeological potential to the Band, including the presence of burial sites, artifacts and other cultural features.

“The Penticton Indian Band has not been involved or engaged on any environmental or cultural assessments associated with the proposed development nor have we received or reviewed such documentation,” Eneas wrote.

In conclusion, Eneas stated that substantial research regarding potential adverse impacts to PIB cultural heritage, lands water and all living things is required to any further consideration of the proposed development.

This evening council will consider two recommendations.

The first is that staff continue to work through the RDOS Referral Working Group on establishing a regional referral process protocol with First Nations.

The second is that staff contact and meet with the PIB, Natural Resource Development Staff to identify opportunities for additional communication between the district and the PIB on development activities.

In addition to the letter from the PIB, a staff report on the Summerland Trout Hatchery regarding the proposed Banks Crescent development will come before council at Monday's meeting.

Information on a meeting held between representatives of the hatchery and district staff on Feb. 17 is anticipated.

An update of the petition to stop the rezoning of agricultural land at 13610 Banks Crescent will be presented to council.

The written petition now has 868 signatures and the online petition 261 signatures for a total of 1129, up from the 950 total signatures submitted to council two weeks ago.

Staff recommendations to approve an environmentally sensitive development permit for property located at 19006 Garnet Valley Road and to endorse BC Transit's new integrated model and new fare structure are on the agenda.

Staff are also recommending that the district send a letter to local MP Dan Albas in support of Bill C-323, a private member's bill to create tax credits for historic places.

Council will consider giving first and second reading to the request by the owners of property at 2810 Landry Crescent to change the OCP designation and amend the zoning to allow for a smaller lot size.

With council's approval of a special event temporary road and sidewalk closure application, Summerland will have its first Halloween parade strictly for kids this fall.

The application submitted by Dave Simpson requests the closure of several blocks in the downtown area on Saturday, Oct. 29 from 4 to 6 p.m. for the "Howloween 17 Parade".

Simpson will invite all the schools in Summerland to participate, engage youth groups to assist with the event and encourage the public to participate with their children.

He will discuss with store owners how they can be involved in the event.

The public is invited to attend Monday's council meeting which is held at the Municipal Hall, 13211 Henry Ave, starting at 7 p.m.

PIB against seniors project

Colin Dacre - Feb 27, 2017 / 10:16 am

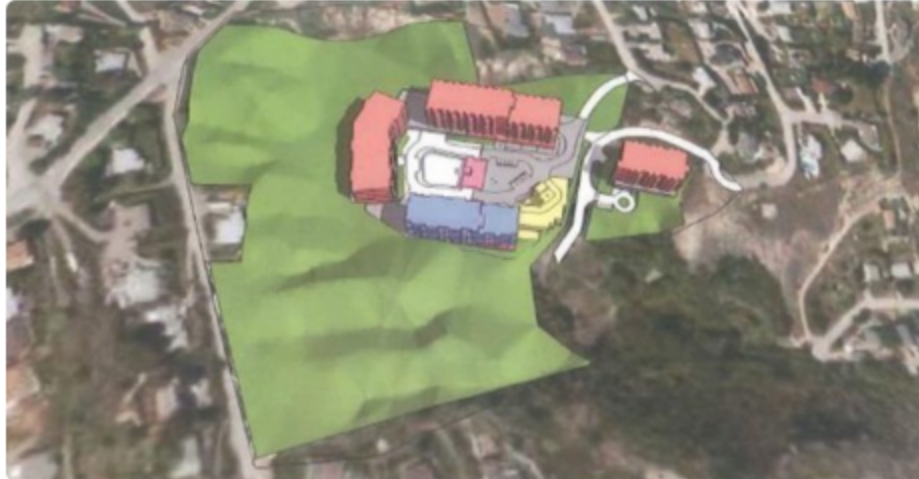


Photo: Contributed

The Penticton Indian Band has come out strongly opposed to a [contentious](#) 380-unit seniors development [proposed for Summerland](#).

In a letter to district council, PIB Chief Chad Eneas states they "do not approve, consent or in any other manner agree," to the development planned for 13610 Banks Crescent.

Eneas writes that the development falls adjacent to a culturally important area for the band, with extremely high archaeological potential.

The letter also states the area is currently under claim by the PIB, through the South Okanagan Commonage Specific claim, first submitted in 2011.

"These lands are syilx/Penticton Indian Band lands and we are of the opinion that the proposed operations have the potential to pose threat and burden to the environment, water, wildlife and our economy," Eneas writes, going on to state that Summerland's current water supply is not equipped for an increase in population.

District staff are recommending council set up a meeting between the PIB and district staff to "identify opportunities for additional communication," between the two groups, and to work with the RDOS to establish a regional referral process with First Nations.

A pair of letters from the Freshwater Fisheries Society of B.C. are also hitting councillors desks, outlining outstanding concerns about the development.

The largest issue to be resolved is the need for a permanent contingency water source for the hatchery, should something go wrong with Shaughnessy Springs as a result of construction or operation of the seniors complex.

The project developer is in "very preliminary discussion of groundwater-based options for developing an alternative water source," including new groundwater supply wells, surface water intake or treated municipal supply, according to a report from the engineering firm the hatchery hired to examine the project.



"The project proponents are actively considering options to identify an alternative water source for FFSBC operations, as a contingency in the event that Shaughnessy Springs water quality is altered and becomes unsuitable for Summerland Trout Hatchery aquatic environment," writes Matthew Munn, Senior Hydrogeologist, Exp Services.

The hatchery is also asking for a water quality monitoring system to be implemented.

A district staff report states they will be requesting more information from the developer, and will update council once more study is complete.

Summerland Trout Hatchery standing firm

Story Comments

Print  Font Size:  

 Recommend  Share   Tweet  G+   Share 

Posted: Tuesday, February 28, 2017 7:29 pm

Susan McIver |  0 comments

SUMMERLAND — The Summerland Trout Hatchery continues to give thumbs down to the proposed Banks Crescent development.

"As stated in previous correspondence, we cannot support this development proposal unless our concerns are addressed," hatchery manager Kyle Girgan wrote to director of development services Dean Strachan on Feb. 24.

The letter was sent pursuant to a meeting between representatives of the Freshwater Fisheries Society of B.C. and district staff on Feb. 17 and a review of the hydrogeological assessments and updates by the proponent's hydrogeological consultant.

The society's concerns begin with the requirement of a permanent contingency water source should the water from Shaughnessy Springs, the hatchery's only current source of water, become unsuitable.

"The applicant has explored potential alternative well water sources for the hatchery and provided preliminary costing," Strachan wrote in his Feb. 27 memorandum to council.

The fisheries society has major concerns about the monitoring of aquifer and spring water quality.

In particular, the society would require use of existing on-site monitoring wells for monitoring of aquifer water, inclusion of post-construction water quality monitoring, and monitoring of spring water quality at the reservoir (collection box) before being able to support the development.

The society also would require completion of an Erosion and Sediment Control Plan (ESCP) to be reviewed by the district in conjunction with an independent third party consultant professional engineer.

The proponent's hydrogeological consultant, Piteau Associates, suggested the use of tiered silt fencing to reduce down-slope impacts on Shaughnessy Springs.

Fisheries consultant Matthew Munn, senior hydrologist with expServices, wrote that it is his understanding that the area west of the springs where the fencing would be installed is Crown land.

"Prior to including silt-fencing in the ESCP, a suggested action item would be that the project proponents confirm both the ownership and right of access to the upslope lands," Munn wrote

"Finally, all of the above concerns, plus the review comments summarized by our consultant, need to be concurrently addressed and in place prior to the start of construction of the Banks Crescent Development," Girgan wrote.

"Council could consider including the four concerns as conditions to be addressed as part of the OCP amendment and rezoning process," Strachan wrote.

At the end of the meeting, resident Doug Wahl asked Waterman, "Is it your intention to wait for the identification of the water source before going to public hearing?"

"Yes, we would want to have that (requirements) satisfied—wells in place and monitoring satisfactory," Waterman answered.

A similar but different question was asked by resident Eric Tait.

"Does the trout hatchery have the last word?" he asked.

"That is the perception right now. But ultimately the decision is up to council," Waterman replied.

Strachan told council that a development agreement would be the proposed mechanism for addressing concerns, requirements and conditions and would provide bonding security.

As the proposed development would not be constructed all at once the development agreement would include provisions to be addressed at each construction phase.

Previously, council directed staff to cease study of other items related to the project until meeting with the FFSBC.

"You wouldn't be going forward with these other aspects if you weren't confident a solution could be found," Coun. Richard Barkwill said to Strachan.

The numerous items include a revised and updated environment assessment report in accordance with the district's terms of reference, preparation of a district revenue analysis and a plan for road upgrades.

There will also be sanitary service modelling for full build-out of lift station and mains in the service catchment area plus identification of the preferred water service option and what offsite works would be required.

Don't underestimate significance of PIB's refusal, council warned

Story Comments

Print Font Size: - +

Recommend Share 0 Tweet G+1 0 Pin it 0 Share 0



Posted: Tuesday, February 28, 2017 7:31 pm

SUSAN McIVER | 0 comments

Summerland council has been warned not to underestimate the significance of the Penticton Indian Band's refusal to support the proposed Banks Crescent development.

"I think you are totally underestimating the challenge of this issue," resident Eric Tait said at the end of Monday's meeting.

Tait was referring to PIB Chief Chad Eneas's letter of Jan. 26 to mayor and council on which he wrote that the PIB was unable at this time to approve, consent or in any other manner agreed to the proposed development.

Proposed development

Tait drew council's attention to the section of Eneas' letter in which he wrote that based on Canada's Specific Claims Policy and Process, "these lands are syilx/Penticton Indian Band lands".

Eneas also stated that any activities proposed within this specific claim are "wholly subject to Penticton Indian Band/syilx decision making authority."

"This is a lawyerly letter, not an invitation for tea and a chat," Tait said.

The letter was copied to the Minister of Aboriginal Relations and Reconciliation, the Minister of Forests, Land and Natural Resources and the Union of B.C. Indian Chiefs.

It was also copied to Clo Ostrove of Mandel Pinder Barristers and Solicitors in Vancouver.

As stated on the firm's website, Ostrove is "resolutely committed to exploring the potential of the law in assisting the aspirations of First Nations."

She has litigated at every level of court in B.C., in the Federal Court and has appeared a number of times before the Supreme Court of Canada on behalf of her native clients.

At no time during Monday's meeting did mayor and council discuss the possibility that the PIB could hinder or stop the proposed development.

Rather, discussions focused on archaeological topics, water and communication.

Eneas wrote of possible presence of syilx burials and the presence of artifacts and cultural features within the area of the proposed development.

Strachan said that the province's archaeological resource management handbook for local governments does not list any sites within the Banks Crescent area.

He also said that First Nations have their own inventory of sites.

Based on the lack of reconciliation with the province and federal government and no process being in place to adequately recognize and negotiate co-existence or accommodation of their title and jurisdiction, Eneas wrote:

"Compliance with provincial processes, legislation, regulations and requirements therefore does not ensure that our interests are adequately accommodated."

Coun. Richard Barkwill took exception to Eneas' statement that Summerland's current water supply is not well equipped to handle an increase in population.

"We have lots of water. I don't know where they got that information," Barkwill said.

Mayor Peter Waterman said that the information may have been obtained prior to the raising of Thirsk Dam several years ago.

Eneas also wrote that the PIB was unaware of Summerland's long-term plans.

"There is the potential they haven't received the information (master water plan)," chief administrative officer Linda Tynan said.

Both Strachan and Tynan said that other local governments do not routinely refer development proposals to local First Nations, especially developments on private land.

Waterman said that this council has endeavoured to have better contact with the PIB and that with the change in chief and council there has been a break in the continuity.

"They (PIB) have expressed a desire to be engaged, so we should engage them," Coun. Doug Holmes said.

Council approved three resolutions.

The first two dealt with continuing to work with the RDOS referral working group on establishing a regional referral process protocol with First Nations and with staff requesting to meet with PIB's Natural Resource Department staff.

Holmes, as suggested by Coun. Erin Carlson, moved the third resolution which was to add the PIB issue to the list of items requiring additional study and review.

Tricia Mayea

From: Karen Jones
Sent: Wednesday, July 5, 2017 8:09 AM
To: Tricia Mayea
Subject: FW: Media Articles on Banks Cres. Part 2
Attachments: Banks Cres. media articles Mar 1 2017 to June 30 2017.pdf

Part 2 Banks.

Karen Jones | Executive Assistant | Municipal Hall



Ph: 250 404-4042 Fax: 250 494-1415
PO Box 159, 13211 Henry Avenue
Summerland BC V0H 1Z0
www.summerland.ca

Facebook: facebook.com/SummerlandBC

Twitter: twitter.com/SummerlandBC

From: Donna Wahl [REDACTED]

Sent: July 4, 2017 10:01 PM

To: Peter Waterman <pwateman@summerland.ca>; Erin Carlson <ecarlson@summerland.ca>; Erin Trainer <etrainer@summerland.ca>; Janet Peake <jpeake@summerland.ca>; Toni Boot <tboot@summerland.ca>; Richard Barkwill <rbarkwill@summerland.ca>; Doug Holmes <dholmes@summerland.ca>

Cc: Karen Jones <kjones@summerland.ca>

Subject: Media Articles on Banks Cres. Part 2

Dear Mayor Waterman and Elected Council Officials,
Please find attached, a copy of media articles on the proposed development of Banks Crescent to be put on the Public Record. This file has been split into two parts because of size.
Part 2 from March 1 to June 30 2017
Sincerely,

Donna Wahl
Summerland

Shy about seniors project

Colin Dacre - Mar 1, 2017 / 3:34 pm

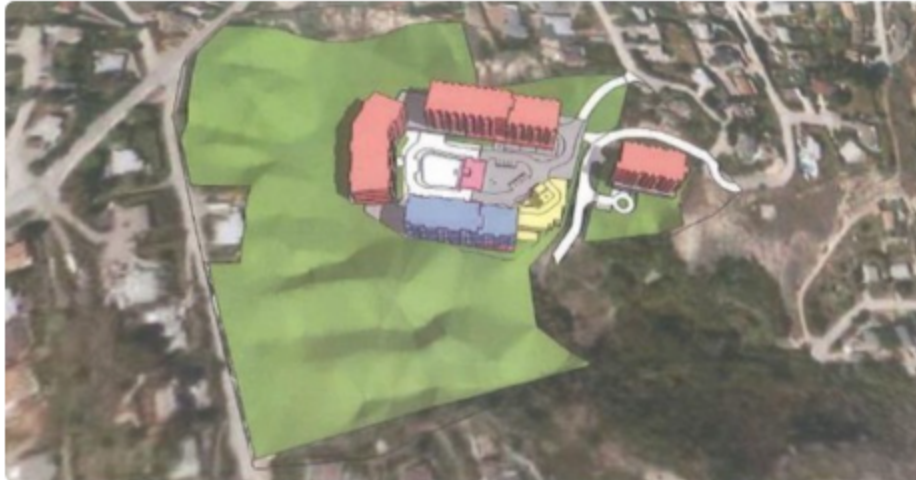


Photo: Contributed

The Summerland Chamber of Commerce has released the results of a poll it conducted of its members on a controversial 380-unit seniors development [proposed for the district](#).

While the project has led to [packed town halls](#), and organized opposition, businesses were less forthcoming with their opinions on the project.

Chamber President Erick Thompson said the 13 replies they got from local businesses are "a much lower number than we had anticipated."

"The response wasn't overwhelming... the majority of them were in favour of it, but what we are finding is some business people don't want to come out and say they are in favour, because it's a complicated and controversial development."

Eleven of 13 respondents were in favour of the Banks Crescent development, some with caveats.

"Summerland needs to grow. I live in Lower Town and know where the new development is going to be. It is something that Summerland needs, as we have a high number of people over 55 that will need a place to live," said a business owner.

"One-hundred per cent behind it, though afraid to speak out in public," wrote another.

Two other business owners voiced opposition.

"I don't think the residential development on Banks is the right place, not for environmental concerns but because it doesn't fit into the densification profile for Summerland," a chamber member submitted.

While a small sample, the Chamber said that the businesses that did respond represented a wide variety of sectors, with 60 per cent self-employed or small two-person businesses.

The Chamber itself is not taking an official position on the project, "the Chamber's role is to support sectors, but not specific developments," said Thompson.

Earlier this week, the Penticton Indian Band went public with its [staunch opposition to the development](#).



SUMMERLAND REVIEW

Few respond to chamber survey

The Summerland Chamber of Commerce received only a handful of responses to a survey about the proposed Banks Crescent development.

JOHN ARENDT / Wed Mar 1st, 2017 5:00am / NEWS



The Summerland Chamber of Commerce received only a handful of responses to a survey about the proposed Banks Crescent development.

The development proposal is for a 380-unit seniors housing complex. New Essence Health Care Management Services Ltd. would develop the property. Once in place, the facility would be run by the Lark Group, with health care provided by Saint Elizabeth Health Care.

The land proposed for this development has been farmed, but is not within the Agricultural Land Reserve. It is within Summerland's Urban Growth Area.

The chamber survey was sent to the more than 700 chamber members early in January, inviting members to share their thoughts about the proposal and about development in Summerland in general.

"We received 15 responses overall — a much lower number than we had anticipated," said Erick Thompson, president of the chamber.

Of the responses, 15 were not from chamber business members. Their responses were not included in the survey results.

The 13 responses from chamber members represent less than two per cent of the Summerland business members. Of those who responded, 40 per cent are larger employers. The rest are self-employed or two-person businesses.

Two of the respondents were opposed to the Banks Crescent proposal. One stated that the development is not in the right location and does not fit into the densification profile for the community. The other mentioned the environmental impacts and the location, which is too far from the core of the community.



Environmental concerns have been raised since the project was introduced in fall. These include concerns about an aquifer in the area, the potential effects of the development on the trout hatchery and the potential consequences of building a development of this size on the slope.

Others who responded to the survey were in favour, provided the environmental is protected.

Gary Tamblyn, owner, developer and chief economic officer with New Essence, has said the construction phase would employ 200 to 300 workers. Once the facility is in place, it is expected to add 75 to 100 permanent jobs, with a total value of \$3 to \$4 million annually.

The development proposal is before council. At present, it is at second reading. Before the third reading, council must hold a public hearing on the development. This is expected to take place in late March.

Banks Crescent studies, reviews moving ahead

Posted: Tuesday, March 14, 2017 6:35 pm

Banks Crescent studies, reviews moving ahead SUSAN McIVER | 0 comments

SUMMERLAND — Work on the studies and reviews requested from the proponents of the proposed Banks Crescent development is moving ahead.

Regarding the Summerland Trout Hatchery, director of development services Dean Strachan told council Monday that the applicant (Lark Group) has contacted the Freshwater Fisheries Society of B.C. about alternate well water sources.

Municipal staff are being copied on correspondence and are available if required by either or both parties Strachan reported.

The Lark Group has engaged consulting engineers to complete the design for the sediment and erosion control plan.

A more detailed analysis of the preliminary traffic study has been completed and is currently being reviewed by staff.

Strachan also reported that design drawings for road modifications and improvements are being prepared by the applicant.

The applicant has engaged a consulting biologist to provide an updated environmental assessment report in accordance with the municipality's terms of reference for environmental reports.

In addition, the Lark Group's engineers are working to provide updated data on the sanitary sewer output of the proposed development.

Once this information is available, municipal staff will complete the modelling for the lift station and main sewer lines required to service the development.

The Lark Group's engineers have selected a preferred water service option and are working on servicing designs.

"Once preliminary designs are completed, staff will review and engage our consulting engineers for further review and modelling," Strachan said.

In addition, the Lark Group has hired engineers to complete the storm water management plan.

District staff and the applicant's professionals continue to discuss, review and work on the temporary electrical system during construction and the system for the development once it is completed.

Representatives of the municipal departments of finance and development services have held initial meetings regarding a revenue analysis of the project.

Strachan said that he will provide council with regular updates.

When asked in late February if a second Q & A session on Banks Crescent would be scheduled, Mayor Peter Waterman said, "When we've gathered enough information."

Q & A sessions are at council's discretion.

Waterman also said that the mandatory public hearing would be held before council considered giving third reading to the OCP and zoning amendments required by the project.



SUMMERLAND REVIEW



Names added to rezoning petition

On Monday, municipal council moved to receive an additional seven pages of a petition

Wed Mar 15th, 2017 1:30am / NEWS



A petition in opposition to the Banks Crescent development proposal is continuing to gain signatures.

On Monday, municipal council moved to receive an additional seven pages of the petition.

The pages had been presented to municipal council on Feb. 27.

The written petition now has a total of 948 signatures.

Of the signatures, 774 are from Summerland addresses, 166 are from addresses outside of Summerland and eight do not have addresses provided.

Jeremy Denegar, director of corporate services for the municipality, said the written petition meets the requirements of the Community Charter and provincial government standards.



The petition organizers have also set up an online petition at sensiblesummerland.com.

This online petition, with 268 entries, does not meet the requirements of the Community Charter nor provincial government standards.

Of these, 133 are from Summerland residents who have provided their names and 101 are from people living outside the community. Another 34 entries are anonymous.

Denegar said the additional pages of the written petition have been received and filed. The online petition has been received, but the municipality is not publishing a copy of that petition.

An additional list of 166 petition signatures was also presented to council during the Monday meeting, although council has not yet voted to formally receive that list.

Summerland to meet with PIB regarding controversial seniors' housing project



Recommended by Outbrain

SUSAN MCIVER/Special to The Herald | Posted 3 months ago

SUMMERLAND — Summerland council is reaching out to include the Penticton Indian Band in discussions about the proposed Banks Crescent development.

"A staff to staff meeting with the PIB will be held tomorrow," director of development services Dean Strachan told council Monday.

Strachan did not provide information on the specifics of what the meeting might entail.

The meeting is in response to the Jan. 26 letter from PIB Chief Chad Eneas in which he wrote that proposed development had not been adequately brought to the attention of the PIB.

He also expressed disappointment that the band had not been included in a meaningful way in relevant discussions occurring over months or years.

In late February, council directed staff to contact and meet with the PIB Natural Resources Development staff to identify opportunities for additional communication between the district and the PIB on development activities.

In addition, staff are to continue to work through the Regional District of Okanagan Similkameen referral working group on establishing a regional referral process protocol with First Nations.

A date for a proposed March meeting of the working group has yet to be announced Strachan said Monday.

Chief administrative office Linda Tynan has said that the municipality is not required to consult with the band on a development of this nature and that consultations have not occurred about past developments.

The PIB apparently views the situation differently.

Included in Eneas' letter is the statement that "after carefully considering all of the information available to PIB at this time, we write to inform you that we do not approve, consent or in any other manner agree to the proposed activity/development."

At the heart of the matter is whose land it is.

Referring to the South Okanagan Commonage Specific Claim, Eneas wrote that the lands in question are Syilx/Penticton Indian Band lands and that any activities proposed within the area are "wholly subject to Penticton Indian Band/Syilx decision making authority".

"From a legal perspective it (Eneas'letter) would not stop the process," Tynan has been quoted as saying.

In February, Summerland resident Eric Tait warned council not to underestimate the significance of the PIB's refusal to support the proposed Banks Crescent development.



Artist's rendering of the view of the proposed project from Macdonald Place.

 **DOWNLOAD**

Start Download - View PDF

 Convert From Doc to PDF, PDF to Doc Simply With The Free Online App! 

Proposed Summerland development meets community resistance

Petition against project has over 1,000 signatures

By Jack Hauen, CBC News | Posted: Mar 15, 2017 8:16 PM PT | Last Updated: Mar 15, 2017 9:25 PM PT



Stay Connected with CBC News



ADVERTISEMENT



122 shares



Related Stories

- Drug trial aims to wipe parasite from south Okanagan's big horn sheep
- Wait ... Vancouver's newest tower goes for how much?

Surrey, B.C.-based developer Lark Group is facing pushback in response to its proposed development in Summerland with a petition against the project drawing 1,400 signatures, more than 10 per cent of the town's population.

Resident Donna Wahl says she has "a multitude of concerns" including the location of the project which she describes as "totally wrong."

The Summerland fish hatchery — the oldest in B.C. and one of five freshwater trout hatcheries in the province — depends on an aquifer located directly underneath the proposed site.

"If the water supply is in any way affected ... it could shut the hatchery down forever," said Wahl.

Malek Tawashy, the project development manager at Lark Group, said the developer will actually improve the hatchery's water security by collaborating to address the hatchery's declining water source

"We're actively looking to ... come up with a long-term freshwater supply that will in effect leave the hatchery in a better position," he said.

Wahl said there's nothing the developers can do to get her on board besides move the project to a different location. She points to blocks of land closer to the downtown core as a better place to develop.

"That's where the majority of our seniors want to be. They don't want to be walking or driving up to town, they want to be in town," she said

Both the **Freshwater Fisheries Society of B.C.** (FFSBC) and the **Penticton Indian Band** (PIB) have written letters against the planned development. PIB Chief Chad Eneas is strongly opposed the development, writing that "the proposed operations have the potential to pose threat and burden to the environment, water, wildlife and our economy and thus impact Silyx Title and Rights."

The FFSBC wrote that it cannot support the proposal unless its concerns over the creation of a contingency water source are addressed.

Weather

Vancouver	Kelowna	Abbotsford	Prince George	Victoria
19°C	27°C	22°C	21°C	18°C

More Weather

Latest British Columbia News



Surrey schools will have 66 fewer support teachers in September

- B.C. man not guilty of manslaughter in single-punch death
- 6 injured after wagon overturns in central B.C. canyon
- Vancouver city council approves fees for electric car charging stations
- 1 dead following assault on Vancouver's Downtown Eastside

Top News Headlines



Canadian sniper's shot should be 'celebrated' and is consistent with non-combat role, Trudeau says

"We value every concern"

In Tawashy's mind, proximity to the downtown core is less important than the views of Lake Okanagan.

"It's a beautiful place, and we believe this project can bring a lot of benefits to the community, local businesses and the residents," he said.

According to Tawashy, the pushback is part of the process.

"Any development ... encounters this type of opposition. What's important for us is that many of the concerns and issues that have been raised really go into making a better project," he said. "We value every concern."

Tawashy said his company is in the midst of working with Summerland's municipal staff to address specific concerns.

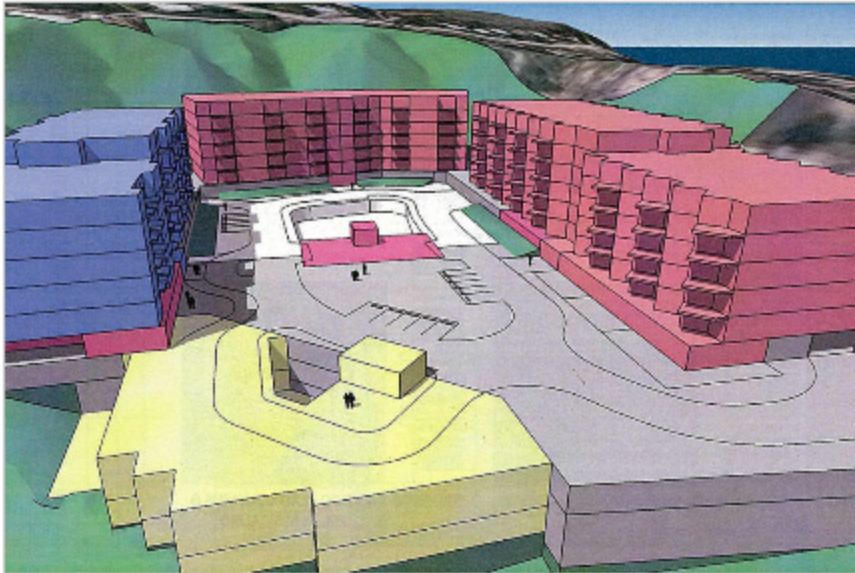
Wahl is unconvinced.

"The council or the mayor keeps saying they're doing their due diligence, but I question at what point is enough due diligence is done and common sense should take over," she said.

"This could be quite a battle for quite a while."



SUMMERLAND REVIEW



Development details still under review

Controversial proposal is for 380-unit seniors housing complex.

JOHN ARENDT / Wed Mar 22nd, 2017 1:30pm / NEWS



Members of the municipality's development services department are continuing to study and review details about a proposed development project.

The proposal, for the Banks Crescent area, is for a 380-unit seniors housing facility.

Since the project was announced to the public in November, concerns have been raised about the location, the environmental impact of the development, roads and other municipal services.

In a report presented to council, Dean Strachan, director of development services, listed nine items which are still under study and review.

One of these is a letter received from the Freshwater Fisheries Society of B.C., dated Feb. 24.

Since that letter was received, the developer has contacted the society about alternate well water sources.

Penti

SUI

ZI

FIRS

MO
Up to 1

55

70 Bac



The applicant has also hired consulting engineers to complete the sediment and erosion control design plans and water monitoring.

A letter received from the Penticton Indian Band, dated Jan. 27, is also included.

Municipal staff have attempted to contact the band, but so far, a response has not been received.

The revised and updated Environmental Assessment Reporting is also under study and review.

The applicant has hired a consulting biologist to conduct a review of the report, to review the terms of reference and to prepare a revised report.

The municipal finance department is preparing a district revenue analysis.

Other items, including roads, sewer, water service, storm water drainage and electrical design work are also under review.

The bylaws for the application are at second reading.

A public hearing has not yet been scheduled.



COLUMN: Development proposal is fracturing the community

Economic growth has been taking place , but we need to be careful to use the right measuring stick.

Wed Mar 22nd, 2017 1:30pm / COLUMNISTS



A real estate developer has applied to the town to rezone an area from "small acreages" up to a much higher density.

That development proposal is fracturing our community.

Objectors to the development warn of permanent impact on a trout hatchery operation, destabilization of slopes, increased traffic and traffic noise, large expenditure on unneeded infrastructure, and a change from a bucolic rural hobby farm neighbourhood to a high density, condominium environment.

Objectors also point out that the town has already identified many areas for high density development and residential expansion in the recently updated Official Community Plan.

Proponents for the development tout short term economic benefits during construction and longer term benefits from services after construction, new residents, growth with minimal impact and then more property tax revenue.

The town responded by creating a bylaw to selectively change the hobby farm zoning. Some councillors have labelled the rezoning opponents as NIMBYs, and believe that Summerland is in desperate need of economic growth.

Real economic growth has been taking place in Summerland, but we need to be careful to use the right measuring stick to follow it.

Empty storefronts are simply an indicator that big box merchandising has permanently changed most downtowns. We see for example on the economic growth side, our Summerland Wine and Spirits industry has very quickly blossomed from two wineries in the 1990s to 24 wine, cider, brew and distillery companies. Significant business expansion has come about in Summerland but with little influence from any town economic development efforts.

There is no question that Summerland would benefit from more job-producing activity.

Summerland competes with every town and city in the Pacific Northwest of the USA and in Western Canada to attract new industry.

What exactly is it that sets Summerland apart from all those competitors that will win new or relocating businesses?

This is a very important question and the answer to that, and to the conflict at hand, is something that Summerland needs to understand and adopt moving forward.

“Emotional Attachment = Stronger Economy”

Summerland needs to take a step back and adopt a better mechanism to deal with development challenges. Summerland needs to adopt a community-wide conversation that will result in a consensus on how the town should evolve.

That conversation needs to be “translated into a blueprint that will serve as the foundation for future community decisions.”

Let’s begin to talk about community heart and soul.

This is not a concept that I invented. It is a concept that is being used to reinvigorate many struggling communities.

The strength of a community is said to lie in the hands and hearts of its citizens.

Community heart and soul is about pride and emotional attachment to our community. That starts with pride in our homes, neighbourhood and then those things that can bring us all together.

Those things that can evoke emotional attachment can be parks, lakes, trails, history, tourism attractions, our main street and markets, festivals or even famous people.

When I travel, I look for things in small towns and cities that bring people together or things that attract people and industry and sustain communities over generations.

I look for the heart of a community and I wonder what that is in Summerland.

Real measured studies have shown that when a community comes together and builds pride, personal connection, manages its town, and improves esthetics, the result is growth in the community GDP, gross domestic product.

In other words, make positive changes to certain factors and people and businesses will migrate here because they want to be associated with, and personally invested in our community.

I hope that Summerland will remove any sense of urgency, and set aside the current divisive rezoning proposal.

Don Gemmell is a long-time Summerland resident. The opinions expressed herein are personal and not those of any particular organization or business.

Hatchery standing firm

Colin Dacre - Mar 24, 2017 / 11:44 am

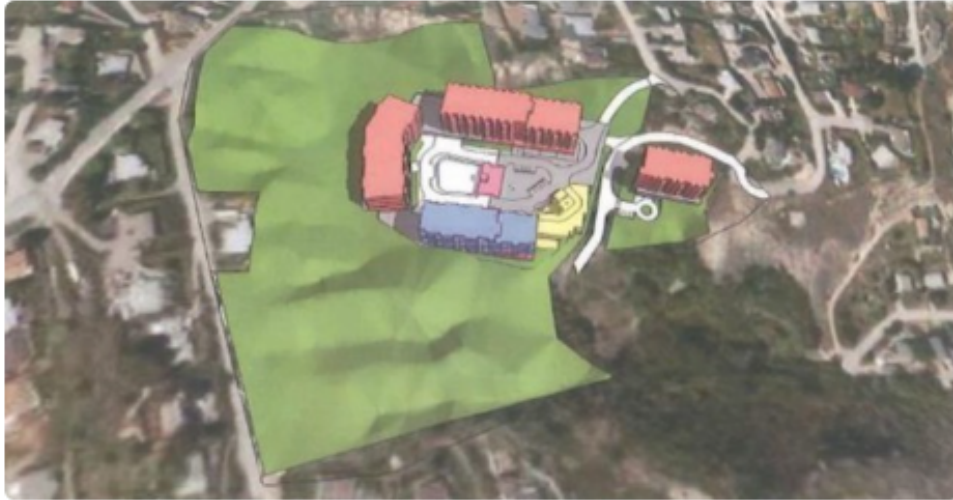


Photo: Contributed

The developers behind a [controversial](#) 380-unit seniors development proposed for Summerland say they are committed to finding the local hatchery a backup water source, the single largest hurdle facing the project.

An update going before Summerland council next week contains emails from hatchery manager Kyle Girgan dated March 17, which reiterates the hatchery's need for a contingency water source before construction can begin.

Girgan states the backup water source "needs to be the same quality and quantity that our current water source provides," referring to data from last year which measured the current spring's supply at 2,800 litres per minute.

The development's project manager, Malek Tawashy of the Lark Group, believes they can get it done.

"We are very optimistic, we are working very hard to come up with a solution," Tawashy told Castanet News.

"Right now we are working through the engineering requirements of the project and concurrently, we are working to come up with a solution for the fish hatchery as well, which we believe we are coming very close to solving," he added.

The development has several other requirements to fulfill, with Tawashy saying they are still "right in the middle" of the municipal process, but council has indicated the project will not move forward if the hatchery's concerns are not dealt with first.

The development still needs to go to a public hearing, and council has stated there will be another town-hall style open house to gather input after the last one ended with some residents unable to voice their opinions.

District of Summerland staff met with the Penticton Indian Band to discuss the development last week, after the band came out [strongly opposed to the project](#).

An update for council states PIB staff requested more information in the project and indicated they would be preparing a further response" for council to hear.

Meanwhile, opposition to the plan has continued to snowball. Another 12 pages of signatures are being added to a petition opposed to the development, organized by a group calling themselves "Summerlanders for Sensible Development." 913 Summerland addresses have now signed the written version of the petition, with another 136 online.

Summerland hatchery still seeking water contingency before giving its blessing to proposed development



Contributed/Lark Group

In view

Artist's rendering of the view of the proposed project from Macdonald Place.

Posted: Sunday, March 26, 2017 4:54 pm

SUSAN MCIVER Special to The Herald | 0 comments

SUMMERLAND — The Freshwater Fisheries Society of B.C. says the developer must have a provincial groundwater license for a contingency water supply before it will support the proposed Banks Crescent development.

The Summerland Trout Hatchery is one of six such facilities operated by the FFSBC throughout the province.

The Summerland hatchery's sole source of water is a spring, Shaughnessy Spring, an outlet from an artesian aquifer under the proposed development.

Previously, the FFSBC stated that support of the project rests squarely on, among other conditions, the identification of a permanent (i.e. life of hatchery) contingency water source of suitable quality and quantity required to maintain uninterrupted operations at the hatchery.

"It is a condition of our approval of the proposed project that any 'Contingency Water Supply' must be a proven source of accessible water, meaning that provision of a

groundwater-based 'Contingency Water Supply' must include acquisition of water rights under the Province's New Groundwater License Application process," hatchery manager Kyle Girgan wrote in a March 15 email.

The email was sent to the developers, their geotechnical consultants and Summerland staff, mayor and council.

Recipients were informed that the FFSBC will consider any discussion of a groundwater supply speculative until there is certainty regarding the acquisition of groundwater rights.

".....the outcome of the licensing process will be dependent on the results of a Provincial Government review (including mandatory First Nations Referrals and separate stakeholder consultations) and also subject to the Provincial Government's discretion whether or not to issue the sought Groundwater License," Girgan explained.

Girgan also wrote in his email that the FFSBC will not provide the developers with groundwater supply information from its other facilities.



"...we consider both the Summerland Trout Hatchery operational needs and hydrogeological setting to be unique and unlike our other facilities," he wrote.

"We will continue to go through the process—stay the course—and see where it leads," Girgan said in a phone interview.

More pages added to petition in Summerland

Story

Comments

Print  Font Size:  

 Recommend   Tweet  G+1   Share 

Posted: Thursday, March 30, 2017 9:12 am

SUSAN McIVER |  0 comments

Summerland Council received an additional 12 pages of the petition to stop the re-zoning of agricultural land at 13610 Banks Crescent Monday.

This submission brings the total of signatures on both the paper and online forms of the petition to 1,355.

Of the 1,079 people who signed the paper petition 913 or 85 per cent gave Summerland addresses, 172 had addresses other than Summerland and eight did not provide any address.

In contrast, only 57 per cent of the 276 individuals who responded to the online petition reported living in Summerland.

Of the online respondents, 36 did not give their names.



SILENT PROTEST Virginia Smith, left, and Donna Wahl, shows ribbons and cards, in plastic bags, with messages of opposition against the proposed Banks Crescent development. Some of the nearby neighbours have set up larger lawn signs, also with messages against the development proposal.

Ribbons, cards show opposition to development proposal

Visible displays urged as silent protest against proposed seniors' complex in Summerland

JOHN ARENDT / Thu Apr 6th, 2017 1:30am / NEWS



Members of Summerlanders for Sensible Development, a citizens' group opposed to the Banks Crescent development proposal, want the community to show disapproval for the project.

The development is a 380-unit seniors' complex, to be built on a piece of agricultural land outside of the Agricultural Land Reserve.

Residents have stated their concerns about the effects of the development on the fish hatchery, the risks of slope instability and potential traffic congestion problems.

Donna Wahl, a member of the citizens' group, has started a silent protest, to accompany a petition.

She is asking people to pick up a Summerlanders for Sensible Development postcard, put it in a sealed plastic bag and tie it to a tree or post in their front yards, using yellow flagging tape.

Earlier, homeowners at some of the homes on Latimer Avenue and other streets near the development had erected larger signs on their yards, but Wahl said fewer than 20 of the larger signs had gone up.

"A lot of people are against this development, not just the 20 that have signs," she said.

The cards are intended to show the extent of the opposition to the development proposal.

Wahl and others with Summerlanders for Sensible Development have circulated a petition.

So far, she said around 1,500 people have signed to show their opposition.

Wahl said opposition to the proposal comes from all parts of the community, not just from those living near the site.

The paper version of the petition ,with many of the signatures gathered through a door-to-door campaign, has been accepted by municipal council, but an electronic petition, on the Sensible Summerland website, has not been recognized.

Wahl said some of the signatures on the petition are not local.

The most distant are from Australia and Germany. She said those signing, even if they do not live in Summerland, are acquainted with the community and care about the impact of the proposed development.

The postcards and ribbons will be available from members of Summerlanders for Sensible Development.

"This is much more than a Summerland issue," she said.

Summerland locals request two government ministries to investigate Banks Crescent development

Posted: Tuesday, April 11, 2017 7:25 pm

Summerland locals request two government ministries to investigate Banks Crescent development SUSAN McIVER | 0 comments

SUMMERLAND — Local residents have requested two provincial ministries investigate the potential impact of the proposed Banks Crescent develop on the fish hatchery.

“We are asking your help in protecting our Summerland Trout Hatchery,” Orv and Barbara Robson wrote in a letter dated April 3 to minister of the environment Mary Polak and to Steve Thomson, minister of forests, lands and natural resource operations.

The Robsons told the ministers that the hatchery provides fish to over 300 lakes and is responsible for \$100 million annually in revenue for South Eastern B.C. alone.

“Your government has invested and committed millions of dollars in the nearby Pennask Watershed recently to protect water sources and spawning grounds for our hatchery which also provides fry to other countries,” they wrote.

The couple said they support the present zoning of medium density residential, but are concerned that the proposed re-zoning to high density residential to allow for the development threatens the hatchery’s water source.

The proposed development consisting of five, six-storey buildings with 380 units would be located at a higher elevation than the hatchery.

“The hatchery water source is from Shaughnessy Springs located in a gulch, above the hatchery, in which the surrounding area is either red zone or environmentally sensitive,” Mary-Ann MacDonald wrote to both ministers Polak and Thomson.

The composition of the soil makes the area subject to sink holes and landslides.

“..... I am asking this Ministry to protect this aquatic ecosystem and ensure that the hatchery remains unencumbered from any unsuitable development in the area,” MacDonald wrote.

The Robsons urged the ministers to investigate at their earliest convenience.

“.....this (application) has passed second reading and has been before our town council since May, 2016 and they will be voting on it after the public hearing with the date yet to be announced,” they wrote.

Barbara Robson said the ministers had acknowledged receipt of the letters.

History behind Banks Crescent property queried

Penticton Herald 14 Apr 2017 By SUSAN McIVER

Aquery about the history of the proposed Banks Crescent property at this week's council meeting elicited distinctly different responses. "Some time ago, I asked for information on the history of the property," Coun. Doug Holmes said.

"We have no record of any formal (development) application. There may have been inquiries that never came to the application stage," chief administrative officer Linda Tynan said.

On Feb. 13, Coun. Richard Barkwill emailed former mayor Janice Perrino questioning her about a statement she had made in a Jan. 9 letter to the editor in the Summerland Review and later The Penticton Herald.

"I have doubled checked with

district staff and no one knows of any previous proposals for this area, much less any that were brought to council and voted on," Barkwill wrote.

"There absolutely will be some record somewhere of our discussion and vote regarding a development in the area. The hatchery came out screaming, we listened and immediately voted down the project," Perrino replied on Feb. 14.

At the end of Monday's meeting, Donna Wahl recommended that council consult a Feb. 10 email from John Kirschmann to Mayor Peter Waterman for a different slant on the property's history. The letter is available on the municipal website. "When I realized the scope of the present pro-


posal, I really thought it was a joke," wrote Kirschmann, who lived the first 20 years of his life on the property.

He recalled a time when "several hundred tonnes of soil and gravel washed down through the orchard and vineyard, in some cases up to four feet deep."

"I would be worried that Lark or any of the new home owners could sue the municipality, especially considering that the area has always been known to be a high risk area," he wrote.

He also wrote of a number of sink holes, some as wide as ten metres and several metres deep, ground water being close to the surface and vegetation varying from thickets of maple trees to dry grass and sage brush.

"My point is the ground under the surface is very varied and it would take a large number of drill holes to determine the geology," Kirschmann wrote.

 Write a comment...

-  Share
-  Comment
-  Save
-  More

-  Bump it
-  Dump it

Hatchery raises voice against Banks Crescent development

Penticton Herald 21 Apr 2017 By SUSAN McIVER Special to The Herald

SUMMERLAND — The Freshwater Fisheries Society of B.C. says continuing to oppose the proposed Banks Crescent development is its only means of protecting the Summerland Trout Hatchery.

“Given the Lark Group’s (developer) recent misrepresentation of the Society and the requirement for our hatchery, it is not clear to us that they take our concerns seriously,” hatchery manager Kyle Girgan wrote in an April 12 letter to Summerland mayor and council.

Girgan further stated: “As such, we have come to the conclusion that the only means of ensuring the viability of our hatchery and the recreational fisheries it supports is to remain on record as being officially opposed to this development.”

This turn of events puts the ball squarely in Summerland council’s court.

“We are preparing an update report that is scheduled to be on Monday’s council’s agenda,” director of development services Dean Strachan replied Thursday to an email sent by The Herald to Mayor Peter Waterman and senior staff members.

In recognition of the importance of the hatchery, council passed a resolution on Jan. 23 that issues regarding the hatchery would be resolved before addressing the many other outstanding questions regarding the development.

“As stated in previous correspondence, we cannot support this development proposal unless our concerns are addressed,” Girgan wrote to Strachan on Feb. 24.

Girgan sent his letter after a meeting between representatives of the FFSSBC and district staff on Feb. 17 and a review of updated hydrogeological assessments by the proponent’s consultant.

Previously, Girgan had requested that communication between the Lark Group and the FFSSBC be through district staff.

“Yes, we would want to have that (requirement) satisfied — wells in place and monitoring satisfactorily,” Waterman responded on Feb. 27 to a question from Doug Wahl.

“Does the trout hatchery have the last word?” Eric Tait asked.

“That is the perception right now. But ultimately the decision is up to council,” Waterman replied.

Similar questions by members of the public on other occasions have been met by silence from the mayor.

Starting in March, Strachan has been reporting to council on work associated with other issues, such as roads, sewer and water service options.

Since first being notified of the proposed development in May 2016, the FFSSBC has accepted every opportunity to either restate or clarify concerns the development poses

for the hatchery, Girgan explained.

“However, in a March 30, 2017, letter to the District, the Lark Group has misstated our position, misinterpreted the rationale for requiring a contingency water supply, and misrepresented the Society and our consultant,” Girgan wrote.

In his March letter, development project manager Malek Tawashy wrote: “the developer is prepared to make a capital donation to the FFSSBC as to ensure the optimal solution is designed and vetted by the Hatchery operations staff. It is the developer’s understanding that the Shaughnessy Springs’ water quality and quantity is still viable for fish production today, with supplementation from domestic water.”

Shaughnessy Springs is the hatchery’s only water source and no domestic water is used.

As frequently stated, the FFSSBC’s support of the project rests on, among other conditions, the identification of a contingency water source.

The source must be accessible and capable of providing water of suitable quality and quantity required to maintain uninterrupted operations at the hatchery and the developer must have a provincial groundwater licence.

In view of the proponent’s position, Girgan wrote: “Therefore we are formally withdrawing from this component of the process as it is

quite clear our contributions to the information gathering process are not being appropriately considered by the developer.”

Write a comment...

Share Comment Save More

Bump it Dump it



Hatchery opposes project

Colin Dacre - Apr 22, 2017 / 5:00 am

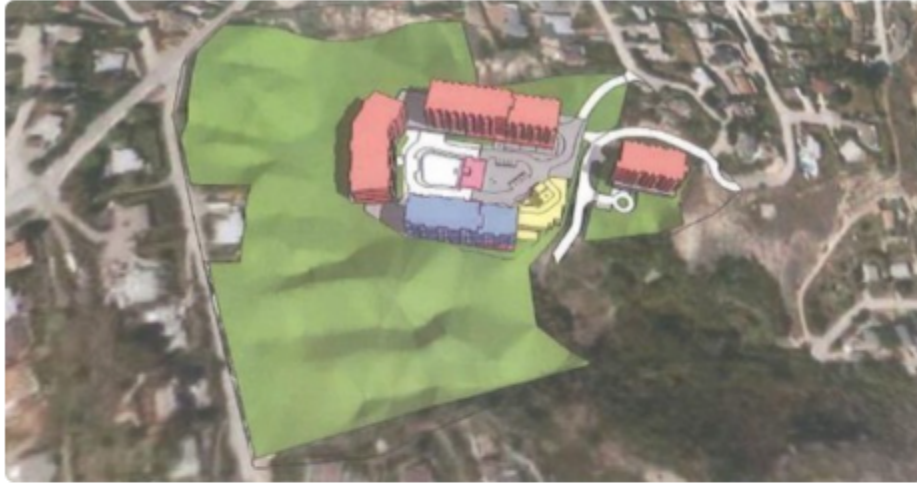


Photo: Contributed

The Freshwater Fishery Society of B.C. appears to be getting frustrated with the developer behind a proposed [380-unit seniors development](#) in Summerland.

In an letter to mayor and council dated April 12, Summerland hatchery manager Kyle Girgan wrote that the FFSBC would be withdrawing from the developmental process, and remaining "on record as being officially opposed" to the development.

From the beginning, the hatchery [has demanded a contingency water source](#), monitoring system and erosion controls before signing off of the \$125M project.

"However, in a March 30, 2017 letter to the District, the Lark Group has misstated our position, misinterpreted the rationale for requiring a contingency water supply, and misrepresented the Society and our consultant," Girgan wrote in his letter to council.

"Given the Lark Group's recent misrepresentation of the Society and the requirements of our hatchery, it is not clear to us that they take our concerns seriously," the letter continues.

A report going to council on Monday indicated that the Lark Group would be submitting a new letter to council, but it was not received in time to be included in Friday afternoon's agenda.

Emails dated April 18, show the developer continues to engage with its engineering consultant to find the hatchery a contingency water source, appearing to favour using the district's water system.

"As discussed we would need to include a de-chlorination, but that is doable," Matt Cameron of CTQ Consultants emailed project manager Malek Tawashy.

Meanwhile, signatures from residents opposed to the project continue to pile up, with a total of 1,119 Summerland addresses submitting written opposition to the project.

Mayor and council will discuss the matter during Monday's council meeting.

The development would bring upwards of \$400,000 in property tax revenue to the district. For context, a one per cent property tax increase generates about another \$75,000.

Developer pushing onwards

Colin Dacre - Apr 25, 2017 / 2:36 pm



Photo: Contributed

The proposed site for the project

The developer behind a [controversial](#) 380-unit seniors development in Summerland says they remain committed to addressing the local hatchery's concerns, [despite frustration from the hatchery](#), which pulled out of the development process earlier this month.

In a letter to mayor and council on Monday, project lead Malek Tawashy stated they are working towards resolving the three outstanding issues currently crippling the development.

First and foremost, a contingency water source for the hatchery, should construction or operation of the \$125M facility impact Shaughnessy Springs.

The Lark Group says it has retained a fisheries specialist, that has been working on the hatchery's concerns, "and will continue to provide recommendations and industry standards for the new water source," writes Tawashy.

Erosion control plans have already been submitted to the District of Summerland, with the "applicant receiving conceptual approval" on Monday, according to Tawashy's letter.

Water quality monitoring for construction and post-construction is also promised.

While there are a number of other developmental challenges to be addressed, mayor and council have committed to dealing with the hatchery's concerns before anything else moves forward.

A petition of those opposed to the project has now reached 1,119 written signatures from Summerland addresses.

Banks Crescent development project continues without support of Hatchery

Posted: Tuesday, April 25, 2017 4:16 pm

Banks Crescent development project continues without support of Hatchery SUSAN McIVER | 0 comments

Summerland — Consideration of the application for the proposed Banks Crescent development continues without the support of the Freshwater Fisheries Society of BC.

The FFSBC operates the Summerland Trout Hatchery.

Director of development services Dean Strachan gave an update on the project to council Monday, which included both the April 12th letter from FWSBC and a letter dated April 24th from Malek Tawashy, development project manager for the Lark Group.

“We are formally withdrawing from this component as it is quite clear our contribution to the information gathering process are not being appropriately considered by the developer,” hatchery manager Kyle Girgan wrote to Summerland mayor and council.

Furthermore, Girgan stated that the FFSBC had concluded that the only means of ensuring the viability of the hatchery and the recreational fisheries it supports was to remain on record as being officially opposed to the development.

On April 24, Tawashy wrote that it is “our understanding that the project review process will continue between the applicant and the district directly.”

Strachan said Monday that district staff continue to communicate with both the applicant and the FFSBC and if requested, will facilitate discussions between them.

The Lark development team includes a senior fisheries specialist who has been working to ensure all aspects of the FFSBC's concerns are addressed and will continue to provide recommendations and industry standards for a new water source suitable for fish production Tawashy wrote.

He also stated that the Lark Group will develop the capacity for on-site construction-phase monitoring of water quality which will remain in place when construction has been completed.

An Erosion and Sediment Control Plan and associated Environmental Monitoring plan from the Lark Group has been sent to the district for review by an independent qualified professional.

“The referenced plans have been submitted to the city with the applicant receiving conceptual approval of the same as of the date of this letter,” Tawashy wrote.

In recognition of the importance of the hatchery, council passed a resolution on Jan. 23 that issues regarding the hatchery would be resolved before addressing the many other outstanding questions regarding the development.

Strachan began reporting to council in March on work associated with other aspects of the project, such as roads and sewers.

Although the FFSBC has stated it is officially opposed to the project, the approval process continues.

Penticton Indian Band responds to Summerland Council

Story

Comments

Print  Font Size:  

Tweet

Posted: Tuesday, April 25, 2017 4:18 pm

SUSAN McIVER |  0 comments

SUMMERLAND — The Penticton Indian Band wants a closer look at the site of the proposed Banks Crescent development.

"The proposed development falls adjacent to ackhtepus, a culturally important area for the Penticton Indian Band," director of PIB natural resources James Pepper wrote in his letter dated April 15 to developer Lark Enterprises and Summerland mayor and council.

Pepper wrote that current and past use of the area has been identified by the PIB and that based on legends and knowledge the area is highly significant.

The PIB uses a four step process to assess archaeological potential.

The first, a Cultural Overview Assessment, has been completed and "determined that the potential for adverse impact is high."

The second step, a Preliminary Field Reconnaissance, is an in-field inspection to assess the proposed development area noting specific landforms, potential cultural use areas and archaeological features.

The PFR is conducted by qualified PIB technicians who may be accompanied by an archaeologist or a PIB elder/knowledge keeper.

Step 3 depends on the recommendations in the PFR report which could include avoidance of identified cultural areas or features.

Studies related to the potential impact on the archaeology and environment of the area and on aboriginal culture could also be recommended.

Depending on the results of first three steps, a fourth step may be required.

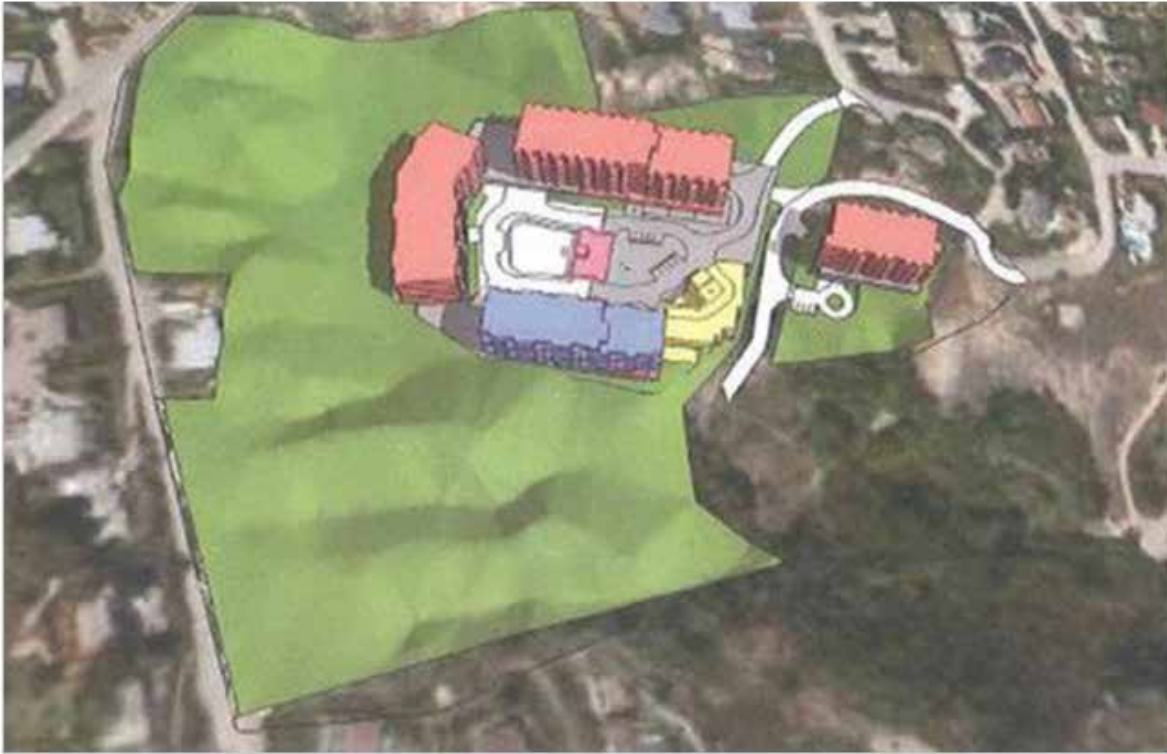
This final step would be focused on monitoring during construction and/or auditing to ensure that recommendations were followed, Pepper explained.

As in the Jan. 26 letter from Chief Chad Eneas to Summerland officials, Pepper wrote that the "syilx (Okanagan) Nation holds unextinguished aboriginal title to the land and resources within our Territory."

In an April 21 email to director of development services Dean Strachan, Pepper explained he had signed the second letter dated April 15 rather than Eneas because the discussion was focused on technical matters.

Both Eneas and Pepper referred to the South Okanagan Commonage Specific Claim that the lands in question are Syilx/Penticton Indian band lands and that any activities proposed within the areas are "wholly subject to Penticton Indian Band/Syilx decision making authority."

Subsequent to receipt of Eneas' letter, members of Summerland development services met with PIB natural resources personnel.



Mayor Peter Waterman said no decision is being made on a proposed development until council has all the information, including public input. Courtesy District of Summerland

Summerland Hatchery concerns over water supply not addressed

Mayor confident developer now understands the Summerland Trout Hatchery needs

[STEVE KIDD](#) / Thu Apr 27th, 2017 7:30am / [LOCAL NEWS](#) [NEWS](#)

When it comes to the Banks Crescent development, Mayor Peter Waterman says Summerland council will make their decision based on the information they are provided with.

That adds up to quite a bit. Council received a number of updates on the development proposal at their April 24 meeting, including a prominent letter from the Freshwater Fisheries Society, who remain concerned about the effect of the development on their water source, Shaughnessy Spring.

The letter, signed by Summerland Trout Hatchery manager Kyle Girgan, details their concerns with development, and the information gathering process they have been involved with as a stakeholder and discussions with project developer the Lark Group.

“Despite these discussions, our concerns for the protection and maintenance of the Summerland Trout Hatchery’s sole water source — Shaughnessy Spring — have yet to be addressed,” reads the letter.

Girgan lists those requirements, which include a contingency water source in the event the spring water quality is degraded, water quality monitoring during and after construction, an erosion and sediment control plan along with environmental monitoring.

Girgan’s letter said their requests and concerns are being misinterpreted, and for that reason, they are withdrawing from participating in further information gathering.

“We are removing ourselves from the information gathering process and we are right now not committing to anything,” said Girgan, adding that the fisheries society remains opposed to the Banks Crescent development as it currently stands.

“There is nothing to commit to, in our opinion,” said Girgan, explaining that they have yet to see any engineering or environmental studies. Those are expected in the near future.

Dean Strachan, director of development services, acknowledged the fisheries society letter, adding the district will continue to communicate with the society at a staff to staff level.

“We will continue to keep them in the loop as to what is proceeding with this, as well as continue to seek their input,” said Strachan.

Girgan also refuted questions about the future viability of Shaughnessy Spring.

“There is no problem with the spring,” said Girgan. “If it wasn’t for this possible development, we wouldn’t be discussing this. I had another year of raising 1.2 million fish with no issues. The current flow from the Shaughnessy Spring meets our needs.”

The current hatchery was built in 1947, but fish have been reared on the site since 1918, and it remains a vital part of the local and provincial economy, as it stocks lakes throughout the province.

“For every dollar that we spend stocking a lake, the average angler spends \$24,” said Girgan, noting the Freshwater Fisheries Society is a non-profit organization.

Mayor Peter Waterman said he is confident the Lark Group is up to speed on the hatchery concerns, expressed in a letter from the developer to the city.

“It was from Lark and they are very much on board with meeting the requirements,” said Waterman.

Council also received a letter from the Penticton Indian Band, noting that the proposed development is adjacent to a culturally important area for the PIB. As such, they indicated an archaeological report is in order.

Waterman said collecting is all part of the process, and why council only gave the first two readings to the proposal.

“We left it there so we have lots of time to pull all the reports together,” said Waterman. Once council feels they have all the relevant information, the matter can proceed to public hearing, third reading, and adoption or denial.

“We are not having a referendum on this and council will be looking at all the information and making its decision,” Waterman told the gallery at the Monday evening council meeting. “We will be making the decision based on all the information we have, which includes community input.”

Developer before council

Colin Dacre - May 8, 2017 / 1:11 pm



Photo: Contributed

The developers behind a controversial proposed seniors development travelled to Summerland on Monday to meet with council, in front of a mostly hostile crowd, providing an update on the project.

The Lark Group is hoping to build a \$125-million seniors living facility in the Bristow Valley, above the Summerland trout hatchery.

[From the very beginning](#), local opposition to the project [has been loud](#), something the senior vice president of the Lark Group, Kirk Fisher, sums up to poor communication.

"We felt there was just some communication not being presented to the neighbours," he said, which led to Monday's visit to council.

Fisher was joined by the project's manager Malek Tawashy and Helen Byrne, the vice president of St. Elizabeth's health care, the non-profit that will be managing about 60 per cent of the development's units, once construction is complete.

St. Elizabeth's is coming onboard with a 10-per-cent stake in the project, and 50-year agreement, to provide care for residents ranging from basic massage therapy to hospice care. The project has been criticized for heavily relying on tele-health services, but that's something Byrne says has worked well in the other facilities they manage through 8,000 employees.

"Being able to remotely connect in with a physician or nurse practitioner and have that support, we are finding more and more people want to do that versus actually going to see a physician," she said.

The developers told councillors they are 7-10 days from getting the results back on a crucial test, that will guide them in their quest to find the hatchery [a contingency water source](#). Further environmental reports from the District of Summerland are due in a few days.

Developers couldn't answer questions about the total size of the project, initially pegged at 380 units. With the development planned for three stages, the Lark Group said it's hard to predict what the exact numbers will be at this point. Fisher also left the door open to leaving some units in the third and final building open to those under 55, if the market demands them at that point.

About 150 of the units will sell as market condos, with the rest being operated by St. Elizabeth's. However, the entire building will have access to St. Elizabeth's services.

Councillor Doug Holmes drew applause from the gallery when he tore into the group for "trying to jam it (the development) into this gully."

"I'd like to ask, rather than us change our official community plan to fit your development, would you be prepared to change your development to fit our OCP," he asked.

Fisher responded, stating they need to be sure the community they build will be self sustaining, adding that traffic reports and "feng shui consultants" have determined the development will not negatively impact the neighbourhood, in their opinion.

"In the 19 years that we've been developing care, there has never been a project that has not been approved by council going forward, never," Fisher told Castanet after the meeting. "There has never been one that's been turned down."

He added that strong initial opposition to some of their developments is not unlikely, and they welcome the feedback.

"If you come to a community, and there is concern, that means you have a strong community."

The feedback outside council chambers, from some residents, was a bit less civilized, with one man calling the developers "all crap" as they left the building. Other residents approached the men to angrily let them know they were opposed to the plan. In both cases, the developers stopped to speak with them.

Banks Crescent petition keeps growing

Posted: Tuesday, May 9, 2017 8:06 pm

Banks Crescent petition keeps growing SUSAN McIVER | 0 comments

SUMMERLAND — The petition in opposition to the Banks Crescent development is attracting an increasing number of signatures.

Jos Dronkers, on behalf of Summerlanders for Sensible Development, submitted an additional 343 signatures to council on Monday.

Of these signatures, 338 were on the hard copy of the petition and five on the on-line form.

Her submission brings the total number of signatures on both forms of the petition as of Sunday to 2,141.

“The future of Summerland must be shaped by the city, not the developers. Please let common sense prevail in making decisions,” she told council.

“We meticulously track every signature coming in and document the number of signatures on a spreadsheet,” Aart Dronkers wrote in an email.

Comments of the signatories focus on the need to protect the hatchery and preserve agricultural land, geological instability of the area (red zone) and isolated location.

Other concerns include potential impact on local roads and the large size of project in relation to the size of the town.

Summerland’s population was reported to be 11,615 in the 2016 census.

“There are a few (signatures) that show up from out of country, but we now know they are from people that actually live-in or having interests in either Summerland or the Valley and have voted from a location somewhere outside the area,” Aart wrote.

Coun. Doug Holmes challenges developers on Banks Crescent at public meeting

Posted: Tuesday, May 9, 2017 11:45 pm

Coun. Doug Holmes challenges developers on Banks Crescent at public meeting SUSAN McIVER | 0 comments

SUMMERLAND — Following a presentation to council Monday morning in response to community concerns, the developers of the proposed Banks Crescent project faced the most fundamental of all questions.

“How is this high density development compatible with our OCP and the Lower Town Neighbourhood Plan?” Coun. Doug Holmes asked Kirk Fisher, vice president of Lark Group, project developers.

Among other points, Holmes mentioned compatibility of the project with adjacent users, major road access and building on a human scale.

“As far as I am concerned, that is the No. 1 issue,” Holmes said.

His question came at the end of an overview and updates on the project given by Fisher, development project manager Malek Tawashy and Helen Byrne of Saint Elizabeth Health Care.

Previously Fisher had said, “We heard of opposition and want to make sure everyone has more information. Only lack of information causes concern.”

The proposed development has been facing increasing amounts of scrutiny and opposition in the past four months, primarily from the group, Summerlanders for Sensible Development, but also from numerous other Summerland residents and individuals outside of the community.

The development would consist of approximately 380 units divided between market condos and not-for-profit independent and assisted living units located in a bowl-shaped gully in Lower Town.

“Don’t try to jam this development into this little gully. Change your development to fit our OCP. We shouldn’t have to change our OCP to fit your development,” Holmes said.

Fisher said that the city had been presented with the concept when the guidelines had been set up.

Malek’s replied that “they’d get back with all the answers.”

“I don’t think you can solve this. It is not council’s plan. It is the community’s. To change it would require going back to the community and there is no appetite for doing so,” Holmes said.

His comments were greeted with a hearty round of applause from public members in attendance.

Fisher replied that his group believes the valley (gully) allows for high density development.

“With all the amenities this will be a world class facility,” he said.

In January, Holmes told the Herald, “Planning should lead development. If development leads planning, you end up with a big mess.”

Mayor Peter Waterman said that councillors should only ask questions regarding clarification and refrain from engaging in debate or giving opinions.

Coun. Erin Trainer asked about the relative number of market condos and independent and assisted living units.

Tawashy replied that market housing would comprise 40 per cent of the units.

Previously, the developers had stated that about 65 per cent would be market housing.

The remaining 60 per cent independent and assisting living units would be operated by Ontario-based Saint Elizabeth Health Care which would provide a wide spectrum of types of health care.

“Saint Elizabeth is a not-for-profit social enterprise and national health care provider that spreads hope and happiness through people-powered care,” Byrne said

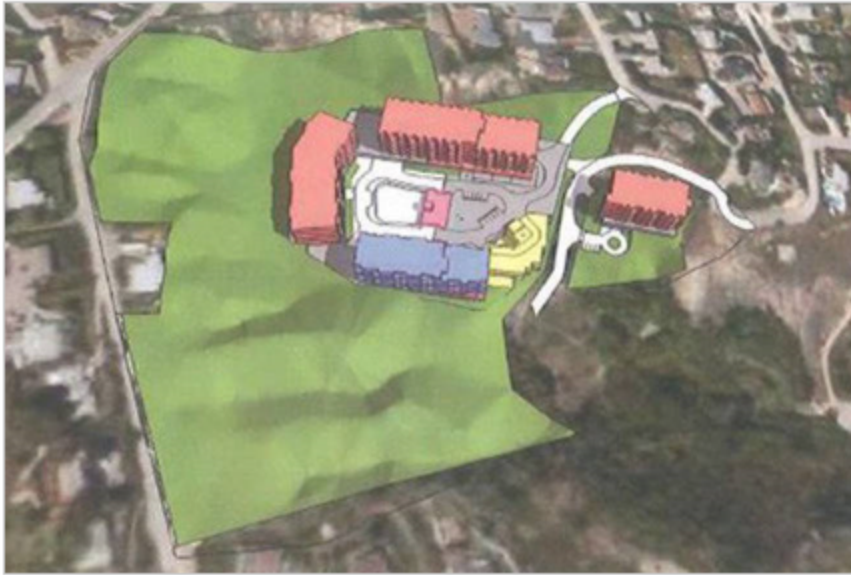
The organization would own 10 per cent of the project Fisher explained.

Coun. Erin Carlson asked about the 55 plus age restriction on the market condos and if the facility might be made available to families.

“We would consider rental or sales for young families in Building E,” Fisher said, referring to the last building slated for construction in the project.



SUMMERLAND REVIEW



Council won't propose alternate site

Decision on iCasa development only for Banks Crescent site

Wed May 17th, 2017 1:30pm / LOCAL NEWS NEWS



When members of council vote on a proposed 380-unit seniors' housing facility, the decision is whether to allow the development at the Banks Crescent location.

Other sites within the community, such as the Wharton Street property, are not under consideration, said Linda Tynan, chief administrative officer for the municipality.

"It's an application from a property owner to put the development there," Tynan said. "Council has to say yes or no."

Since the proposal was first made public in fall, some of the calls from the public have been to locate the iCasa development proposal on the Wharton Street property.

In the past decade, two developers have proposed large-scale developments for the Wharton Street location, but neither of these have proceeded.

Tynan said the Wharton Street location is public property, and as a result, the municipality can ask for proposals for this location.



The Banks Crescent site proposed for the seniors' housing development is privately owned.

At present, the proposal is at second reading. A public hearing will take place before council makes its final decision on this development proposal.

In addition, the municipality is waiting on reports dealing with specific questions which have been raised about the suitability of the location.

District sticking with review process for Banks proposal

Posted: Wednesday, May 24, 2017 8:56 pm

District sticking with review process for Banks proposal SUSAN McIVER | 0 comments

District of Summerland staff continues to recommend the review process of the proposed Banks Crescent development, says the director of development services.

That is the upshot of a detailed summary of the Official Community Plan and its role in community land-use decision-making presented to council on Tuesday by director Dean Strachan.

He prepared the summary in response to recent discussions and questions by council and members of the public.

In particular, Coun. Doug Holmes has questioned the compatibility of the proposed high-density development with the OCP.

Strachan, who assumed his duties in January, said he had reviewed the OCP, the development proposal and reports to council from before the public meeting held Jan. 19.

Based on this review, he said: "I agreed with the staff conclusion that, with improved pedestrian access, the application does meet the objectives and policies of the OCP and support the process continuing."

Still in the information-gathering stage, staff continue to evaluate additional information as it becomes available.

This includes reports on infrastructure and the environment.

These reports may result in additional conditions being recommended for the application.

"To date no additional information has been received that would result in an alteration to the staff recommendation to continue the development process."

At or near the conclusion of the information-gathering process, a public hearing will be held before council considers giving third reading to the required bylaw amendment.

Council would base its decision on whether to proceed with the application following consideration of information gathered from the public and provided by staff, other agencies and the applicant.

In his memorandum to council, Strachan explained that although an OCP provides a framework for communities to work from and is intended to be stable, it is not intended to remain static.

"As time passes communities change as does their vision and objectives, therefore an OCP is intended to change as the community does," he said.

Strachan's OCP memorandum is available on the municipal website.

Developers committed to working in developing a deep water lake intake

Posted: Tuesday, June 13, 2017 5:25 pm

Developers committed to working in developing a deep water lake intake SUSAN McIVER | 0 comments

SUMMERLAND - Developers of the proposed Banks Crescent project are committed to working with the district in developing a deep water lake intake as the contingency water supply for the Summerland Trout Hatchery.

Staff have received a letter, a study report and recommendations from the Lark Group, the applicants, on the alternate water source, director of development services Dean Strachan told council Monday.

The Freshwater Fisheries Society of B.C. which operates the hatchery has consistently stated that its support of the project rests squarely on, among other conditions, the identification of a contingency water supply.

The source must be accessible and capable of providing water of suitable quality and quantity required to maintain uninterrupted operations at hatchery.

The hatchery's sole source of water is Shaughnessy Springs, an outlet from an artesian aquifer under the development.

The report has been forwarded to the Freshwater Fisheries Society which will review it and have their professionals review it Strachan reported.

A meeting between district staff and FFS representatives is scheduled for later this week.

Larratt Aquatic of West Kelowna analyzed the water quality and recorded temperatures Strachan told council.

"The deep water samples were the closest match to the composition and temperature of water from the existing spring water," Strachan said.

Previously, the Lark Group had suggested other possible contingency sources of water including the municipal water supply.

Strachan explained after the council meeting that information existed on these other sources so only the lake water needed to be sampled.

On May 16, 2017, samples were collected from the area of Okanagan Lake in front of the hatchery at the depths of 20 m and 30 m and with a 2 m clearance to the substrates.

Samples from the two depths yielded similar results except the 20 m sample showed more of an influence from creek plumes/lake flooding than the deeper sample.

"Since 2017 is experiencing the largest flooding event recorded, these results are indicative of a worst-case freshest condition," consultant Heather Larratt wrote.

She also reported that the deep water samples were within the provincial 30-day guidelines for the protection of aquatic life and that they are within the normal range for the southern basin of Okanagan Lake, a stable, reliable water source.

"Obtaining a new license may be challenging," Larratt wrote.

Development project manager Malek Tawashy wrote that Lark is requesting to work with the District of Summerland in the use of the existing water license commencing immediately upon the conclusion of the rezoning process.

The district holds two Okanagan Lake water licenses.

Developers committed to working in developing a deep water lake intake

Posted: Tuesday, June 13, 2017 5:25 pm

Developers committed to working in developing a deep water lake intake SUSAN McIVER | 0 comments

SUMMERLAND - Developers of the proposed Banks Crescent project are committed to working with the district in developing a deep water lake intake as the contingency water supply for the Summerland Trout Hatchery.

Staff have received a letter, a study report and recommendations from the Lark Group, the applicants, on the alternate water source, director of development services Dean Strachan told council Monday.

The Freshwater Fisheries Society of B.C. which operates the hatchery has consistently stated that its support of the project rests squarely on, among other conditions, the identification of a contingency water supply.

The source must be accessible and capable of providing water of suitable quality and quantity required to maintain uninterrupted operations at hatchery.

The hatchery's sole source of water is Shaughnessy Springs, an outlet from an artesian aquifer under the development.

The report has been forwarded to the Freshwater Fisheries Society which will review it and have their professionals review it Strachan reported.

A meeting between district staff and FFS representatives is scheduled for later this week.

Larratt Aquatic of West Kelowna analyzed the water quality and recorded temperatures Strachan told council.

"The deep water samples were the closest match to the composition and temperature of water from the existing spring water," Strachan said.

Previously, the Lark Group had suggested other possible contingency sources of water including the municipal water supply.

Strachan explained after the council meeting that information existed on these other sources so only the lake water needed to be sampled.

On May 16, 2017, samples were collected from the area of Okanagan Lake in front of the hatchery at the depths of 20 m and 30 m and with a 2 m clearance to the substrates.

Samples from the two depths yielded similar results except the 20 m sample showed more of an influence from creek plumes/lake flooding than the deeper sample.

"Since 2017 is experiencing the largest flooding event recorded, these results are indicative of a worst-case freshest condition," consultant Heather Larratt wrote.

She also reported that the deep water samples were within the provincial 30-day guidelines for the protection of aquatic life and that they are within the normal range for the southern basin of Okanagan Lake, a stable, reliable water source.

"Obtaining a new license may be challenging," Larratt wrote.

Development project manager Malek Tawashy wrote that Lark is requesting to work with the District of Summerland in the use of the existing water license commencing immediately upon the conclusion of the rezoning process.

The district holds two Okanagan Lake water licenses.

Deep water intake mullied

Colin Dacre - Jun 14, 2017 / 2:42 pm



Photo: Contributed

The proposed site for the project

The developers behind a [controversial](#) 380-unit seniors development proposed in Summerland appear to be zeroing in on a contingency water source for the local hatchery.

In a recent letter to Summerland council, project manager Malek Tawashy says that although it's the most expensive option, a deep water intake looks like it will provide water closest to the hatchery's current source at Shaughnessy Springs.

The Freshwater Fisheries Society of B.C. has been asking for a backup water source, which could be activated should something impact Shaughnessy Springs during construction or facility operation.

Tawashy's letter states Lark Enterprises will also look at drilling a well if the lake option is not viable.

"However, at this time we are committed to working with the District of Summerland in developing a deep water intake as the contingency water supply to be provided for the FFSBC," he writes.

Water samples pulled by Larratt Aquatic on May 16 in front of the Summerland hatchery at a depth of 20 and 30 metres tested well within Ministry of Environment guidelines for the support of aquatic life. Given the heavy rains and increased creek flows at the time, the engineering firm stated the test results likely represent a worst-case freshet situation.

Despite the progress, Summerland Director of Development Services Dean Strachan noted on Wednesday that "nothing is secured at this point, the discussion on these options with involved parties need to take place."

Developer runs bad ads

Colin Dacre - Jun 26, 2017 / 5:56 pm



Photo: Contributed

The proposed site for the project

The developers behind a controversial 389-unit seniors development proposed for Summerland ran "misleading and unsupported" local newspaper advertisements, according to a watchdog group.

Advertising Standards Canada, a national advertising self-regulatory body, recently published the decision online, upholding a pair of complaints put forward by an unnamed party.

The complaint alleged the advertisements were misleading because it was not made clear that the development had not yet been approved by the district. The ads also made a claim that the local fish hatchery and aquifer "will not be impacted."

The decision confirmed that the advertisements did not disclose the project was still subject to approval, and the claim about the hatchery "was misleading and unsupported by the evidence submitted by the advertiser."

In a response attached to the decision, the Lark Group states they placed the ads to "generate awareness" of the project in the Okanagan.

"Our intention was not to mislead the public. We referenced that the ads were not an offering for sale and assumed this would cover the legal aspects of the ads. We apologize for any confusion and will ensure any future ads will be referenced accordingly."

The developer is [currently working to find a contingency water source](#) for the nearby trout hatchery, widely regarded as one of the largest hurdles for the project.

Society still won't support development

Penticton Herald 26 Jun 2017 By SUSAN MCIVER

SUMMERLAND — Following consideration of the developers' proposal of a deep water lake intake as a contingency source of water for the Summerland Trout Hatchery, the Freshwater Fisheries Society of B.C. continues to be unable to support the proposed **Banks Crescent** development.

The society which operates the hatchery has consistently stated that its support of the project rests on, among other conditions, the identification of a contingency water supply which is accessible and capable of providing water of suitable quality and quantity to maintain uninterrupted operations at the hatchery.

The hatchery's sole source of water is Shaughnessy Springs, an outlet from an artesian aquifer under the development.

Earlier this month, the Lark Group, the applicants, sent a letter to district staff saying they are committed to working with the district in creating a deep water lake intake in order to meet the FFBC's requirement for a contingency water supply.

The letter was accompanied by the results of a study conducted by Larratt Aquatic of West Kelowna.

On May 16, during the recent flood, Larratt collected samples from the area of Okanagan Lake in front of the hatchery at the depths of 20 meter and 30 meter and with a 2 meter clearance to the substrates.

The results were consistent with

the Ministry of the Environment's guidelines for the protection of aquatic life.

While not disputing this consistency, hatchery manager Kyle Girgan wrote in his June 23 letter to the director of development services, that "there are several relevant water quality parameters not included in the laboratory report."

In particular, the Larratt study does not show water temperature profiles at either of the sample depths.

"The temperature of water originating from Shaughnessy Springs is quite stable and varies by approximately 5 degrees Celsius year-round," Girgan wrote.

Additionally, the report does not consider microbial pathogens which could have a devastating impact on hatchery fish.

Infectious Haematopoietic Virus, which has been detected in B.C. trout and salmon, is an example of a pathogen known to occur in Okanagan Lake water.

Shaughnessy Springs is free of fish pathogens.

Larratt's one day sampling under flood conditions is of major concern to the FFBC.

"To properly assess the suitability of Okanagan Lake for the Contingency Water Supply, we anticipate that a quite comprehensive water quality characterization will be required," Girgan wrote.

The comprehensive characterization "would necessarily include multiple lake water samples ac-

quired under seasonal conditions that produce results that are representative of the natural variation of lake water quality."

The FFBC would like to see details, beyond the general concepts presented, of the infrastructure Lark Group proposes to use for delivery of lake water to the hatchery.

"Our request for such details is relevant, since Lark Group's infrastructure must be compatible with both the hatchery's current land uses and the hatchery's existing mechanical/electrical systems" Girgan wrote.

Lark has requested to work with the District of Summerland to use one of its existing water licenses commencing immediately upon the conclusion of the rezoning process.

"I would also like to reiterate that any infrastructure requirements for the deepwater intake option must be in place prior to the start of construction," Girgan wrote.

The Summerland Trout Hatchery is among six hatcheries operated by the FFBC, a private, non-profit organization.

The FFBC is governed by a Board of Directors including the society's president, up to five independent members, and two members appointed by the province.

The province, through the Ministry of Forests, Lands and Natural Resource Operations, is the society's primary contractual partner.

The society also works closely with the Fish and Wildlife Branch and fisheries biologists.

"We are service providers to the government and under contract with the province. So ultimately, if there was anything to happen to our water supply or the Summerland Trout Hatchery, we would not be able to meet our contractual obligations to the province," Girgan told The Herald.

Write a comment...

Share Comment Save More

Bump it Dump it

Penticton Herald
26 Jun 2017 (A1)

Developer used false info in ads

Lark Group used misleading and unsupported information in advertisements for proposed **Banks Crescent** project

Penticton Herald 27 Jun 2017 By SUSAN MCIVER, Special to The Herald

The Lark Group, developers of the proposed **Banks Crescent** project, used misleading and unsupported information in its advertisements, according to the national advertising self-regulatory body.

The Standards Council of Advertising Standards Canada announced its decision last week.

The unnamed complainant alleged that advertisements in a local newspaper and brochures were misleading for two reasons.

First, it was not made clear in the advertisements that the development had not yet been approved by the District of Summerland.

Second, that the statement contained in the ads “The Fish Hatchery and Aquifer will not be impacted by the development” was not true.

The Standards Council found no disclosure in the newspaper advertisement that the development was subject to approval by authorities.

Regarding the brochure, Council found that the disclosure was not clearly legible.

On the second issue, Council concluded that the statement “The Fish Hatchery and Aquifer will not be impacted” was misleading and unsupported by the evidence submitted by the advertiser.

The specific infractions named by the Council fell under the categories of accuracy and clarity.


The Lark Group stated on the

ASC website, “We referenced that the ads were not an offering for sale and assumed this would cover the legal aspects of the ads. We apologize for any confusion and will ensure any future ads will be referenced accordingly.”

Several Summerland residents brought their concerns about the Lark advertisements to the attention of municipal officials and the public at various meetings and in letters to the editor of local newspapers beginning early this year.

In his Jan. 20 email to council and local newspapers, David Courtemanche expressed his dismay at what he considered “misconceptions” and “erroneous mantra” in ads by the Lark Group.

On the net: adstandards.com/en/Standards/adComplaintsReportsCurrent.aspx.

 Write a comment...

-  Share
-  Comment
-  Save
-  More

-  Bump it
-  Dump it



Summerland Council still being questioned about Banks Crescent

Posted: Wednesday, June 28, 2017 5:23 pm | Updated: 5:26 pm, Wed Jun 28, 2017.

Summerland Council still being questioned about Banks Crescent SUSAN McIVER | 0 comments

SUMMERLAND — Staff and the mayor responded Monday to three recurring questions about the proposed Banks Crescent development.

“Is there a time frame for when all the reports will be in?” Coun. Doug Holmes asked at the conclusion of director development services Dean Strachan’s update report on the proposed project.

At its Jan. 23 meeting, council gave second reading in a split decision to the OCP and zoning bylaws required for the development to proceed.

The councillors in favour said they wanted more information before making a decision.

Councillors Doug Holmes and Toni Boot opposed the motion.

At the same meeting, council decided to delay indefinitely a promised second public Q & A session and acknowledged that the fish hatchery holds trump card.

“... the importance of potential impacts to the fish hatchery for council and the community has resulted in the recommendation that this item be addressed before we proceed with addressing other issues,” director of development services Dean Strachan wrote to council.

In the last almost five months, reports on a wide range of issues ranging from environmental considerations, district revenue analysis and sanitary sewer service to traffic analysis, sanitary sewer service and additional storm water design have been received along with letters and reports regarding the hatchery.

“Every report opens more questions. We need some sort of end in sight,” Holmes said.

“We’re responsible for much of the hold up,” chief administrative officer Linda Tynan said.

She spoke of the volume of work associated with the large Hunters’ Hill project as well as Banks Crescent.

“I addressed this in my report,” Mayor Peter Waterman said.

“All proposals require detailed attention, larger one like the Banks Crescent proposal are particularly complex requiring in depth reports, which do go back and forth as more detail is required. This is quite normal but does take time,” Waterman wrote.

Tynan explained that councillors need information to understand the impact of their decisions on such a comprehensive development.

“How many more reports are coming forward?” Coun. Erin Trainer asked.

Strachan did not provide a number, but instead replied that staff would continue providing reports until all the components of the comprehensive review requested by council have been completed.

Earlier in the meeting, Tynan said that two questions stood out in the number of inquiries she has been receiving from the public.

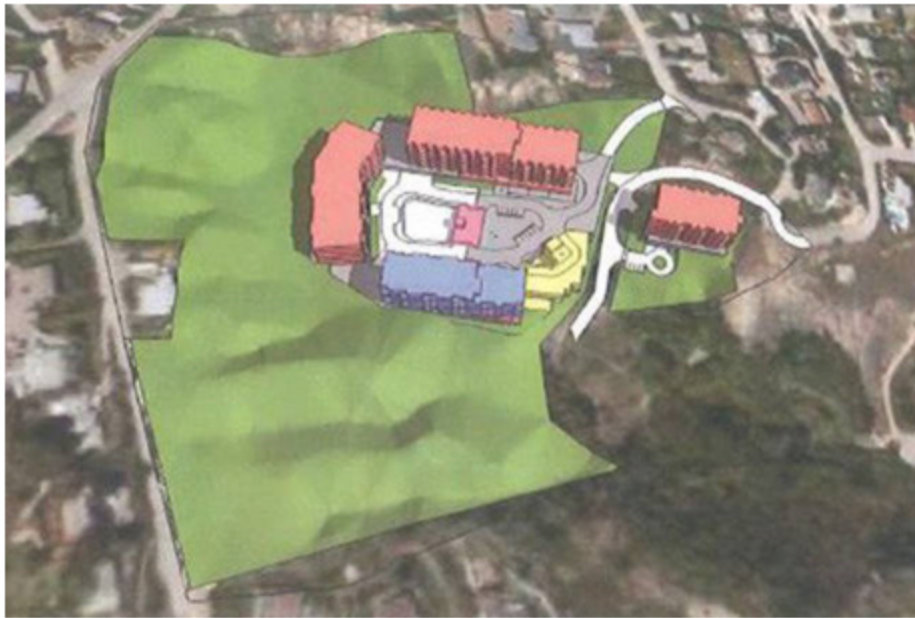
In response to the first regarding neutrality of staff, she said that the staff do not make recommendations regarding the project.

“We work with the applicant to provide information to council,” Tynan said.

She also responded to the question of why staff hasn’t provided a summary of residents’ concerns.

All letters and emails sent to council are on the website and will make up the material to be considered at the yet-to-be-scheduled public hearing Tynan explained.

If councillors have concerns about issues in the letters and emails that have not been covered in the eventual comprehensive report, they can bring them forward she said.



Development ads deemed “misleading and unsupported”

The national advertising self-regulatory agency was contacted following ads from late in 2016

JOHN ARENDT / Wed Jun 28th, 2017 4:00pm / LOCAL NEWS NEWS



Advertisements for the proposed Banks Crescent development have been deemed “misleading and unsupported” by Advertising Standards Canada.

The national advertising self-regulatory agency was contacted following newspaper ads, a brochure and a website from late in 2016.

The complainant said the advertisements were misleading because it was not clear that the development proposal had not yet been approved, and a statement about the effect of the proposed development was not true.

The advertising council determined that there was no disclosure in the newspaper advertisement that the development was subject to approval, and in the brochure, the disclosure was not clearly legible.

In addition, the statement that the fish hatchery and aquifer will not be affected was misleading and not supported by the evidence submitted by the advertiser.

In a statement from the developer, representatives of the Lark Group said their intention was not to mislead the public.

"We referenced that the ads were not an offering for sale and assumed this would cover the legal aspects of the ads," the statement read. "We apologize for any confusion and will ensure any future ads will be referenced accordingly."

Yvonne Chiang, public relations consultant for the Lark Group, said the ads are a past matter and "not a huge issue."

She said the advertisement, website and brochure were created to provide information about a proposed project.

"We wanted to inform and create awareness," she said.

The proposed seniors facility is still before council. At present, the proposal is at second reading and municipal staff are still researching and compiling information about the development and the potential effects on the community.

Tricia Mayea

Subject: FW: Financial Analysis of 13610 Banks Crescent presented at the June 23 meeting

From: Brian Wilkey [mailto:]
Sent: Sunday, July 9, 2017 11:20 AM
To: Peter Waterman <pwateman@summerland.ca>; Richard Barkwill <rbarkwill@summerland.ca>; Toni Boot <tboot@summerland.ca>; Erin Trainer <etrainer@summerland.ca>; Janet Peake <jpeake@summerland.ca>; Doug Holmes <dholmes@summerland.ca>; Erin Carlson <ecarlson@summerland.ca>; Linda Tynan <ltynan@summerland.ca>; Dean Strachan <dstrachan@summerland.ca>; David Svetlichny <dsvetlichny@summerland.ca>
Cc: 'Brian Wilkey' < >
Subject: Financial Analysis of 13610 Banks Crescent presented at the June 23 meeting

July 9, 2017

Dear Mayor, Councilors, CAO and Key Staff

I am writing to you today re the financial analysis of the 13610 Banks Crescent (Bristow project) that was presented to council at the June 23, 2017 meeting.

The title in the June 23 agenda was Financial Analysis, but really as the title of the report stated, it was a revenue analysis only.

To be completely open and honest, there should have at least been mentioned that there are several costs the town will incur that must also be included in any financial analysis. I would have thought that our CAO, being a Certified General Accountant would have insisted that there was at least mentioned in the report that there were costs items also to be considered.

The costs items to be considered, to list just a few of them are:

- Upgrading Solly Road and Latimer. (If it is not done now, it will most certainly have to be done in a few short years)
- Redo all of the driveways on Latimer (re sloping, etc.) so that those living on the street can get in and out of their driveways
- Upgrade to our water and sewer systems. 380 or 390 condos with probably at least 2 people to a unit is a lot of showers being taken, dishes being washed, and toilets being flushed.
- If Fortis determines that our possible daily maximum consumption is higher than it is set at today, I believe everyone in Summerland will have to pay higher electrical fees.

These are just a few of the major costs to be considered. Others questions that need to be asked:

- Will our Fire department have to be upgraded with additional paid staff and equipment?
- Will Ambulance and Police services have to be increased?

These are all costs that will have to be paid for by the citizens of Summerland.

We need to look at and PRESENT the full story here so that our elected officials can make a fully informed decision.

One last point, on the potential revenue that was presented, this is counting on the assumption that all units are sold and actually occupied. That may take years to come to fruition if ever at all.

Thank you

Brian Wilkey

Solly and Latimer, Summerland

Brian W. Wilkey
Wilkey Consulting (1996) Ltd.

[Redacted]
[Redacted]
[Redacted]

Action

File: Bankus

Acknowledged: _____

Copy to:

___ Mayor

___ Council

___ CAO

___ Council Correspondence

___ Reading File:

✓ Agenda Item: PH

Referred to _____

Completed by: _____

Tricia Mayea

From: Peter Waterman
Sent: Wednesday, July 12, 2017 9:01 AM
To: Tricia Mayea
Subject: Fwd: Council Meeting July 10th 2017

Action

File: _____
Acknowledged: JM
Copy to:
___ Mayor
___ Council
___ CAO
___ Council Correspondence
___ Reading File:
✓ Agenda Item: PH.
Referred to _____

Completed by: JM

Regards,

Peter

Peter Waterman | Mayor



Facebook: [facebook.com/SummerlandBC](https://www.facebook.com/SummerlandBC)

Twitter: twitter.com/SummerlandBC

Begin forwarded message:

From: DIANA SMITH <[REDACTED]>
Date: July 12, 2017 at 7:20:51 AM PDT
To: mayor <mayor@summerland.ca>
Cc: ltynan <ltynan@summerland.ca>, rbarkwill <rbarkwill@summerland.ca>, dholmes <dholmes@summerland.ca>, etrainer <etrainer@summerland.ca>, ecarlson <ecarlson@summerland.ca>, jpeake <jpeake@summerland.ca>, tboot <tboot@summerland.ca>
Subject: Council Meeting July 10th 2017

Mayor Waterman

I am writing to you today re Monday night's Council meeting. This meeting appeared to follow the pattern of previous meetings with regards to dismissive responses, no clear answers and total disregard to the information and opinions presented during the Public Question Period.

Based on recent news and information sent to you and council I presented two (2) concerns of mine, and others in our neighborhood.

- The potential of fire in the dry gully of Banks Crescent from the massive 5-7 year construction project and future high density occupancy that could pose REAL risk to residents and firefighters. The recent Kelowna Condo construction fire put residents and firefighters at huge risk and residents without a place to live indefinitely. *Your response to me felt dismissive and disrespectful. Stating that we have a fire department that looks after the entire district (of mainly single family dwellings and farmland) did not address how our current (mainly volunteer) fire department is equipped to handle evacuating up to 700 additional residents in this difficult to access location, some of which could have mobility issues.*

- The Importance of protecting the land surrounding the Fish Hatchery as stated in the 1996 letter from the District to the Hatchery. *Your response was that 'no council has to maintain agreements put in place by previous councils'. My question was 'what had changed since 1996 to reconsider protecting the surrounding lands'. When I pressed you for an answer you accused me of saying Council was not concerned about the Hatchery to which I replied 'that was not what I said'. At this point I felt you were again dismissive and becoming combative.*

As an elected official who speaks on behalf of the Councillors, I would expect you Mr. Mayor to show more respect to me, your constituents and citizens of Summerland and to carefully and fully listen to our concerns.

Thank you
Diana Smith