

To: Mayor Peter Waterman
Councillor Erin Trainer
Councillor Janet Peake
Councillor Richard Barkwill
Councillor Toni Boot
Councillor Erin Carlson
Councillor Doug Holmes
Date: February 2, 2018
Re: Petition Results opposing Banks Crescent Rezoning

RECEIVED
FEB 02 2018
District of Summerland

Dear Mayor, Dear Council Members,

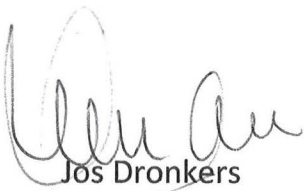
Herewith please find attached the supplementary petition results since the last submission of January 21, 2018 regarding the Rezoning of 13610 Banks Crescent. There are 9 additional signatures opposing the proposed development.

In total we now have 3,201 signatures as of February 2, 2018, a significant number, considering the limited capability and time we have to petition since we started in December 2016. Of the 3,201 opposing signatures, **no less than 2,633 signatures are from Summerland Residents!**

Important is, the people that oppose this development come from all over Summerland. As you know, we strongly believe that the proposed development will have a negative impact on the character and future of Summerland and would set a precedent for an "anything goes" attitude, ignoring risk, the need for healthy aging and, as mentioned before, a green sustainable environment.

Please let us actively lure the developers to build what we need, rather than the developers luring us to build what they want! The developers do not care what Summerland looks like 20 years from now.

Sincerely,



Jos Dronkers
Summerland

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District of Summerland

Grand Total Petition Results - Summerlanders for Sensible Development

2-Feb-18

OVERVIEW	
713	Hardcopy Petitions handed in Jan 19 at Q&A Meeting
41	Hardcopy Petitions handed in the next day Jan 20, 2017
208	On-Line Petitions handed in Jan 19, 2017
962	Total after Q&A January 19/20
126	Hardcopy Petition January 20 thru February 14 (Donna
53	On Line Petitions January 20 thru February 14
80	Hardcopy Petition February 15 thru February 27
6	On Line Petitions February 15 thru February 27
158	Hardcopy Petition February 28 thru March 13
8	On Line Petitions February 28 thru March 13
219	Hardcopy Petition March 14-April 10
13	On Line Petitions March 14-April 10
163	Hardcopy Petition April 11-April 24
10	Online Petition April 11-April 24
338	Hardcopy Petition April 25-May 7
5	Online Petition April 25-May 7
159	Hardcopy Petition May 7-May 23
1	Online Petition May 7-May 23
136	Hardcopy Petition May 23-June 12
1	Online Petition May 23-June 12
111	Hardcopy Petition June 13 - June 26
2	Online Petition June 13 - June 26
221	Hardcopy Petition June 27 - July 24
0	Online Petition June 27 - July 24
105	Hardcopy Petition July 25 - Aug 14
4	Online Petition July 25 - Aug 14
52	Hardcopy Petition August 15 - August 28
3	Online Petition August 15 - August 28
70	Hardcopy Petition August 29-October 10, 2017
5	Online Petition August 29-October 10, 2018
92	Hardcopy Petition October 11-November 14, 2017
3	Online Petition October 11-November 14, 2017
53	Hardcopy Petition November 14-January 8, 2018
0	Online Petition November 14-January 8, 2018, 2017
33	Hardcopy Petition January 9-January 21, 2018
0	Online Petition January 9-January 21, 2018
9	Hardcopy Petition January 22-February 2, 2019
0	Online Petition January 22-February 2, 2020
3201	Total through February 2, 2018

SUMMERLAND HARDCOPY SIGNATURES	2446
SUMMERLAND ONLINE SIGNATURES	187
GRAND TOTAL from SUMMERLAND	2633
ALL HARDCOPY SIGNATURES	2879
ALL ONLINE SIGNATURES	322
GRAND TOTAL	3201

2-Feb-18

2-Feb-18

2-Feb-18

2-Feb-18

2-Feb-18

2-Feb-18

Grand Total Petition Results - Summerlanders for Sensible Development

2-Feb-18

880	Hardcopy Petitions through February 14
261	On Line Petitions through February 14
1141	Total through February 14

960	Hardcopy Petitions through February 27
267	On Line Petitions through February 27
1227	Total through February 27, 2017

1118	Hardcopy Petitions through March 13
275	On Line Petition through March 13
1393	Total through March 13, 2017

1337	Hardcopy Petitions through April 10
288	On Line Petition through April 10
1625	Total through April 10, 2017

1500	Hardcopy Petitions through April 24
298	On Line Petition through April 24
1798	Total through April 24, 2017

1838	Hardcopy Petitions through May 7
303	On Line Petition through May 7
2141	Total through May 7, 2017

1997	Hardcopy Petitions through May 23
304	On Line Petition through May 23
2301	Total through May 23, 2017

2133	Hardcopy Petitions through June 12
305	On Line Petition through June 12
2438	Total through June 12, 2017

2244	Hardcopy Petitions through June 26
307	On Line Petition through June 26
2551	Total through June 26, 2017

2570	Hardcopy Petitions through August 14
311	On Line Petition through August 14
2881	Total through August 14, 2017

2622	Hardcopy Petitions through August 28
314	On Line Petition through August 28
2936	Total through August 28, 2017

2692	Hardcopy Petitions through October 10
319	On Line Petition through October 10
3011	Total through October 10, 2017

2784	Hardcopy Petitions through November 14
322	On Line Petition through November 14
3106	Total through November 14, 2017

2837	Hardcopy Petitions through January 8, 2018
322	On Line Petition through January 8, 2018
3159	Total through January 8, 2018

2870	Hardcopy Petitions through January 21, 2018
322	On Line Petition through January 21, 2018
3192	Total through January 21, 2018

2879	Hardcopy Petitions through February 2, 2018
322	On Line Petition through February 2, 2018
3201	Total through February 2, 2018

179 add. signatures from Jan19-Feb14 delivered to townhall Feb 14, '17
86 add. signatures from Feb15-27 delivered to townhall Feb 27, '17
166 add. signatures from Feb 28-March 13 delivered to townhall March 13, '17
232 add. Signatures from March 14-April 10 delivered to townhall April 10, '17
173 add. Signatures from April 11-April24 delivered to townhall April 24, '17
343 add. Signatures from April 25-May 7 delivered to townhall May 8, '17
410 add. Signatures from May 7-June 25 delivered to townhall June 26, '17
330 add. Signatures from June 27-Aug 14 delivered to townhall August 14, '17
55 add. Signatures from Aug 15 -Aug 28 delivered to townhall August 28, '17
75 add. Signatures from Aug 29-October 10 delivered to townhall October 10, '17
95 add. Signatures from Oct 11-Nov 14 delivered to townhall by D.Wahl Nov 14, '17
53 add. Signatures from Nov 14-Jan 8 delivered to townhall January 8, '18
33 add. Signatures from Jan 8-Jan 21 delivered to townhall January 22, 2018
9 add. Signatures from Jan 21-Feb 2 delivered to townhall February 2, '18

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SUMMERLAND HARDCOPY SIGNATURES	2446	2-Feb-18
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Petition to STOP the Re-Zoning & Development of Agricultural Land at 13610 Banks Crescent

#205

SLB

Do you want to preserve Agricultural Land?

Do you want to save the fish hatchery?

Does it make sense to have a seniors' development in a high hazard, steep sloped area of Summerland?

Petition summary and background, petition sponsored by "Summerlanders for Sensible Development"	Keep 13610 Banks Crescent Zoned Agriculture, a.k.a. "Bristow Valley area". A proposal by the Lark group is before Summerland Council NOW to change the zoning to High Density Residential to allow residential and commercial development of a 5 building condo complex, the majority are six stories high totaling 424 units. As sponsors of this petition, we advocate to promote a key message of sensible development for Summerland. Our priorities are protection of agriculture, the protection of our local fish hatchery and our public safety which will be impacted by long term infrastructure damage, tax payer liability, traffic and red zone building hazards. Our concerns are that the development could cause landslides, destroy productive agricultural land and threaten the operation of our local oldest operating fish hatchery, which generates \$100 million dollars yearly to the Southern BC Region.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our Summerland Council to act now to NOT change the zoning from Agriculture to High Density which would allow the residential and commercial development at 13610 Banks Crescent which has the potential to destroy our fish hatchery.

Printed Name	Signature	Address	City	Date
1. Pat Henry	[Signature]		Summerland	
2. Karen Barker	[Signature]		Summerland	
3. Don Campbell	[Signature]		SUMMERLAND	
4. Rosette Haged	[Signature]	Swire Village	Kelowna	
5. David Steele	[Signature]	7121 Peach Orchard Rd	Summerland	01/30/18
6. Elaine Steele	[Signature]	7121 Peach Orchard Rd.	S'land	01/30/18
7. Bernadette Achtem	[Signature]	12414-Giants Head	Summerland	01/30/18
8. Barb Gieres	[Signature]	13475 Poultry Lake Rd		3/1/18
9. Diane McCreary	[Signature]	15505 GALLAGHER	S'LAND	3/1/18
10.				
11.				
12.				
13.				
14.				
15.				
16.				

RECEIVED

FEB 02 2018

District of Summerland

Feb. 1, 2018

Re: Banks Crescent Development

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FEB 02 2018

District of Summerland

Dear Mayor & Councilors,

I am opposed to the Banks Crescent development because:

1. Not in keeping with the context of the neighborhood.
2. Not supported by the Agricultural Committee.
3. Not supported by the Advisory Planning Committee.
4. Not supported by the Fish Hatchery, as there is still not a contingency water supply satisfactorily addressed.

Sincerely,

Sue Gibb
Latimer Ave.

RECEIVED

FEB 02 2018

District of Summerland

Feb 2/18.

Mayor & Council
Summerland BC

I AM OPPOSED TO THE BANKS CRESCENT
DEVELOPMENT BECAUSE:

1. IT IS NOT IN CONTEXT WITH THE
NEIGHBOURHOOD.
2. THE AGRICULTURAL ADVISORY COMMITTEE
DOES NOT SUPPORT IT.
3. THE ADVISORY PLANNING COMMITTEE DOES
NOT SUPPORT IT.
4. THE FISH HATCHERY DOES NOT SUPPORT
IT AS A CONTINGENCY WATER SUPPLY
HAS NOT BEEN ADDRESSED SATISFACTORILY.

Judy Dulan.
Joyce Stewart.

9302 Angus St. # 317
SILAND

RECEIVED
FEB 02 2018
District of Summerland

#101 – 9302 Angus St.,
Summerland, B.C.,
VOH 1Z0
Feb. 2, 2018.

The Corporate officer
District of Summerland,
Box 159
Summerland, B.C.,
VOH 1Z0

Feb. 2, 2018

Greetings!

Since I am unable to attend the meetings Feb. 5, I submit my opinion this way.

I oppose the rezoning of the 13610 Banks Crescent and the OCP Amendment for these reasons:

1. I am concerned about the water supply for the Trout Hatchery. There is no way to be sure it will not be affected. Indeed, there would be every likelihood that it would be adversely affected.
2. The location is just wrong. I think that a seniors' residence should be located close to the downtown area for easy access to shops for residents' convenience.
3. There would be major access problems with our current road system.
4. I fear that Summerland District and Council would be held accountable should there be some problems regarding building on an unstable hillside. If something goes wrong, who pays?

Thank you for the amazing amount of work this whole thing has entailed. Let us do the right thing, use common sense and reject this application!

Yours truly,

Walt Plitt
Marj Plitt

Walt and Marj Plitt

RECEIVED

FEB 02 2018

~~DIGITAL IN SUMMERLAND~~

Ken MacDonald
6505 MacDonald Place
(250)-494-5454

Mayor and Council

I live at 6505 MacDonald Place. My property is adjacent to the subject property up for re-zoning.

My family has lived in this home for 97 years and we have seen many changes take place over the years including our own property. Most of the changes have been relatively small such as dividing a lot in half or dividing small parcels of land into half acre lots. These past changes have kept the spacious residential feel to the neighbourhood.

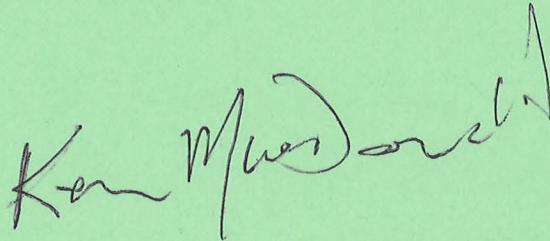
The Official Community Plan was established with the input of many Summerland residents who worked together with various committees to establish what the citizens of this community envisioned to be our future and was then endorsed by this very council. Nowhere was there any provision for multi-story building. This proposal is a glorified condo development with a small section devoted to a private care facility. Why were they not told 22 months ago that their vision did not fit into Summerland Official Community Plan? This Official Community Plan reflects the visions of Summerland residents and should not be a staff or developer driven plan.

If this property gets re-zoned what is next? What if the developer decides to sell this property after rezoning instead of building on it? The new owner may request to build 15 story condos. What about other Agricultural Zoned properties in town? What would be your reason be for denying them similar rezoning? If this category of rezoning does not exist in our current Official Community Plan, the residents and various committees that developed it obviously thought growth should be in a different direction than this.

I feel that Council should be promoting housing for families that would support our schools and community – we have already had the threat of losing schools. What is a community without schools? Seniors do not pay school taxes so the family aspect to this community is essential.

I feel that every time this development is brought up the goal posts keep changing. It's been very confusing to say the least as to what the actual plan is. Is it a seniors development with a care facility or a massive condo complex for a foreigner to invest in? There are still outstanding questions from the Q&A session that Council has not completely addressed which is also adding to the unclarity of what will really happen here.

The time and monies spent by this Municipality has been way too much. I'm hoping that you respect the neighbourhood, the citizens of Summerland and the committees that developed the Official Community Plan and not approve this application.

A handwritten signature in dark ink, reading "Ken Mueser". The signature is written in a cursive, flowing style. The first name "Ken" is written in a simple, slightly stylized cursive. The last name "Mueser" is more elaborate, with a large, sweeping "M" and a long, trailing flourish that extends upwards and to the right, ending in a small hook.

Banks Crescent Development Public Hearing

RECEIVED

FEB 02 2018

District of Summerland

Corporate Officer

This is to voice my opposition to the Banks Crescent Development.

It is not in context with the OCP.

The Advisory Planning Committee does not support the development.

The Agricultural Planning Committee does not support this development.

The Trout Hatchery does not support this development.

Council stated the fish hatchery must be satisfied.

This has not happened.

The biggest concern is that this **rezoning will open up a can of worms.**

I am concerned that if this REZONING goes through what is council going to say to future developers who have similar sized property not in the ALR but wishing to subdivide. How will council address this issue?

Considering all the issues associated with this project how can council justify refusing any future projects on similar sized parcels of land?

We are not NIMBY's but simply concerned citizens who see a much bigger problem for the future.

Mary-Anne MacDonald
6505 MacDonald Place.

M MacDonald
Feb 2/2018

From: Darell Becker [REDACTED]
Sent: February 2, 2018 11:24 AM
To:
Subject: Banks crescent. Say NO

Hello. I am sorry I am unable to be present at this meeting I would though like to have my vote in to say NO to Banks Crescent in lower town summerland. Just remember all the other stupid past councils have made and how Foolish they are Now. Please Do Not Allow this Stupidity to pass in Our Small Community of Summerland. Thank you. Darell becker.

[Sent from Yahoo Mail for iPad](#)

January 21, 2018

Dear Mayor and Council,

I will be unable to attend the Public Hearing on February 5, 2018 but I would like to submit my concerns about the proposed iCasa condo development proposed at Banks Crescent.

Many of these points have been made before, but given that it's the last opportunity that I have to be heard, I want Council to know how passionately opposed I am to the development. Although there are many more, below are 5 areas of concern.

I OCP and CULTURAL PLAN

Quote directly from the District's own website homepage: "Summerland is a magical place".

Quotes from the Lower Town Strategic Plan:

- Ensuring an appropriate scale for new development
- Encourage and retention of the unique historic and character buildings in the neighborhood
- New developments are compatible with the form and character of Lower Town and the Summerland community
- The integrity of Lower Town's residential neighborhoods are preserved and protected
- Lower Town's commercial uses shall complement and not detract from Summerland's downtown core
- The environmental and natural qualities of Lower Town and adjacent lands are respected and preserved
- The Lower Town Strategic Plan shall be consistent with policies contained in the OCP, notably as they consider Hazard Areas, Heritage and the Environment.

Quotes from District of Summerland Cultural Plan:

- People say this is what they value most about Summerland: the arts, the unique character of the community, the quality of life, the community's history and heritage, and the local agriculture.
- Reflect Summerland's cultural values in municipal decisions and projects. Consider community character, quality of life, history and heritage and agriculture.

These are just some of the quotes taken directly from the District's own sponsored publications, with hundreds of hours of volunteer effort. **Are these values for sale? Do these documents mean anything?** Please don't compromise these values for a big box condo development that doesn't fit into ANY of these guidelines.

I've reviewed the Official Community Plan, the Cultural Plan, the Lower Town Strategic Plan and some of the Agricultural Advisory Committee documents. I did not see in any of those documents, anywhere, support for several, multi-unit, high-rise buildings.

The Architect drawings show the size of the project to be over 600,000 square feet, in 6 buildings (although this may have changed during the process). This is a huge project unequalled anywhere in Summerland. In the written **"Objectives for Summerland"** it states that **residential neighbourhoods are to be preserved and protected**. The Official Community Plan, which is the guideline for

development in Summerland states that high density residential developments should be in locations that offer commercial needs, community facilities and parks. They should be compatible with adjoining uses, integrate with surrounding uses, have direct access to a major collector road, and provide pedestrian access to nearby parks and commercial/institutional needs. **Should council vote for a project that goes against every one of these guidelines and is not sensitive to the current single family neighbourhood? Is the small tax revenue expected worth these compromises?**

II - FUTURE DEVELOPMENT

It has been well stated that the construction of the condo development will take 3 to 7 years, depending on the success of pre-sales.

What happens if, after clearing the vineyard and excavating for construction:

1. They run into trouble with the aquifer and/or the silt bluffs. Councilor Erin Trainer asked this same question of Mr. Strachan and his reply was "Construction would be stopped". That's it! The area would already have been cleared and become a construction zone and damage to the environment would already have been done! **You can stop construction but you can't stop the damage.** Is council willing to take responsibility for this? **Do you understand what the next steps would actually entail?**
2. Or, if pre-sales of condo units don't meet targets and the developers delay or walk away from the project? **How do we ever recover from this? Who will be responsible for cleaning and maintaining the compromised site?**

III - HATCHERY

We were assured (particularly by the mayor) at many council meetings that the Summerland Hatchery was a priority for the District and that the iCasa development would not proceed if the Hatchery's operations were in any way threatened. In fact, Council seems to have ignored its own Resolution stating that issues regarding the Hatchery be resolved before addressing many of the other questions surrounding the proposed development.

The Hatchery manager, both in writing and aloud has consistently voiced his concern about the need for a contingency water supply. **This contingency water source has still not been identified therefore the BC Freshwater Fisheries Society continues to be opposed to the development.**

The Advisory Planning Commission passed in their meeting of October 28, 2016 the following: that the application **be supported subject to the support from the BC Freshwater Fisheries Society.** BCFFS has not given its support.

The Agricultural Advisory Committee has passed in their meeting of October 21, 2016 the following: **That the AAC recommend non-support of the application as presented.**

Are the opinions of these District Committees and this Society meaningless? Are you willing to proceed without the support of the APC, AAC and BCFFS?

IV - POPULATION DENSITY

This facility will have 3 times the population density of Hong Kong! Do we want this for Summerland?

The proposed iCasa development will have the same population as all of Lower Town combined from Hwy 97 access to Lakeshore to the Southeast, Hwy 97 to the West and Peach Orchard to the North (approximately 1.8km² or 444 acres). **That is 25 times higher density than Lower Town combined, confined to one small bowl.**

V – PERSONAL

I cannot explain how passionately opposed to this project I am. When my husband and I moved to the Okanagan, we looked at various communities but fell in love with Summerland. We shared the values and objectives of the many folks involved in developing the OCP and Cultural Plan for Summerland. We could finally live in a quaint, rural community without big box developments. We looked at many areas but Lower Town felt just right. We are so happy and grateful to live in a neighborhood where most of us know each other, look after each other's homes and gardens, etc. This is being threatened.

We have a lovely home with a beautifully landscaped front yard, bordering on Latimer. In fact we have a steep driveway to our home and we have an 8-ft cedar hedge along Latimer for privacy and to shelter us from the noise of the small bit of traffic. If this development proceeds, this will all be torn down and a "creative solution" will be thought of to replace this well-established yard and access to my home.

We lived in a condo development, along a busy street in Vancouver. The condo unit we lived in was 6 storeys (the maximum height allowed under the bylaw, even in Vancouver), had 80 units, and took almost a city block. It was huge – and noisy! There were many condo developments in the area and these were serviced by good transit facilities and public services in the area. It was an appropriate location for such developments. iCasa is bigger, much bigger and it will stick out like a sore thumb.

We worked very hard to achieve our dream of leaving big box developments behind and retiring comfortably in the Okanagan, indeed many of our neighbors have done the same. If this development goes through, our dreams will be shattered. Everything that we worked so hard for will have been for nothing.

Please think about the many lives that are affected by this decision and do not approve the Bylaw and OCP amendment to accommodate this huge condo development.

Thank you for the opportunity to submit my concerns.

Rita Connacher

Latimer Avenue, Summerland [REDACTED]

Mayor and Councillors,
Summerland, BC

January 14, 2018

Re: Banks Crescent Development Public Hearing Preparation

Dear Mayor and Councillors;

In preparation for the public hearing on the Banks Crescent Development I urge the Mayor and Councillors to once again re-read and consider the contents of the Lower Town Strategic Plan and the 2016 Cultural Plan. These documents have been well prepared with considerable community involvement and endorsed by this council. I believe they accurately reflect the desires and values of local residents and how we wish to see our community develop over time.

Some key elements of these plans that I believe are relevant when considering the impact of the proposed Banks Crescent development on our desires and values are:

- Reflect the character and quality of life of our community;
- Preserve agricultural land;
- Protect the local environment;
- Preserve and protect the integrity of Lower Town's residential neighbourhoods;
- New developments are compatible with the form and character of Lower Town;
- Support and enhance the historic Summerland Trout Hatchery;
- Protect the existing human-scale and small town character of Summerland and Lower Town;

Summerland residents enjoy living in a farming town. We like being surrounded by orchards and vineyards. We also take pride in not being a town full of "big-box" developments.

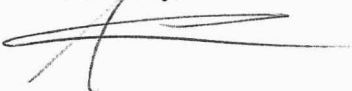
As I review the latest plans for the Banks Crescent development I find it hard to reconcile these well articulated values with this development concept.

We also seem concerned with housing affordability and the attraction of younger families to help keep our local schools viable. I fail to see how a luxury condo complex targeted to the 55+ demographic in any way helps with this issue. I fully expect that many of these condos will be purchased by non-residents and a certain amount of them will be let on the short term rental market. One only needs to review the provincial and national newspapers to understand how non-resident ownership and short term rentals affect housing affordability in some of Canada's larger centers.

Developments along the line of the proposed Kelly Avenue project seems to me to be more in keeping with the desires and values that Summerland's residents would support.

I respectfully urge council to carefully reflect and consider our documented values when making your final decision on how to vote on the OCP and zoning amendments required to facilitate the Banks Crescent development.

Yours truly,



Stuart Connacher,

14010 Latimer Avenue

[REDACTED]

2018-01-14

Mayor and Council Members

As it appears we will be away for the planned public hearing for the above project, we need to let you know of our feelings on this.

We are opposed to the site of this very large complex and feel the location is highly inappropriate. This is not a 'nimby' response on our part, as we live well away from the area, and would seldom see the complex. Having a similar project sited in the downtown area such as that where the former Parkdale Place was situated we would be something we could consider much more positively.

The Banks Crescent / Bristow Valley area for a development of this size and scope has many negative aspects:

1. It does not fit with the neighbourhood. Having something of this size abutting single-family homes is totally out of character. This should be reflected in a proper OCP.
2. The likelihood of disruption of the Shaughnessy Springs water source for the Summerland Trout hatchery appears to be far greater than the 'negligible' possibility cited by the developers. Loss of this as a suitable water source would have a major impact not just on Summerland but on the province of BC.
3. Traffic density from this complex would be much higher than at present, and would necessarily need to funnel out through the area of Latimer Ave/ Solly Ave. These streets are already very narrow and in snowy conditions such as we are experiencing at present, this would be highly dangerous. The developers do not seem to view this with any concern.

We trust you will come to a reasonable, well-considered decision, and turn down the proposal.

Yours Sincerely

Tony Cottrell and Heather Cottrell
4811 Croil Ave
Summerland

2018-01-23

Dear Summerland Council

I live in Summerland. I wish to register my opposition to the Banks Crescent Development for a number of reasons.

1. During the 1970s I studied geography. I learned that not only water runs downhill, so does what was called then, Similkameen silt. That is the type of clay that is in Summerland. This is a well researched phenomenon Please note the frequent mud slides down the banks of the hills towards the lake, and as recently as last summer, a major slide closing the access to Crescent Beach. I also recall the slide which knocked out a few homes and killed a person in the 1970s in what was then called Lower Summerland, close to the proposed development. Unstable clay! Don't build there!

2. While studying Urban Geography I learned about the concept of developing a city or town around a central business district, with concentrations of high density housing close to the CBD. Included in the high density housing would be apartments, condos, row housing, town houses, schools, senior's centres and recreation facilities. Lower density properties would be located on the outside of this more compressed area. Develop here.

3. The aquifer located below the surface of the proposed development supplies fresh water to the Summerland Trout Hatchery. This hatchery acts as a nursery for dozens of small lakes in our region. and contributes considerably to our Tourism Industry and to our quality of life..Don't touch it.

4. My father lived some of his final days in Kelly Care. I was able to take Dad (in a wheelchair) out for walks and up Main Street for weekly lunches. We both looked forward to these outings. It boggles my mind that someone would push a wheelchair up Solly Road. Consider quality of life.

I wish I could be there for the February 5th public meeting but I cannot. Please include me in the list of folks who are opposed.

Many thanks, Marcia Dean
5611 Woods Avenue

From: [REDACTED]
Sent: Sunday, January 28, 2018 2:16 PM
To: Jeremy Denegar
Subject: Banks Crescent Development

Follow Up Flag: Flag for follow up
Flag Status: Flagged

We will be away during the public hearing but would like to have our voices heard. We do not live in the affected neighbourhood but have been following this proposed rezoning for the past year and a half. We are against the development for several reasons, mainly inadequate protection of the fish hatchery water supply. Why is the onus on the fish hatchery to come up with a solution for a contingency water supply? The water they are using now is sufficient for their needs and should be protected at all costs.

As seniors we would never move to that area, as it is isolated and not an easy walk to town. This will become even more difficult as we continue to age. It appears this is not longer promoted as just a senior's complex but is now open to all ages. The argument that this will be a great benefit for seniors no longer rings true.

We are not sure why this council, supposedly in favour of protecting agricultural land, are now in favour of promoting this condo development. The inaccessible area, the increased costs of upgrading the infrastructure and the risk of permanently damaging the fish hatchery water supply seem to far outweigh any possible benefits of building this development in this location.

Bob & Pat Fortune
#1 - 7110 Hespeler Road
Summerland, BC

January 23, 2018

Dear Mayor and Council

I will be unable to attend the Public Hearing on February 5, 2018, but I would like to submit my concerns about the iCasa condo development proposed at Banks Crescent.

Let me say at the outset, those who support this development proposal cite various numbers and statistics to support their position. The numbers may be true, I don't have any information to dispute or support them. I am disputing the logic of putting this development in the Banks Crescent location. If the development is needed so be it, but it should be located in the core of Summerland, not on Banks Crescent.

The Lower Town Strategic Plan and the 2016 Cultural Plan were prepared with community involvement and endorsed by council. They reflected the wishes and desires of local residents and how they wished to see the community evolve over time. Developments should be consistent with the existing character and form of lower town. The Banks Crescent development proposal does not meet the existing character and lifestyle of lower town.

The land and the environment should be preserved and protected. Development in the area should reflect the character and quality of life in our community. The Hatchery should be protected. The potentially high consequences associated with turbid water entering the Summerland Hatchery could have devastating results for the Hatchery and all the associated lakes that it supplies.

The proposed development area is a stunning vista and home to deer, bear, marmots and other wild creatures. The proposed development would eliminate this small habitat for these creatures. Another piece of irreplaceable agricultural land would be lost forever. This small agricultural producing valley of natural beauty should be preserved and protected. I believe this is what was being referred to in the Joni Mitchell song when she sang, "They paved paradise and put up a parking lot".

The property at Banks Crescent is agricultural land, it has been farmed successfully for the past 29 years that I personally know of. Several years ago a number of Summerland residents came together to successfully oppose a piece of agricultural land that was being swapped for non agricultural land. These residents believed in the principle of protecting agricultural land for the future of our town and for our Summerland life style. The principal of protecting agricultural land was true then and is true now. If it was right to oppose the loss of agricultural land on principle then, it is also right to oppose it now.

"In matters of style, swim with the current; in matters of principle, stand like a rock". Thomas Jefferson

We respectfully wish to confirm our opposition to the iCASA development proposed for Banks Crescent.

Jed & Laura Maddock
5904 Hill Crescent
Summerland V0H 1Z1

RECEIVED
FEB 02 2018
District of Summerland

#101 – 9302 Angus St.,
Summerland, B.C.,
V0H 1Z0
Feb. 2, 2018.

The Corporate officer
District of Summerland,
Box 159
Summerland, B.C.,
V0H 1Z0

Feb. 2, 2018

Greetings!

Since I am unable to attend the meetings Feb. 5, I submit my opinion this way.

I oppose the rezoning of the 13610 Banks Crescent and the OCP Amendment for these reasons:

1. I am concerned about the water supply for the Trout Hatchery. There is no way to be sure it will not be affected. Indeed, there would be every likelihood that it would be adversely affected.
2. The location is just wrong. I think that a seniors' residence should be located close to the downtown area for easy access to shops for residents' convenience.
3. There would be major access problems with our current road system.
4. I fear that Summerland District and Council would be held accountable should there be some problems regarding building on an unstable hillside. If something goes wrong, who pays?

Thank you for the amazing amount of work this whole thing has entailed. Let us do the right thing, use common sense and reject this application!

Yours truly,

Walt Plitt
Marj Plitt

Walt and Marj Plitt

January 20, 2018

Dear Mayor and Council

Re: Condo development at Banks Crescent – Public Hearing

I am writing again against the development proposed at Banks Crescent. I'm not able to make the Public Hearing but would like my voice heard. Since I last wrote almost a full year ago, I turned 90 years old and moved into Summerland Seniors Village. The facility is decent, bright and affordable. It is also located where many of us can easily access the downtown core with our scooters or walkers.

I don't think this planned development has the elderly in mind. I think that it is for healthy people that can afford a luxury condo. As an elderly person, I can tell you that the view of the lake is not a priority to me, particularly in the long, grey winters, and I can't get too excited about living in an isolated bowl.

What is most important to me as I age is access to my doctor and other medical services. I am already having difficulty getting an appointment with my doctor. I often have to book two to three weeks in advance and then, more often than not, I still have to see his locum rather than him. But I feel lucky right now to at least have a doctor. I am currently in the process of trying to access services from Interior Health. There is a waiting period of at least 2-weeks for me to just be assessed. I am very afraid that seeing my doctor or accessing medical care will just get worse with more people and fewer doctors. I don't think people of my generation are ok with telehealth (or even really understand what that means).

The other very important thing for me is preserving the "rural feel" of the community. I love Summerland and would love to see it grow but building a project this huge just feels wrong.

Please consider the elderly as you make this decision. The impact of this huge development is very stressful and really threatens our healthcare. I am really afraid and sad that this is happening here, in Summerland.

Yours truly,

Gilda Pucci
Summerland



2018-01-21

Good Morning,

Unfortunately I will be away for the Public Hearing on February 5th 2018 and therefore have submitted my opinion through this email.

Although I don't live above the Banks Crescent ravine I do live on the corner of Solly and Latimer. We will be affected not only by the 5 to 7 years of construction disruption, but also potential Solly road failure from the weight of construction trucks, potential construction truck brake failure hitting the fire hydrant on the corner of our property, and then the legacy of increase in traffic (an additional 2000 car trips/day). All this might sound very NIMBY but its reality, and how many residents of Summerland on quiet rural streets would welcome this scenario?

Apart from personal concerns there are REAL concerns that affect all of Summerland. The most alarming is the threat to the 100 year old Fish hatchery that provides fish to provincial lakes for locals and tourists to enjoy. None of the reports have been able to unequivocally state there will NO impact to the water source as the Aquiver has never been mapped. Does Summerland want to be known and perhaps liable for compromising a provincial program that generates millions of dollars a year for the province?

For Summerland to become more vibrant and a place to attract young families, the town desperately needs affordable housing for all demographics close to the schools and amenities. Building 415 expensive market housing units (townhouses and apartments) in an isolated ravine on steep, windy roads, does not fit with the recent Affordable Housing Report submitted to council, or the Green Initiative Report (reducing carbon footprint), or the current Cultural Plan or the Official Community Plan (medium density housing). Taking in all the recommendations from these official documents how would council in all good conscience reconcile and approve this development when its in opposition of everything that's been documented?

The developer has continued to increase the number of units, change the type of units and amenities all driven by their bottom line, not in the best interests of Summerland residents. Without affordable housing (rental or owned) neither construction workers or the potential staff for the 'Assisted Living Group Home' will live in Summerland and therefore have minimal benefit to local schools and businesses.

The continued use of 'Seniors Housing' by the developer is disingenuous and the media has influenced many peoples views on what this development is providing. Lets be clear that the health care piece appears to be secondary to the market condos, and that the health care services being touted by the developer are ALL fee for service, and not funded by Interior Health.

You as council have had many months (since April 2016) and much information provided to you for consideration.

When making your decision I urge you to weigh up all the pros and cons and ask yourselves " is the way we want to develop Summerland? is this the legacy we want to leave? is this the risk I want to take?

Respectfully
Diana Smith
6119 Solly Road

From: Anne Trites [REDACTED]
Sent: February 2, 2018 3:05 AM
To:
Subject: Banks Crescent

Please register my extreme objections to the proposed development!!

I am a local property owner and tax payer. I am also a Senior Citizen. My property is currently owned under the surname Trites. Macleod is my maiden name to which I am in the process of reverting. I was born in Summerland and have only the best interests of my home community at heart and the real needs for affordable suitable housing.

If it were possible, I would have made arrangements to attend the information sessions but I am currently 13 1/2 time zones away and won't be returning to my home until the end of March.

Jeremy Denegar

From: Hope White [REDACTED]
Sent: January 21, 2018 9:14 AM
To: Jeremy Denegar
Subject: PUBLIC HEARINGS RE BANKS CRESCENT

PUBLIC HEARING RE BANKS CRESCENT,

I am opposed to the Banks Crescent development because it is in the wrong location for a senior's development and the fish hatchery concerns have not been met. They provide a valuable service to this community and to the province.

Sincerely,

Hope White

January 20 2018,

Public Hearings Re Banks Crescent,

RECEIVED

JAN 22 2018

Dist. of Columbia

The fish hatchery concerns have not been met.

I am opposed to the development on Banks Crescent because their water source which is unique to this hatchery cannot be protected satisfactorily without huge expense to the taxpayers.

Sincerely,

William J. White

Action

File: _____

Acknowledged: _____

Copy to: _____

____ Mayor

____ Council

____ CAO

____ Council Correspondence

____ Reading File:

____ Agenda Item: BANKS

Referred to _____

Completed by: [Signature]

2018-01-24

For Banks Crescent OCP Amendment and Rezoning Public Hearing

BANKS CRESCENT PROMISES BY THE DISTRICT

The Hatchery still says No but Mayor and Council continue to move forward

In January of 2017, The Director of Development Services recommended, and it was adopted that the Hatchery issues be resolved before addressing the many other outstanding issues. This commitment was then amended at a later date and the process continued throughout all of 2017 even though the Hatchery has been opposed to the development all along.

It was discussed publicly in early 2017 at council meetings that if the Hatchery was not supportive of the project, Banks Crescent project would not move forward. The Hatchery has never supported the project but Banks Crescent continues to move forward.

During the past year, Mayor and Council have repeatedly said that the Hatchery operations must not be endangered.

Now the Mayor is stating that the concerns of the Hatchery will have to be considered along with the other information received. This is a far cry from earlier statements in 2017 that Banks Crescent will not move forward unless the Hatchery concerns are addressed.

It is almost certain that the construction in the Banks Crescent bowl over the next several years will disrupt the water source for the Hatchery in one way or another, then what?

Broken commitments will not mean anything then.

Sincerely

Brian Wilkey

6119 Solly Road

Summerland BC



Rodney Workun

6501-MacDonald Place
[REDACTED]

January 22, 2018

Dear: Mayor Waterman & Councilors:

Re: Rezoning of Banks Crescent 13610

I'm a Summerlander for Sensible development that supports the Strategic Town Plan and the existing OCP. Putting a high-density development into the center of an older subdivision that certainly doesn't have the infrastructure to handle the increase in traffic certainly puts the Summerlanders in this subdivision at risk is certainly not Sensible Development.

We should not let the zeal for development overcome our common sense.

Can this Council tell me of another Municipality that has put a complex of multiple high rise type building in the middle of an existing subdivision of single dwelling homes?

I'm certainly for new development in our town but within the guidelines set forth by the municipality OCP plan that was developed for the betterment of the Town "not one developer."

I plead with the Council to please consider the potential liabilities that could come from this proposed development in the Shaughnessy Spring Banks Crescent development.

(Consider them as if you would be liable for your decision.)

The chance of losing a Business that has brought jobs and hundreds of millions of dollars, directly and indirectly, into the Summerlanders and British Columbia's economy is so inconceivable that we would even be considering anything that might be damaging to their existence here. When the water quality has been contaminated you can't just stop construction and that would fix it, it doesn't work that way, it's a done deal.

Do you believe for one moment that the FFSBC will leave without a fight if their water supply has been compromised?

Then there are all the longtime residences that line the new thoroughfare that will need to be constructed to accommodate this proposed development. The widening of these roadways will also compromise most homes with some of these driveways being totally unusable, where do they park on the road. The risk level for all the rest when they try to back in or out of their driveways will be huge. Do you really want to put these longtime Summerlanders at risk? Where do the compensations come from when these folks can no longer use their homes as designed? Please think of the humanitarian side of your discussion in this matter.

The most important resource in the world today is fresh potable water. This council/staff has suggested that we hand over to Larks our rights to draw water from the Okanagan if the

freshwater supply to the Fish Hatchery was compromised. I can't think of a worse decision than that, certainly not a good stewardship for our Town, common sense has to prevail.

Rodney Workun

From: no-reply [REDACTED]

Sent: February 2, 2018 2:35 PM

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

Subject: Unable to attend Banks Crescent Public Hearing

Mayor Waterman and members of Council:

We are out of town, so are writing to voice our concern about the development at 13620 Banks Crescent

You were elected on the basis of your philosophy of Summerland, your concern for agriculture, and your statements that you will LISTEN to the citizens and give them a voice.

Summerland's Official Community Plan has been developed and updated over a period of 20 years with direct input from the community. It specifically provides a CLEAR and current vision for Summerland's future growth, which is to respect our traditional small town character and to avoid the net loss of agriculture land.

The Official Community Plan says that residential neighbourhoods are to be preserved, protected, enhanced and developments are to be compatible with the surrounding area.

The OCP states that high-density residential developments should be in locations that are within a 5 minute walk of public amenities, and should be restricted to areas surrounding the Downtown core and Lower Town. This development is none of those things.

This is not a city location where it would border 4 streets to access the property from. This property is accessed by only one small narrow road – and traffic on that road will increase to over 3300 vehicles per day! These roads are not safe or suitable to be designated either Truck Routes OR a Collector Roads. This development will change the lives of everyone from the Highway to Peach Orchard and Lakeshore Drive and create a huge potential for accidents.

It has been interesting to watch the concern of council members about the Nixon Road Rezoning Application and the partly completed Lighthouse Landing. Comments from the public included that the lots are too small and dense, the increase in traffic will put residents at risk, the development should be similar to the rest of the neighborhood, and that it should be in line with the long-standing character of the neighbourhood.

Councillor Barkwill is very concerned about pedestrian safety. Councillor Peake commented that the public has very strong concerns on how the development would blend with the community that is already there, lot sizes, flow between neighbourhoods, and compatibility with neighbourhood character.

Councillor Carlson commented on the need to respect the people who live there, and have lived there a long time. She stated that it is important to develop in a way that is respectful to the people who live there. She said council has the responsibility to make sure they are respecting what the neighbours are going to be living with for the next 50 years. Councillor Holmes's concerns were with consistency and compatibility, Councillor Boot said it was not appropriate for the neighbourhood, and Councillor Trainer stated that the development should go along with the neighbourhood.

Lighthouse Landing is only 33 lots, Nixon Road will be only 21 lots. iCasa will be 425 units on a property smaller than Lighthouse Landing! If you find the Trout Creek developments too dense for their areas,

surely you can see that 425 units at iCasa, definitely does not preserve, protect or enhance its surrounding area. Hopefully the residents of our hillside neighbourhoods are just as worthy of your concern as those in Trout Creek.

Please refer to the Architect Renderings for the complex. Future growth of this property was designated to be 3 stories. A storey is defined as the space between a floor and a ceiling. Looking at it from the east, this whole development is 10 stories in height. Building D is 3 storeys (A6.3 and A6.4) and above that is Building C with 7 storeys (A5.4 Looking Southeast). In total there are 10 levels.

2017 was one of Summerland's busiest years for building development, and we still have space available for high density developments. Opening the doors to this massive development completely changes the face of Summerland, it will change future development in our town, and it will change the integrity of what we all love about the small town, agricultural character of Summerland.

So Mayor Waterman and Councillors - please listen to the Fish Hatchery, the Agriculture Advisory Committee, the Advisory Planning Commission, and the voices of people from all areas Summerland. Protect the Fish Hatchery as all previous councils have done - and do not vote for these changes.

Larry and Donna Young
13420 Bristow Road

From: Craig Milton
To: [Jeremy Denegar](#)
Cc: [Peter Waterman](#); [Erin Trainer](#); [Janet Peake](#); [Richard Barkwill](#); [Toni Boot](#); [Erin Carlson](#); [Doug Holmes](#)
Subject: Banks / iCasa Development - in support of
Date: February 2, 2018 4:03:26 PM
Attachments: [18.02.02 In support of Banks Crescent.pdf](#)

Greetings Mayor Waterman and Summerland Councillors;

I wanted to let you know that I am in favor of the iCasa Development on Banks Crescent. I feel that this project will be of benefit to Summerland now and for many years to come.

I am sure you are tired of these emails but we really appreciate your hard work and for taking time to consider the thoughts of the public when weighing this difficult decision.

Best Regards,

Craig Milton, AT.AIBC

KELTEC DESIGN & DRAFTING
14607 Biagioni Ave.

Summerland, B.C. V0H 1Z6

250.486.8845

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Attn: Mayor Waterman and the councillors of the district of Summerland

Dear Members of Council,

I will preface this letter by saying I have never written a letter to any council like this before. However, I feel so strongly about this issue that I would regret not voicing my support for this project.

I have watched this debate as it has festered in our community for more than a year now. I have watched as the opposition has proposed boycotting business' that support the Banks Crescent development. I have watched as they have used fear and misinformation to advance their objectives with blatant disregard for facts or thoughtful consideration of the ramifications of the long-term impact of their actions.

I feel the best way I can express my support is by addressing the concerns of the flier that was recently distributed by Canada Post in this community. I included it on the last page in case you hadn't seen it.

LOCATION

I have listened again and again as the opposition has described Bristow Valley as if it were located somewhere between Dawson City, Yukon and Fairbanks, Alaska. It is 2 ½ km from the Beanery. 5 minutes by car if you don't catch the light at the highway. Is their suggestion really that no one over 65 from that side of the highway ever uses the services of Summerland? Is the only way any structure that may shelter one of our seniors should be built is if it is on a flat grade and walking distance to downtown? What if the residents prefer IGA, Tim Horton's, the RBC or Dairy Queen? Should they then be forced to walk the hill to use those services? The argument does not hold water.

From the developers and future resident's perspective, would you rather live in a pretty little valley down by the lake or on Kelly Avenue across from a busy park that is used for several local (and often, noisy) events throughout the year. It is a no brainer.

I am sure Kelly Avenue (and any of the other spots proposed by the opposition) will find the right development someday but this development isn't the one.

STABILITY

This is perhaps the one that frustrates me the most. I am an architectural technologist and I work with architects, developers and structural and geotechnical engineers everyday. I understand how this process works and the fact that the opposition is willing to use fear mongering and complete disregard for the modern building sciences that protect them everyday in every building they enter is appalling to me.

This is not reinventing the wheel here. As these folks drive up and down the valley taking their entertainment and shopping dollars to Penticton or Kelowna, they pass dozens of similar developments that are functioning exactly as designed on sites with equally challenging geotechnical considerations.

These people live in, work in and use business in buildings that were designed and built using the same science they are now claiming is to unreliable to accept for the Banks development. They cite the rare instances when engineering fails and try to pass that off as a reason to not

even try. Imagine what kind of a world would live in if that kind of thinking was allowed to win the day.

THE HATCHERY

After watching the council meeting on January 22nd where Mr. Girgan was given an hour to make his case, I can't help but feel it is very clear what the current obstacle to a resolution to this aspect of the issue is.

It seems to me that the hatchery has taken entirely the wrong stance on this. It is clear that they have operated for many years with their fingers crossed hoping for the best. It seems that the need of a secondary water source long predates this development. The fact that they have been unable or unwilling to allot the funds to ensure some form of contingency plan seems to me to be bordering on negligent. If they truly are responsible for approximately \$100 million in revenue for the province then it is shocking that they have been relying on a single, declining, water source for so long. Without any human interference the hills along the lake are prone slides that could obliterate their solitary water source any day, any time, any year.

This development represents for them an opportunity they would be foolish not to capitalize on. They may never have a chance like this again. To let it slip away because Mr. Girgan's feelings are hurt or they haven't asked him in exactly the way he needs to hear it, or HE cannot see any solution other than the Rolls Royce of solutions only says to me that Mr. Girgan may not have the right mindset for negotiating the needs of the hatchery.

This not a problem without a solution but both parties need to be open to negotiation and compromise. Much more complicated challenges than this are resolved everyday on projects all over the world.

THE TRAFFIC

You can't have it both ways, either the tenants of the proposed development can't possibly make the arduous journey into town to support local business or they are doing it to the tune of 2000 trips a day. Which is it?

This is just preposterous. Somehow, they have calculated that 7-800 people equals 2000 vehicles a day? Does each household 2.25 cars that they use everyday? Come on, do the math.

Either way, if traffic does increase, good! That means we have more people using our business' and services. That is a positive not a negative.

HEALTH CARE

More employment for health care workers. More options for our rapidly aging population. More use of the pharmacies, medical centers and health care professionals we already have.

Positive, positive, positive!

Did many of the NIMBY's who are opposing this worry about the burden to the health care system in Summerland they were adding when they retired here from Vancouver, Alberta or Saskatchewan?

It frustrates me how many people I have heard discussing this, and other developments they oppose, have recently moved here from elsewhere. They just want the community to grow up to and including the day they moved here and then that's enough.

LIABILITY

What is this? A threat. Shameful rhetoric.

In fact, those architects and engineers that they no longer trust, who built all the buildings they currently use in their lives, will seal their drawings and assume responsibility for the expertise they have applied to the design and construction of this project.

The best interests of the tax payers are clearly served by letting this project move forward.

Finally, I moved to Summerland with my family in 2004 and I really love this community. However, I have watched over and over again as the complaineratti have opposed one development after another. That mentality cannot be allowed to dominate discourse in this community. We need to evolve for our community to remain vibrant and relevant in an evolving world.

I was heartened, watching the council meeting on the 22nd, at the patient and thoughtful comments from the Mayor and our councillors. They were concerned that the hatcheries needs be met while at the same time not letting Mr. Girgan off the hook in his responsibility to be part of the solution. The message was clear that there can be a win for everyone in this discussion if we just let facts rule the day rather than emotions.

The financial benefits for the community are obvious. The benefits of brining in new Summerlanders is obvious. The benefit of sending a message to developers that investing in Summerland is a good bet cannot be overstated.

If we let the detractors win on this well thought out development, we will be lucky if we ever have another investor look this way. Eventually the only options left to us will be compost plants and prisons. The NIMBYs have to choose their battles and not just resist for the sake of resisting.

Banks Crescent is a good investment in this community. I hope council looks toward the future and votes yes.

Best Regards,

Craig Milton

KelTec Design & Drafting

Biagioni Avenue, Summerland

Developing Banks Crescent, Summerland **from Agricultural Land to High Density** **DOES IT MAKE SENSE?**

LOCATION – Against official OCP ; 415 housing units in an isolated ravine with single road access. Shouldn't this type of development be in town where it would benefit existing businesses & provide easy access to all amenities?

STABILITY – There are mudslides and sinkholes. Depth & behavior of aquifer is not known. No pilings will be used for these buildings. The soil is silt, sloped towards the lake and prone to sliding and slumping, therefore not stable.

HATCHERY – 100 year old Hatchery is still opposed, their criteria still not satisfied. The proposed excavation & heavy machinery present a sloughing and turbidity risk to the Hatchery water source (Golder & Assoc., Jan 2018). Our Hatchery is at risk of losing its water source.

TRAFFIC – It is unknown whether Solly & Latimer roads can handle the weight of continuous construction vehicles and an extra ~2000 regular vehicle trips/day with increased risk to pedestrians.

HEALTH CARE – 800+ new senior residents. Who will look after them? Already a recognized shortage of local doctors. Remote tele-health-care, virtual medical services?

LIABILITY - Those who vote for this project are doing so accepting the risks involved. District & Council can be held accountable for lack of fiduciary (in the best interest of) duties to the tax payers of Summerland. Who pays if something goes wrong?

PUBLIC HEARING

Monday FEBRUARY 5th 1:30pm and 6:30pm

Arena Banquet Room – Jubilee Rd. E. Summerland

Suitable for installation in your vehicle window

sensiblesummerland.com

From: LINDA ELIA
To: [Jeremy Denegar](#)
Subject: Banks Crescent Development
Date: February 2, 2018 5:40:07 PM

This email is to make public our opposition to the Banks Crescent Development for the following reasons;

- a) it is not in context with the neighbourhood
- b) the Agricultural Advisory Committee does not support it
- c) the Advisory Planning Committee does not support it
- d) the fish hatchery is opposed because a contingency water supply has not been addressed satisfactorily.

Sincerely,
Sam and Linda Elia

Sent from my iPhone

From: [REDACTED]
To: [Jeremy Denegar](#)
Subject: Banks Crescent Public Hearing
Date: February 2, 2018 6:24:50 PM

Dear Mayor and Council

I would like to voice my opposition to the proposed rezoning and OCP Amendment application for Banks Crescent.

It is in the wrong location, is the wrong size and posing a very real risk to the fish Hatchery. It does not conform with the OCP, nor the intent of councils of the past. This piece of property was zoned Agricultural for the very express purpose of protecting it from development that could jeopardize the hatchery's water supply. This is just wrong on every level and has drag on for far too long. It has cause so much discord withing the community it is time to be reasonable and be responsible and deny the application.

Yours sincerely

Lon Paulson

From: Pati Hill
To: [Jeremy Denegar](#)
Subject: Banks Crescent Condo Development
Date: February 2, 2018 7:35:24 PM

Dear Mayor, Council and Staff,

I wish to register my ongoing opposition to the Banks Crescent Condo Development as follows:

- a) it is not in context with the neighbourhood,
- b) the Agricultural Advisory Committee does not support it,
- c) the Advisory Planning Committee does not support it,
- d) the fish hatchery is opposed because a contingency water supply has not been addressed satisfactorily
- e) after chatting with the developer last summer, I believe that housing for seniors is merely a disingenuous ploy to win approval from the DOS and its citizens.

Do Summerland's demographic projections truly support a need for hundreds of additional market-value lakeview condos?

With thanks for your time and attention,

Pati Hill
11516 Mott Street
DOS

From: Susanne Cooper
To: [Jeremy Denegar](#)
Subject: Banks Cresc
Date: February 3, 2018 11:56:51 AM

Hello,

Being unable to attend the public hearing on Monday, I want to make my feelings known on the proposed bylaw change to facilitate the Banks Crescent project.

I am against it for many of the reasons stated. I would also like to stand up for the many who will be also against. We will be and have labelled as "naysayers" by those who don't see it our way but I would say that we simply know snake oil when we see it. Those places are intended for wealthy out-of- towners who have the money to buy the view. I can appreciate that the tax income is much- needed but we need projects that fit the OCP or what was the point of that exercise?

respectfully, Susanne Cooper
13018 Durick Ave.

Sent from my iPad



From: Vic Levinsky
To: [Jeremy Denegar](#)
Subject: Banks Crescent Development Application
Date: February 3, 2018 8:57:27 AM

To Summerland Council.

I would like you to know that I support the Banks Crescent Development proposal.

I believe all the concerns about the project have been answered by the developer.

The majority of people I have talked to about this are for the development. Don't let the loud minority, fool you into thinking they speak for the majority, they do not.

Thank you for your time.

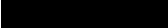
Vic Levinsky
6009 Joy avenue
Summerland BC
V0H 1Z4

From: Carolyn Buzikievich
To: [Jeremy Denegar](#)
Subject: Banks Crescent
Date: February 4, 2018 7:09:07 PM

Both my husband and myself are against the Banks Crescent development. The primary reason for this is the fact that it potentially could negatively impact the Trout Hatchery. The Hatchery has a major benefit to Summerland and to the province of B.C. and is a very important industry. The second reason we are against the development is the location. The seniors that would be living there would not be able to walk to town due to the distance and the hills and this would lead them to be isolated. The infrastructure is not there for the added traffic. The million dollars that the Lark Group is proposing to contribute for road access may not be enough. The majority of our income has been generated through the development/construction industry and this has been a difficult decision for us. We are not against the development per se but the location is not appropriate for the size and scope of the development. We encourage the Mayor and Council to not support this development.

We would welcome this development in a location where there is a better road infrastructure and accessibility to amenities and services while not negatively impacting the environment.

We are long time residents of Summerland of over 30 years and have always been supportive of development and advancement of the community.

Steve and Carolyn Buzikievich
10812 Walters Road,
Summerland, B.C.
V2A 1Z4
250-809-7209


February 4, 2018

"Sent via email "to Council and Corporate Officer

Dear Mayor and Council

Re: OCP Amendment and Rezoning – 13610 Banks Crescent

We would like this submission to form part of the public record for the above referenced application.

Our opposition to this project is apparent as set out below.

THE PROCESS

In January 2017 Mayor and Council held a public Question and Answer session. Over 250 area residents attended. Many questions were asked, but not all; the meeting was ended with the promise of a second meeting and answers to the first set of questions. Neither of these happened. The standard answer is: it's on the website. Often it is not, or it's nearly impossible to find for most. This sure doesn't have the appearance of an open and transparent process.

The following are direct election platform quotes made by Mayor and some Councillors leading up to the last Municipal Election in 2014:

"The point is to improve Summerland, to make it better. To do that, the council has to listen to Summerlanders".

"People want a say in the issues that affect them. Public engagement produces collaboration".

"Communication with the community is essential for a municipal government. Public engagement is really important"

"The mayor sets the tone"

We are dealing with a "seasoned" developer here who knows the drill and yet continues to submit changes and new information at the 11th hour to limit public engagement, and this has been ongoing, including another "special meeting" being called on the morning of the Public Hearing to accommodate this proponent once again. This shows bias in favour of the proponent and further excludes the electorate by design. The applicant has a FULL team of professionals at their disposal to work on the project. NOTHING is last minute and again is by design to limit the general public's ability to do a thorough investigation. They have been called out on their misleading advertising, so it begs the question - what else is "misleading"?

Why have you allowed this to continue? The Mayor and Council should have stopped this early in the process. Council is elected to represent the citizens of Summerland NOT the developer.

We have many qualified professionals living here in Summerland who have had decades of experience in all of these disciplines relating to the complexities of this project. They are being dismissed out of hand and at times being characterized as NIMBY's. To discard their valuable input, knowledge and credentials is insulting to say the very least!! No wonder it is difficult to get people to sit on your committees!

THE PETITION

So let's discuss the petition against this development. 3200 signatures, and of those 2633 are Summerland residents and businesses. The message is clear; they say NO to Banks Crescent,

My understanding is that the Developer has once again at the 11th hour submitted letters and a petition in support of their application. More games by the developer. How much of the corporate Officer's time has been spent validating these documents? I also question their statistician and their methods with regards to the assumptions and extrapolations of the opposition's petition. And how can you compare a verbal door to door canvas to signatures on a petition? No way to verify or validate. Further, we all know you can hire a spin doctor to produce the end result you are looking for. The very fact that they have sat on these documents for so long, suggests that their methodology here is anything but open and transparent.

THE HATCHERY

This Mayor and Council passed a resolution in January of last year, which stated "the hatchery issue be addressed before proceeding with other issues". Yet it's still unresolved! Instead the District has engaged the applicant and THEIR professionals to gather Infrastructure, financial and "potential amenity contribution" information on the proposed project, all but ignoring Council's own resolution to address the key issue of securing a continuous water supply for the Hatchery first. Council was well aware that talks had broken off many months ago between the Hatchery and the developer, yet waited until the last Council meeting, 2 weeks before the Public Hearing to attempt to address it? The treatment of the Hatchery Manager during that council meeting by a couple of officials was condescending to say the least and left one wondering who they were in fact representing? It is the District's job to deal with the Developer to ensure the Hatchery's interests are protected.

I know that many consider the opposition to this application to be a self-serving NIMBY group, that's just not true. In fact a previous council recognized the importance of the Fish Hatchery and the Aquifer and felt so strongly about it that they rezoned the property to farmland "agricultural" to protect it. A direct quote from District to the Hatchery: "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" NEVER MIND HIGH DENSITY! Given that several of the current Council members have extensive agricultural backgrounds, and even though it's not in the ALR, I would have thought you would continue to protect it as your predecessors clearly did.

AGRICULTURE and the OCP

A couple more quotes directly from Councillors during the last municipal election campaigns:

"Farmland and protecting farmland isn't necessarily the only issue but it encompasses growth and taxes.... When we talk about the economy and jobs, agriculture is a huge part of our economy and we can build an economy on top of that"

"Summerland has a kind of magical quality. It is very enchanting. It draws people because of the climate, and the beautiful territory and the agriculture is part of that, so you have to safeguard it"

What has changed since the municipal election in 2014? The impact of this rezoning and proposed development is far reaching. If this type of HIGH DENSITY rezoning is approved, it

will be just the tip of the iceberg. There will be many more lined up to follow suit. This will forever change the Form, Character and small town feel of Summerland. How can you prevent that if this application is approved? This rezoning just does not conform! It is not an adjustment it is a complete and wholesale change to the very fabric of Summerland.

THE APPLICATION

It is NOT a Seniors Village. Quote from developer's website:

"The 404 unit state-of-the-art, age in place community provides best in class market housing, independent and assisted living units with a number of exciting amenities. This project is attractive to all ages offering a true campus of care"

This is also NOT a subsidized care facility and subsequently not affordable to many Summerland seniors. How does this address affordable housing issues for Summerland seniors? If you get beyond the "smoke and mirrors" it is mostly market housing for ALL ages with a small segment dedicated to seniors housing at an unspecified time in the future. The development further purports to include many onsite creative amenities, eliminating the need to go offsite. Struggling downtown existing businesses will take yet another hit.

More election platform quotes by current Council:

"I want to help re-vitalize downtown, that will then highlight a prosperous healthy and active town"

"We need to bring our business core to life again"

"Like most towns in BC we need to identify the strengths downtown and enhance on them. I believe in densifying the downtown as we already have the amenities there"

"We have to make valuable connections within our community which allow us to expand our arts and retail sector and make sure it moves ahead"

Again what has changed? With this state-of-the-art, best in class market housing development offering these all-inclusive amenities in isolation from the downtown core, how does this support your election platforms?

PERSONAL:

The impact of this development to us personally living on Solly Road, will negatively affect our quality of life greatly. The increase to the amount of traffic since we moved here back in 1996 is already significant to say the least. Frequently, but even more so in the summer months, we have to sit and wait to access Solly due to current day traffic volumes. Backing out onto the street is dangerous now; I can't even imagine what it will be like with heavy equipment construction traffic and the increased volume created by the development. The supporting road infrastructure surrounding this proposed development falls woefully short in design construction, alignment and grade. This is a disaster waiting to happen, and it will.

Additionally this will have a negative financial impact on all of the neighbouring properties. This will affect many Summerland residents and their livelihood. There has been absolutely no communication or engagement at all from the District on the direct impacts to our property by

way of road and infrastructure upgrades and property acquisition and or expropriations. The emotional toll this has had on the surrounding lower town residents specifically is appalling.

CONCLUSION

We have been consumed by this unnecessarily long and drawn out process for 22 months!!! Think about that - 22 months of uncertainty, affecting ALL sectors of our community and beyond. Almost 2 years of indecision!! Almost 2 years of this Mayor, Council and Staff trying to fit this square peg in the round hole. But it's simple, it just will not fit. Why? Because it is just the wrong proposal, it's the wrong size and is in the wrong location. It doesn't conform to the Official Community Plan, it's wrong for the environment, its wrong for the Hatchery and it is wrong for the residents of Summerland.

None of the Engineers reports can rule out risk. Period! There are risks, plain and simple, what level of risk are you as elected officials, willing to accept?

The square peg just doesn't fit!!!

Thank you for your consideration of our concerns.

Sincerely,

Lon and Sandi Paulson

Solly Road

From: brian chris [REDACTED]
Sent: February 4, 2018 4:20 PM
To: Mayor and Council <council@summerland.ca>
Subject: Banks Crescent Support Letter

Mayor Waterman and Councillors

The letter attached was forwarded to me and I have permission to use it.

So rather than write another letter I have attached this one as it very articulately describes everything we have been saying and thinking.

Please support this project as we feel that it would be in the best interest of the District.

And remember there is a large large group of people who fully support this project but just have not been as vocal in their support as the opposition has been.

Thanks for your time

Brian Christopherson
Linda Bishop

Attn: Mayor Waterman and the councillors of the district of

Summerland

Dear Members of Council,

I will preface this letter by saying I have never written a letter to any council like this before. However, I feel so strongly about this issue that I would regret not voicing my support for this project.

I have watched this debate as it has festered in our community for more than a year now. I have watched as the opposition has proposed boycotting business' that support the Banks Crescent development. I have watched as they have used fear and misinformation to advance their objectives with blatant disregard for facts or thoughtful consideration of the ramifications of the long-term impact of their actions.

I feel the best way I can express my support is by addressing the concerns of the flier that was recently distributed by Canada Post in this community. I included it on the last page in case you hadn't seen it.

LOCATION

I have listened again and again as the opposition has described Bristow Valley as if it were located somewhere between Dawson City, Yukon and Fairbanks, Alaska. It is 2 ½ km from the Beanery. 5 minutes by car if you don't catch the light at the highway. Is their suggestion really that no one over 65 from that side of the highway ever uses the services of Summerland? Is the only way any structure that may shelter one of our seniors should be built is if it is on a flat grade and walking distance to downtown? What if the residents prefer IGA, Tim Horton's, the RBC or Dairy Queen? Should they then be forced to walk the hill to use those services? The argument does not hold water.

From the developers and future resident's perspective, would you rather live in a pretty little valley down by the lake or on Kelly Avenue across from a busy park that is used for several local (and often, noisy) events throughout the year. It is a no brainer.

I am sure Kelly Avenue (and any of the other spots proposed by the opposition) will find the right development someday but this development isn't the one.

STABILITY

This is perhaps the one that frustrates me the most. I am an architectural technologist and I work with architects, developers and structural and geotechnical engineers everyday. I understand how this process works and the fact that the opposition is willing to use fear mongering and complete disregard for the modern building sciences that protect them everyday in every building they enter is appalling to me.

This is not reinventing the wheel here. As these folks drive up and down the valley taking their entertainment and shopping dollars to Penticton or Kelowna, they pass dozens of similar developments that are functioning exactly as designed on sites with equally challenging geotechnical considerations.

These people live in, work in and use business in buildings that were designed and built using the same science they are now claiming is

to unreliable to accept for the Banks development. They cite the rare instances when engineering fails and try to pass that off as a reason to not even try. Imagine what kind of a world would live in if that kind of thinking was allowed to win the day.

THE HATCHERY

After watching the council meeting on January 22nd where Mr. Girgan was given an hour to make his case, I can't help but feel it is very clear what the current obstacle to a resolution to this aspect of the issue is.

It seems to me that the hatchery has taken entirely the wrong stance on this. It is clear that they have operated for many years with their fingers crossed hoping for the best. It seems that the need of a secondary water source long predates this development. The fact that they have been unable or unwilling to allot the funds to ensure some form of contingency plan seems to me to be bordering on negligent. If they truly are responsible for approximately \$100 million in revenue for the province then it is shocking that they have been relying on a single, declining, water source for so long. Without any human interference the hills along the lake are prone slides that could obliterate their solitary water source any day, any time, any year.

This development represents for them an opportunity they would be foolish not to capitalize on. They may never have a chance like this again. To let it slip away because Mr. Girgan's feelings are hurt or they haven't asked him in exactly the way he needs to hear it, or HE cannot see any solution other than the Rolls Royce of solutions only says to me that Mr. Girgan may not have the right mindset for negotiating the needs of the hatchery.

This not a problem without a solution but both parties need to be open to negotiation and compromise. Much more complicated challenges than this are resolved everyday on projects all over the world.

THE TRAFFIC

You can't have it both ways, either the tenants of the proposed development can't possibly make the arduous journey into town to support local business or they are doing it to the tune of 2000 trips a day. Which is it?

This is just preposterous. Somehow, they have calculated that 7-800 people equals 2000 vehicles a day? Does each household 2.25 cars that they use everyday? As my father always says, do the math. Either way, if traffic does increase, good! That means we have more people using our business' and services. That is a positive not a negative.

HEALTH CARE

More employment for health care workers. More options for our rapidly aging population. More use of the pharmacies, medical centers and health care professionals we already have.

Positive, positive, positive!

Did many of the NIMBY's who are opposing this worry about the

burden to the health care system in Summerland they were adding when they retired here from Vancouver, Alberta or Saskatchewan? It frustrates me how many people I have heard discussing this, and other developments they oppose, have recently moved here from elsewhere. They just want the community to grow up to and including the day they moved here and then that's enough.

LIABILITY

What is this? A threat. Shameful rhetoric.

In fact, those architects and engineers that they no longer trust, who built all the buildings they currently use in their lives, will seal their drawings and assume responsibility for the expertise they have applied to the design and construction of this project.

The best interests of the tax payers are clearly served by letting this project move forward.

Finally, I moved to Summerland with my family in 2004 and I really love this community. However, I have watched over and over again as the complaineratti have opposed one development after another. That mentality cannot be allowed to dominate discourse in this community. We need to evolve for our community to remain vibrant and relevant in an evolving world.

I was heartened, watching the council meeting on the 22nd, at the patient and thoughtful comments from the Mayor and our councillors. They were concerned that the hatcheries needs be met while at the same time not letting Mr. Girgan off the hook in his responsibility to be part of the solution. The message was clear that there can be a win for everyone in this discussion if we just let facts rule the day rather than emotions.

The financial benefits for the community are obvious. The benefits of bringing in new Summerlanders is obvious. The benefit of sending a message to developers that investing in Summerland is a good bet cannot be overstated.

If we let the detractors win on this well thought out development, we will be lucky if we ever have another investor look this way.

Eventually the only options left to us will be compost plants and prisons. The NIMBYs have to choose their battles and not just resist for the sake of resisting.

Banks Crescent is a good investment in this community. I hope council looks toward the future and votes yes.

Best Regards,
Craig Milton
KelTec Design & Drafting
Biagioni Avenue, Summerland

From: Charley Mayer [REDACTED]
Sent: February 4, 2018 8:41 PM
To: Peter Waterman <pwaterman@summerland.ca>
Subject: stay strong

Hey Peter...majority of residents support the Banks proposal...it's all about the future

Charley Mayer

"Be Up..."

From: [Dean Strachan](#)
To: [Jeremy Denegar](#)
Subject: Fwd: revised letter re: Banks Cr
Date: February 5, 2018 8:15:06 AM

Sent from my iPhone

Begin forwarded message:

From: no-reply [REDACTED]
Date: February 5, 2018 at 8:13:07 AM PST
To: Peter Waterman <pwaterman@summerland.ca>, <etrainer@summerland.ca>, <rbarkwill@summerland.ca>, <tboot@summerland.ca>, ecarlson <ecarlson@summerland.ca>, Doug Holmes <dholmes@summerland.ca>, Janet Peake <jpeake@summerland.ca>
Cc: <dstrachan@summerland.ca>, Alex Kondor <akondor@summerland.ca>
Subject: revised letter re: Banks Cr

Mayor Waterman and members of Council, you were elected on your concern for agriculture, your philosophy for our town, and your statements that you will LISTEN to the citizens .

You are being asked to make a decision on a massive development that will change the zoning of the Banks Crescent property from Agriculture to the extreme opposite, in order to accommodate a massive complex.

This could completely change the face of Summerland, affect future development in our town, and it would definitely change the integrity of what we all love about our small town.

The Official Community Plan says that residential neighbourhoods are to be preserved, protected and enhanced and that developments are to be compatible with the surrounding area. This is in no way compatible.

It has been interesting to view your concern about the Nixon Road & Wharf Street Rezoning and about Lighthouse Landing. Public comments included the increase in traffic, the lots are too small, too dense, and not in line with the long-standing character of the neighbourhood.

Councillor Peake commented that the public has strong concerns on how these 21 lots would blend with the community that is already there.

Councillor Barkwill was concerned about pedestrian safety.

Councillor Carlson commented on the need to respect the people who live there, and have lived there a long time.

She stated that it is important to develop in a way that is respectful to the people who live there. She said council has the responsibility to make sure they are respecting what the neighbours are going to be living with for the next 50 years.

Councillor Boot said it was not appropriate for the neighbourhood

Councillor Holmes's concerns were with compatibility.

Councillor Trainer stated that the development should go along with the neighbourhood.

So how do these compare? Lighthouse Landing is only 33 lots, Nixon Road 21 lots. iCasa will be 425 units with amenities, recreation, restaurant and services - and all of this will be on a smaller buildable area than Lighthouse Landing. And in middle of a single family residential neighbourhood.

The 21 lots in Trout Creek will be accessed by 3 roads, Britton, Wharf and Nixon. iCasa will be accessed by only ONE small narrow road !

You will be changing the roads that meander through our neighbourhood to Truck Routes to service this development. This will forever change the lives of everyone from the Highway to Lakeshore Drive. Traffic will increase to over 3300 vehicles per day creating a huge potential for accidents.

If you find the Trout Creek developments too dense, surely you can see that iCasa is definitely too large for this location. It does not preserve, protect or enhance the area. The residents of our hillside neighbourhoods are just as worthy of your concern as those in Trout Creek.

Regarding the height of the development - Future growth of this property is designated to be 3 stories. For some reason there are no drawing showing the complete development, but if you were to have one in front of you, you would see that it is 10 stories in height. Building D has 3 stories and above that is Building C with 7. In total there are 10 levels. It is massive!

Regarding the Red Zone – there are existing homes above the bowl shape of this property and yet there have been no soil stability tests done on the Red Zone areas. Why have these silt and clay areas not been tested for the potential of slides and damage to existing homes.

2017 was one of Summerland's busiest years for building and development, and we still have lots of opportunity to make us a progressive town. iCasa is NOT our only option.

So please listen to the Agriculture Advisory Committee, the Fish Hatchery, the Advisory Planning Commission, and people from all areas of Summerland.

Protect the Fish Hatchery as ALL previous councils have done - and do not vote for these changes.

Larry and Donna Young
13420 Bristow Road

From: Yesaki, Tim
To: [Jeremy Denegar](#); [Peter Waterman](#)
Cc: [Girgan, Kyle](#); [Wilson, Andrew](#)
Subject: Tim Yesaki Letter to Mayor and Council for the Public Hearing
Date: February 5, 2018 11:19:48 AM
Attachments: [20180205111129415.pdf](#)

Please find attached, my letter to the Honourable Mayor and Council for the District of Summerland regarding today's public forum. I am sorry I cannot attend in person. I am forwarding this letter and would like it to be part of the public record.

Sincerely,

Tim Yesaki

Vice President of Operations



Freshwater Fisheries Society of BC

T 250.414.4208 C 250.213.9532

101 - 80 Regatta Landing, Victoria, BC V9A 7S2

gofishbc.com



Freshwater Fisheries Society of BC

February 2, 2018

Honourable Mayor and Council Members
District of Summerland
13211 Henry Avenue
PO Box 159,
Summerland, BC V0H 1Z0

Dear Honourable Mayor and Council Members:

I would like to thank the District of Summerland (DOS) for recognizing the Summerland Trout Hatchery (STH) as a significant stakeholder in the review of the iCasa development application. As a small organization with a mandate to conserve and enhance BC's freshwater resources for public benefit, we committed to participating and communicating the facts with respect to this development application and we have followed through with commitment.

I would like to take this opportunity to reiterate a point about water licence. The Freshwater Fisheries Society of BC (FFSBC) owns the water licence on Shaughnessy Springs and it is our right to receive the water quantity and quality afforded to our operations by this licence.

I would also like to clarify an issue on communications that was raised at the January 22nd DOS Council Meeting. After our first official meeting with the applicant's representatives, the minutes of that meeting produced by the applicant indicated the applicant would provide lids or "sump covers" for our water collection system at the spring. This provision of lids was never discussed at this meeting and we received feedback from the public expressing concern that we were receiving gifts from the applicant. At this time, we decided to communicate with the applicant via a facilitated process with DOS staff as we felt we were being misrepresented in our direct communications with the applicant. We continued to communicate with the applicant through the DOS staff and in our opinion, this facilitated process ensured any future communications would not be misrepresented. We did not break off communications with the applicant; we took steps to improve our communications.

The Applicant's Aquifer Protection Strategy is a document that focuses on the management of stormwater within the proposed development property, and it is not designed to reduce the risk of dirty water affecting Hatchery operations and protect Shaughnessy Spring water quality. In fact, the Erosion and Sediment Control Plan (ESC Plan) within this plan contains eight pages focused on stormwater management and only one page focused on aquifer and spring water monitoring. From very early on in this process, our main concern with the proposed ESC Plan

was the distinct lack of actions that would be implemented when aquifer water and/or spring water has been impacted during or after construction. Due to the lack of any specific actions, we have asked for a "Contingency Water Supply" which would allow us to maintain hatchery operations if spring water quality was impacted. We believe ball park costs for a complete turn-key alternative water supply could be in the range of \$1.5-2.0 Million dollars. In their most recent letter to the DOS Mayor and Council, the Lark group indicates they intend to donate \$60,000 for the replacement of sump covers at Shaughnessy Springs and that they would like to increase this donation to \$200,000. The FFSBC has not been involved in any discussions concerning such a donation.

The Freshwater Fisheries Society of BC is not opposed to development in general, in fact we have worked with contractors and local government to install non-Society infrastructure on our property to improve flood mitigation for the neighbourhood residents at our Vancouver Island Trout Hatchery. However, given the lack of any specific actions for managing risks of impacted water entering the Summerland Trout Hatchery facility, the we are opposed to the iCasa Development.

Sincerely,



Tim Yesaki
Vice President, Operations Division
Freshwater Fisheries Society of BC

15³

Oct 5, 2018.

Good Afternoon Mayor & Council
fellow ^{+ Summerlanders} ^{+ guests}

I spoke last year that there was no common sense in the location of the banks' crescent development. There has been no change in the location, and so of course there is still no common sense either.

What has changed? Well, the number of the units has increased. And, there was a flash fire in Peachland last summer that reinforced just how quickly a fire can travel up a gully. If a fire happened in this one access gully we would all be in serious trouble, and later too, I expect.

But there is one major change

that does stand out and that is this council's resolution that passed on January 23, 2017. The resolution was that the council would not consider the Banks Current Proposal with out the resolution of the fish hatcheries concerns. The fish hatchery concerns have NOT been resolved. The fish hatchery does NOT support this development. The resolution has NOT been met. Therefore, ^{In my opinion,} this council has an obligation to its citizens and its ^{local} businesses to oppose this development. ^{In my opinion} The citizens of Summerland expect its council to meet its own resolution and to show ^{the} INTEGRITY that is the core of this town. ^{That is what} what we expect from

each of you, Mayor & Council members,
x integrity.

Thank you for ^{the} your

Wendy Garry.
6110 MacDonald
S'land 5014121

~~time~~ opportunity to
speak to you today.

From: Dave Powell [REDACTED]
Sent: February 5, 2018 4:01 PM
To: Peter Waterman <pwaterman@summerland.ca>
Subject: Banks Crescent

I am Dave Powell and have lived in Summerland for 61 years. I have lived and grown apples in Prairie Valley my whole life.

I have been casually following the Bank's Crescent proposal for awhile now. Unlike my father and grandfather who were very instrumental in the shaping of Summerland, I am not one to get too involved even though I know I should. I know I am old school, but I don't agree with developing things on not only agricultural land, but rural land in general. This particular site is a picturesque little valley with some agricultural merit, so be it small, it is there. I do feel for the "NIMBY'S" as this is not why they chose Summerland to settle. We have been a small town with an attractive small town feel and scenery to match. I feel this kind of development would negatively affect this.

The thing that really inspired me to contact you was an article in the Herald this morning. The headlines read that 90 % of Summerland residents are in favour of the development. In my very small survey it seems that anybody outside of the downtown core has not been contacted, as the rural people may have a different opinion. Further into the article they went on to say the fish hatchery issue was not really important as it was providing fish for sport fishing only; then said that homes for the elderly to live in their own community are far more important. I'm not going to look it up and throw out a bunch of figures but I'm pretty sure the hatchery is valuable to all of B.C.

I know there is an economic value to this project for some which I realize is important but I also think that keeping that attractive small town feel for future generations outweighs the economic value.

My father always said that it's not OUR land; that we are only looking after it for the time that WE are here! Once it's gone it's gone; they're not making any new land.

Thank you

for listening to my concerns

Dave Powell

Good Afternoon, Mayor, Councilors and staff:

I am a member of Summerland's advisory planning commission. The APC is a source of sober first thought that is not subject to the pressures of politics, voters or pressure groups. Early on in this process the APC passed by the narrowest of margins, a motion to support the Banks Crescent development on condition that the water to the hatchery was not at risk. Although the APC had several serious concerns about the proposal, the motion was passed, I believe, only to give the developer the opportunity to address the aquifer integrity and other issues of traffic, landslides and so-on.

I would suspect that given the opportunity to have a do-over the APC would not approve the proposal.

I take exception to an earlier speaker who suggested that the hatchery was irresponsible for not having a second source of water. Why would you entertain that expense if you had a proven secure source for almost 100 years?

Last fall I was approached by a representative for the Banks Crescent development asking me, supposedly as a person of influence, to speak in favour at this public hearing. I have had several months to create a list of things I like about the iCasa Resort proposal.

Here is my list.

1. They have nice marketing materials.

Thank you

John Dorn

5703 Gartrell Road Summerland V0H 1Z7

On Feb 5, 2018, at 6:49 PM, Ron Townson [REDACTED] wrote:

Ronald W Townson 16804 Graham St

I was scheduled to speak this afternoon, I was #2 on list when meeting was adjourned. My arthritic hip will not tolerate another meeting.

I am not opposed to development of "Seniors Housing". **I am opposed to development at the proposed location.** There is land available downtown.

My background:

- 32 year Summerland resident
- Applied Science Technologist (retired)
- 22 years with BC Environment, Waste Management Program, Municipal Section, retired 14 years
- Member of OK Water Project responsible for Liquid Waste Management Planning
- Intimately involved in 23 Liquid Waste Management Plans (including Summerland's first)
- Inspected construction of Summerland's sewer system and treatment plant
- Sat on previous OCP committee for Summerland

My concerns:

- Loss of Agricultural land
- Demographic change and the demand for infrastructure, sidewalks etc
- Sewer and lift stations not designed for high density loading, (yes I was involved). Will use up all available reserve capacity resulting in need for immediate upgrading of trunks and lift stations downstream. Senior government assistance may not be available.
- Stormwater *should* infiltrate the ground allowing treatment of contaminants before entering Okanagan Lake. Doing so poses high level risk of contamination of Shaughnessy Spring. Not infiltrating to ground poses high level risk of contamination of Okanagan Lake.
- Development is often seen as a panacea for empty shops and a boon for municipal revenues. It's funny my taxes never seem to go down... Moving the development downtown where infrastructure already exists and putting the residents within walking distance of the commercial district makes far more sense to me... Probably not the same profit margin to the developer however...
- Ronald W Townson
(AScT retired)



MOUNTAIN VIEW GROWERS INC.

... our business is growing

14608 Washington Avenue
Summerland, BC V0H 1Z5

Mailing address: PO Box 99
Summerland, BC V0H 1Z0

February 5, 2018

"Submitted in Person"

Mayor and Council
District of Summerland
13211 Henry Avenue
Summerland, BC V0H 1Z0

Mayor and Council Members:

RE: OCP amendment and rezoning of 13610 Banks Crescent, Summerland, BC
- Public Hearing of February 5, 2018 (the "Application")
- the Lark Group (the "Applicant")

Firstly, we acknowledge that this letter will likely be construed by some as self-serving and perhaps even as *"sour grapes."* Regardless, as a family agricultural business which has been operating in Summerland since 1961 (almost 57 years) - employing up to 150 people in permanent and seasonal positions and with a payroll of over \$1 million, we suggest that we have earned the right to have our voice heard without any contempt of our motives.

Our objective is simply one of a "level playing field." In this regard, we remind the Mayor and Council of the *"Stop the Swap"* movement leading up to the 2014 municipal election. Prior thereto, the current Mayor was the only councilor who voted against the proposed land swap. Similarly, one of the current councilors was a founder of the *"Stop the Swap"* group. A principal plank of Mr. Waterman's and Ms. Carlson's 2014 election platform was the *"Stop the Swap"* campaign.

Although the property that is the subject of the Application is not in the ALR, it is zoned agricultural. If approved, the Application would in effect "swap" about 7.5 acres of land zoned agriculture for a residential real estate development. **What has changed since this council was elected in 2014?**

We also remind this Council of the issues raised by the *"Stop the Swap"* group (quoted from the group's "talking points"):

1. *If the proposed land swap occurs, it will lower Summerland's agricultural potential.*
2. *Agricultural land provides jobs.*
3. *Summerland's ... "land use patterns to make Summerland a unique destination for tourists who come to see the agricultural way of life."*
4. *"... Housing development, on its own, will not result in long-term job creation or economic development. By eliminating agricultural land we will actually be eliminating jobs from Summerland"*
5. *"There is no shortage of development land in Summerland, ..."*
6. *"Council stands to alienate developers already invested in property in Summerland if it succeeds in modifying Summerland's Urban Growth Area...."*
7. *"One of the reasons people choose to live in or move to Summerland is its beautiful agricultural setting."*
8. *"If we are to feed ourselves in the face of climate change and instability in the global economy, we need to protect and ultimately increase our agricultural land base."*
9. *"Maintaining agricultural land is itself good for Summerland's carbon footprint;"*
10. *"... we should seek to change the current OCP only if we have sufficient, reliable evidence in favour of specific OCP changes, such as data clearly showing that public opinion favours a given change."*

So again, we ask: **What has changed in your position regarding agricultural land since this Council voted to withdraw ALR applications which were the subject of the "Stop the Swap" group protests?**

In this Council's mindset, is there a distinction between agricultural land that is in the ALR vis-à-vis agricultural land that is not in the ALR?

It is our understanding that there is no such thing as a "conditional" zoning. Accordingly, if the subject property is rezoned, there is no requirement (legal or otherwise) that the Applicant build that which it is proposing to build/develop. That will be the subject of a Development Permit application if the project advances. In this regard, we note that the number of units being proposed has been somewhat of a moving target.

According to media reports, the Applicant stated that it would not build the project in another location. Has the Applicant ever provided credible rationale for its position, particularly given the considerable resistance that it has faced with this Application?

According to a media report, Mayor Waterman seems to suggest that \$400,000 in annual property tax revenue merits consideration of the Application by the District - *"... when you have a small town with very little economic activity"* Is Summerland economically stagnant? If so, what happened to all the jobs and tourist revenue that was anticipated from agricultural growth by the "Stop the Swap" group?

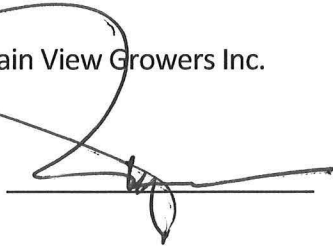
Does the risk of losing a 100-year-old trout hatchery that stocks 300 BC lakes and contributes \$100 million per year in economic activity warrant a \$400,000 annual property tax windfall

(as estimated by the Applicant) – a windfall that would only materialize when and if the project is fully developed to the density suggested by the Applicant.

Thank you for the opportunity of having our voice heard.

Mountain View Growers Inc.

Per

A handwritten signature in black ink, consisting of a large, loopy initial 'M' followed by a series of connected loops and a horizontal stroke at the end.

c.c. Summerland Review - Letter to the Editor

Linda Green - Century Street. There are numerous reasons why I believe this is the wrong development in the wrong location.

The sheer size of the development is reminiscent of a big city. Have council taken a look at the 6 story addition to the Lakeside Hotel in Penticton? I think most residents and people looking to relocate here, like Summerland's small town atmosphere and sense of community. Six story buildings do not belong in a neighbourhood of single family dwellings. This is not a senior's residence but a commercial condo development.

Regarding Freshwater Fisheries concerns about Shaughnessy Springs' aquifer, Lark has mitigation procedures in place and will stop construction until the turbidity in the water returns to acceptable levels. However, if construction resumes and causes further turbidity how will they be able to continue to build? This is a 3 to 7 year project, if construction is continually halted it may end up being a much longer process. What will happen if construction needs to be suspended for extended periods of time? Will Lark abandon the development and leave Summerland with a half-finished project and no hope of reverting back to the current state of the land?

At the January 9th, 2016 Open House, Lark said they had a waiting list of 7,000 people wanting to move into iCasa. Are these individuals waiting to move into an assisted living residence or are they looking for summer condos or investment property? Should such a list exist that means we would increase our population significantly. Mayor Waterman emphasizes the benefits of increased tax revenue but has also indicated that for every tax dollar we generate, \$1.20 is required to maintain infrastructure. With more people travelling our roads and using our amenities, the lifespan of our facilities will be diminished so I don't see the benefit of such a large influx of new residents.

The market value condos are being built first in order to finance the Assisted Living and Memory units. Yet Lark themselves state that Summerland is in need of more senior's assisted living units now. In 7 years their 100 units will still not satisfy the needs of seniors in Summerland. Also these will be private pay beds and there are already private pay beds not being utilized at Summerland Senior's Village because they are not affordable for most seniors living on fixed incomes. What Summerland and the rest of B.C. needs are funded beds for low income seniors.

The care provided to all residents of iCasa will not be provided by doctors available in the community as originally stated by Lark, but by local care providers and tele-conferences with doctors elsewhere. From personal experience I know that telephone diagnoses are not reliable.

St. Elizabeth will be providing care to residents of the development and our community. Again this will be fee for service which will be beyond the means of many seniors. Government subsidies are necessary in order to make home care affordable for those on limited incomes.

iCasa's location is in an isolated bowl surrounded by clay cliffs which are subject to slides, sloughing and sinkholes – all of which happen with some regularity in Summerland. The geological reports state that the surrounding cliffs are “generally stable”. However, there was a huge slide along Hwy 97 near Antler's Beach in January 2017 which took 6 months to cleanup and stabilize. During construction there will be significant vibration due to the actual construction and to the large trucks going in and out along Solly and Latimer. When Tuscan Terrace was being built our house and many others in the neighbourhood were bombarded with house rattling truck traffic for years. While it is impossible to prove, some houses that had stood for 20 plus years with

no geological shifting were faced with cracks appearing in their walls during Tuscan Terrace construction. Are there plans in place to resolve such issues during construction of iCasa? Would Council members appreciate such events occurring in their residences?

Lark is planning to provide a restaurant, a theater, a pharmacy, pickleball courts and other amenities within the development so it is doubtful Summerland merchants will see significant increase in business. Those residents venturing into town will have to navigate up steep, hilly terrain for 3 kilometres. This is not a walker friendly neighbourhood, especially for most seniors, so there will be increased vehicle traffic.

The last issue I want to address is the possibility of legal action against Summerland, the Council, and/or the Trout Hatchery if approval for this project is not given. Has the developer received any assurances that their application is a "done deal" as Mayor Waterman is reported to have said prior to January 2016. Will they be looking for someone to sue as Kyle Girgan reports he was told? I know Lark has refuted that statement being made but I prefer to believe a long time member of our community over a developer who is out to make money at all costs.

I also get the feeling that we are once again being told that "We just don't understand" and if we knew more we would be convinced of the appropriateness of this development.

Good evening Mayor and Council:

My name is Terry Green at 5709 Century Street and I am here tonight to speak in opposition to the re-zoning of the Banks Crescent property to permit a high density, up-scale, luxury resort condominium complex. There are a multitude of reasons why both the re-zoning and this development complex should not proceed but I will restrict my comments to some historical and social aspects that I believe you should consider before making a decision.

First, I would like to mention that I am an original Summerlander born at the second Summerland hospital on Solly Road in 1949. My father was a respected businessman in the community, operating with my Grandfather, Green's Drugstore from 1934 to 1972. I attended public schools in Summerland, graduating in 1967 and began a teaching career here in 1976. I have considered Summerland to be my permanent place of residence all my life, and have raised my family here.

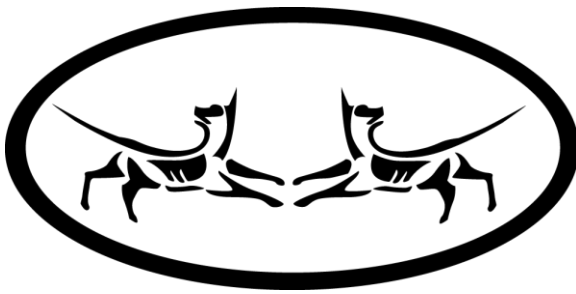
One thing that I have found interesting during my lifetime here has been the constant theme of Summerland, from what I would say would be mainly the perspective of the business, professional, and political community to have Summerland be something other than what it has pretty much always been. Summerland since its incorporation has relied on and been sustained by its base industries in agriculture which includes the establishment of the Agricultural Research station here and the significant investment of entrepreneurial money in the tree fruit industry when the KVR was finally completed. But even in the fifties and sixties there were pushes and proposals to ignore agriculture and encourage other forms of development. Agriculture and the fruit industry were denigrated as the poor relation industry and it was determined that this

community would make its mark in other developments. Over the years we have established three distinct, but from my perspective, poorly developed and under utilized industrial areas that were to be the home of large profitable and most likely multinational businesses bringing undeniable affluence and gilded wealth to all in the community. But when we take stock of our present situation what is the underpinning of our community – it is the tree fruit, vineyard, truck farming and ranching activities that still predominate. So, let's, as a community embrace full-heartedly our rural and agricultural roots, work to encourage and expand this base, and for sure do everything in our power to preserve any land that is presently being used for agriculture, whether it is in the ALR or not. As a community, as a region, as a province, and as a country we are steadily converting land suitable for agriculture to homes, parking lots, shopping centres, and high-priced condominium complexes that add to our carbon footprint, diminish our capability to sustain ourselves, and push for the urbanization of our rural neighbourhoods. If additional seniors housing is necessary then it should be affordable and located near our town centre where agricultural land is not factor and where increased density, if needed, should occur.

Secondly, let's consider ICasa, which despite their claims of being an "aging in place" development, advertise it as being a resort facility. With due respect to the Lark Group, they are not in this venture to solve the senior citizen issues that are developing here locally, provincially or nationally. They are interested in making huge profits under the guise of seniors' care, all of which will be provided at market value and on a fee for service basis. If they were genuinely interested in increasing space for seniors as they require more assistance, then they would not be calling their development a resort but would be working with the community to provide low-cost and

subsidized seniors housing because that is where the need is. This development is of a scale and size for which there is no comparison in Summerland. It will be market priced with the hope, and I believe the intention, of attracting 55 and older adults from other centres such as the lower mainland and the oil money from Alberta. I firmly believe that most people in Summerland will not be able to afford these units and if they can it will be dependent upon them selling their own properties making those unaffordable for younger people and families to move here. In Summerland we need younger families coming to replace our seniors as they pass on so we can continue to have Summerland be a rural and agricultural part of small town Canada.

Lastly, I believe that most citizens who live here do so precisely because of the nature of our community being a small town. I can't see that many people who have moved here have done so with the hope that Summerland will have unrestrained growth at the cost of the demise of their quiet, peaceful, and rural neighbourhoods. If that is not the case then I think we as community should take the time to review and change our OCP rather than council doing so on a case by case basis.



Penticton Indian Band

Natural resource Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

OFFICE REVIEW REJECTION

**WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION**

February 5, 2018

City of Summerland Mayor and Council
13211 Henry Avenue
Summerland BC V0H 1Z0
council@summerland.ca

ATTENTION: Mayor Peter Waterman and Council

Re: Banks Crescent proposed development in Summerland

The syilx (Okanagan) Nation holds unextinguished aboriginal title to the land and resources within our Territory¹. The proposed development is within the vicinity of *ackthtepus*, within Okanagan Territory and the Penticton Indian Band's Area of Responsibility (AOR). As such, the proposed development is subject to Okanagan Title, jurisdiction, Rights, interests, and PIB decision making and responsibility. The proposed activity also falls within the Penticton Indian Band's Commonage Land Claim; all proposed activities within the PIB AOR and throughout syilx Territory are taken very seriously and carefully considered by PIB. The province has notice of our Title and Rights.

The Penticton Indian Band has written several letters to your office highlighting many PIB interests and concerns associated with the proposed development. Our technical staff have met with Summerland representatives several times and reiterated the concerns highlighted in our formal letters. Our concerns have not been addressed and adequate and meaningful consultation has not been achieved. To reiterate, the following concerns have been brought forward:

1. The proposed development falls adjacent to *ackthtepus*, a culturally important area for the Penticton Indian Band. Current and past use of this area has been identified by PIB. Legends and Knowledge depicting specific activities that have occurred within the vicinity of the proposed development indicate that the area is highly significant; any activities in this area must be carefully considered by PIB.
2. The proposed development falls within an area of extremely high archaeology potential. Our information indicates that the presence of syilx burials in the area is possible as are the presence of artifacts, cultural depressions and other archaeological and 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. Any and all archaeological or environmental assessments must

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



- include PIB representation and management to ensure that our interests are protected and understood.
3. The proposed activity directly impacts a specific claim submitted to Canada in December 2011, under Canada's Specific Claims Policy and Process referred to as the South Okanagan Commonage. By letter dated February 18th, 2015, the Minister of Aboriginal Affairs and Northern Development has recognized and accepted the South Okanagan Commonage Specific Claim ("Claim") for negotiation. 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 Syilx Title and Rights. Any activities proposed within this specific claim area are wholly subject to Penticton Indian Band/syilx decision making authority.
 4. The syilx people have a responsibility to take care of all lands, plants and animals within syilx Territory. This stewardship is undertaken through respect and reciprocity and compliance with syilx laws, protocols and practices. Information available to PIB is insufficient to allow us to specify the severity of impacts that will result from the proposed development. When there is a lack of information, the Penticton Indian Band must take a proactive approach and assume that the potential cultural and environmental impacts resultant from the proposed development will have a lasting and negative impact on syilx culture and our relatives *timix^w* (all living things).
 5. *siw^wtk^w* (one of the nsyilxcen words for water) is *nx^welx^weltantet* (that which gives us life). *siw^wtk^w* is much more than an "element" as western cultural perceives, *siw^wtk^w* has a soul, it is part of all living things and one of our relatives. Within syilx Territory we know that *siw^wtk^w* is not only sacred but a relative, teacher and healer that must be treated with the upmost respect and reciprocity. We have asked for a robust water supply and demand study and, at our last point of discussion many months ago, understood that one was under development. The city of Summerland has not brought adequate information forward to the Penticton Indian Band.

Consultation has been inadequate, and our interests have not been addressed in a meaningful government to government manner. Our position with regards to the proposed development has not changed. As such we write, again, to inform you that we do not approve, consent or in any other manner agree to the proposed activity / development.

We would like to remind you that syilx Aboriginal Title exists; the Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.

Further, within the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of indigenous peoples in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the *Constitution Act, 1982*.

Most recently, in June 2014, the Supreme Court of Canada in the *Tsilhqot'in* case set out the following characteristics and implications of Aboriginal title:

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



- ◆ Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- ◆ Aboriginal title includes the right to proactively use and manage the resources.
- ◆ Once Aboriginal title is “established”, the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown’s fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- ◆ Before Aboriginal title is “established”, the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

The provincial government's consultation framework, land use referral policy and administrative system are insufficient to uphold our interests in the land and resources within our traditional territory or to meet the fiduciary obligations of British Columbia. At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our title and jurisdiction. Compliance with provincial processes, legislation, regulations and requirements therefore does not ensure that our interests are adequately accommodated.

Substantial research regarding potential adverse impacts to our cultural heritage, our lands, our waters and our timix¹ is required prior to any further consideration of the proposed development. Please contact Chief Chad Eneas at 250-493-0048 to further discuss proper engagement protocols and any next steps associated with the proposed development.

Limlɛmt,

Chief Chad Eneas
Penticton Indian Band

cc: SUMMERLAND MAYOR AND COUNCIL

Councillor Erin Carlson, Councillor Toni Boot, Councillor Doug Holmes, Mayor Peter Waterman, Councillor Richard Barkwill, Councillor Erin Trainer, and Councillor Janet Peake

MINISTER of ABORIGINAL RELATIONS and RECONCILIATION
Honourable John Rustad, Minister

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



MINISTER of FORESTS, LANDS and NATURAL RESOURCE OPERATIONS
Honourable Steve Thomson

UNION of BC INDIAN CHIEFS
Grand Chief Steward Phillip, President

PENTICTON INDIAN BAND COUNCIL

MANDELL PINDER
Clo Ostrove, Barrister Solicitor

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982