



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: November 14, 2016
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: OCP amendment and rezoning of 13610 Banks Crescent

STAFF RECOMMENDATION:

THAT Council pass the following resolutions:

1. *THAT 'Official Community Plan Amendment (13610 Banks Crescent) Bylaw No. 2016-042' be introduced and read for a first time;*
2. *THAT 'Official Community Plan Amendment (13610 Banks Crescent) Bylaw No. 2016-042' be read for a second time;*

AND THAT a Public Hearing be scheduled for _____ to receive public feedback on Bylaw No. 2016-042;

AND FURTHER THAT Council has considered the bylaw in conjunction with its financial plan and waste management plan.

3. *THAT 'Zoning Bylaw Amendment (13610 Banks Crescent) Bylaw No. 2016-043' be introduced and read for a first;*
4. *THAT 'Zoning Bylaw Amendment (13610 Banks Crescent) Bylaw No. 2016-043' be read for a second time;*

AND THAT a Public Hearing be scheduled for _____ to receive public feedback on Bylaw No. 2016-043.

5. *THAT final adoption of the amending bylaws be considered in conjunction with the registration of a 219 covenant on the title of the subject properties noting the following conditions:*

- a) *No construction may occur on the site unless:*
 - a. *Upgrading of the intersection of Latimer Avenue and Solly Road to allow truck traffic movement satisfactory to the District of Summerland has been completed or the developer deposits a security and enters into an agreement satisfactory to the District guaranteeing construction of the works.*

- b. *Widening of Latimer from the development site to Solly Road sufficient to accommodate the increased traffic has been completed or the developer deposits a security and enters into an agreement satisfactory to the District guaranteeing construction of the works.*
 - c. *Construction of a sidewalk from the development site along Latimer Avenue to Solly Rd and then up Solly Road to connect to the underpass at Highway 97 or the developer deposits a security and enters into an agreement satisfactory to the District guaranteeing construction of the works. (added following Council meeting Nov 14)*
 - d. *Construction of a pedestrian walkway on the MacDonald Place right-of-way connecting Gillespie Road to Solly Road or the developer deposits a security and enters into an agreement satisfactory to the District guaranteeing construction of the works.*
 - e. *Power poles east of the site between Banks Crescent and Lakeshore Drive (power pole 10-107) have been removed or the developer deposits a \$100,000 security and enters into an agreement satisfactory to the District guaranteeing construction of the works up to a maximum of \$100,000.*
- b) *No storm drainage coming from any construction on the site may drain into the natural drainage corridor to the south during construction or following construction.*

PURPOSE:

To consider the application from Lark Enterprises Ltd to amend the OCP and zoning bylaw to permit the proposed senior housing development.

BACKGROUND and DISCUSSION:

Current Use:	Agriculture (vineyard)
Parcel Size:	5.9ha (14.6ac)
Zoning:	A1-Agriculture
OCP:	Agriculture
MoTI Approval:	required

This site is comprised of five separate parcels that form a bowl east of Bristow Road and Solly Road. The site has steep bluffs on all four sides. The property is bounded by Bristow Road and Solly Road at the top of the bluff to the west, a municipal park and single family residential at the top of the bluff to the north, Latimer Avenue and Banks Crescent to the east and single family residential at the top of the bluff to the south that drains to a watercourse that feeds the fish hatchery. A map showing the property is attached as Schedule A.

The applicant wishes to construct a 380 unit seniors housing complex with a mixture of market housing, independent and assisted living. The complex will include accessory uses that will provide amenities to residents, visitors and staff.

The applicant presented their development concept to Council at the Committee of the Whole meeting on April 25, 2016. The Developers held a public open house on Monday May 16, 2016 at the IOOF Hall on Main Street. Council visited the site at the Committee of the Whole meeting on August 8, 2016. The developer has been providing further information in support of their zoning application over the intervening months.

A number of steps will be required to complete the proposed development. These steps are noted below:

1. OCP/Rezoning
 - a. This is the current application and is a discretionary approval to permit the land use.
 - i. May include items offered by the developer in support of their application to help offset any impacts due to the increase in density.
2. High Hazard Development Permit
 - a. This permit would be issued once the design guidelines with respect to geotechnical hazards and safety have been satisfied.
 - i. Requires a report from a qualified geotechnical engineer.
3. Environmentally Sensitive Development Permit
 - a. This permit would be issued once the design guidelines with respect to protection of any environmental values on the site.
 - i. Requires an environmental assessment from a registered professional biologist.
4. Multi-family Development Permit
 - a. This permit will be considered by council and issued once the design guidelines with respect to form and character have been satisfied.
5. Development Variance Permit
 - a. This permit will be considered by Council if any adjustments to the offsite servicing requirements in the Subdivision and Development Servicing Bylaw are contemplated.
6. Building Permit
 - a. These permits would be issued once the buildings meet the requirements of the BC Building Code and Subdivision and Development Servicing Bylaw.
 - i. These permits will require connection to water, sewer, electrical and storm utilities and may require upgrading in order to meet the bylaw requirements.

OCP

The application is to amend the Official Community Plan to change the future land use designation from Agriculture to High Density Residential (HDR). The OCP states that:

“Higher density development should be located along major transportation routes and be restricted to areas close to the Downtown core or Lower Town. This designation is intended to accommodate multi-storey apartments and townhouses offering residents a compact neighbourhood with integrated uses and facilities. Densities will generally be above 60 units per hectares (25 units per acre) accommodated with a functional site plan and attractive architectural design”

The proposed density is consistent with the proposed High Density Residential designation as it includes a density of 60 units per hectare as measured over the entire site or a density of 130 units per hectare as measured using net lot area which excludes areas with steep slopes of 30 percent or greater. The applicants have provided a functional site plan that includes an attractive architectural design as shown in the ‘Development Plans’ attached as Schedule C.

The Official Community Plan includes policy (7.4.4.10) that states:

Restrict high density residential developments primarily to areas immediately surrounding the Downtown core and Lower Town. These locations offer the day-to-day commercial needs, community facilities and park necessary to support high density development. The appropriateness of new High Density Residential designations should be based on the following criteria:

- .1 Compatible with adjoining uses;*
- .2 Adequate separation or a mitigating design is proposed to integrate the development with surrounding uses;*
- .3 The new development has direct access to a major collector or arterial road;*
- .4 Pedestrian access is provided to nearby parks, schools and commercial/institutional facilities;*
- .5 The development will appropriately cater to a range of the community's demographics (i.e. seniors, singles, young families, etc.); and*
- .6 Building and landscape design shall address and be consistent with the requirements outlined under Section 21.0 Multi Family Development Permit Area Guidelines.*

The proposed development may not appear directly compatible with the majority of adjoining uses however there is adequate separation both vertically and horizontally to integrate the development. The existing topography will act as a natural buffer from surrounding residential uses.

The location of the proposed development is consistent with the OCP as it is located in the 'Lower Town' area however the site is not connected to a major transportation route nor connected to downtown or the waterfront by sidewalks or other types of pedestrian paths. Existing connectivity deficiencies could be rectified by off-site improvements including construction of sidewalk and pathways as well as road improvements offered by the developer in support of their application.

A primary objective of the Official Community Plan (Objective 7.4.3.4) is to ensure that future residential developments are located where they can be efficiently serviced and linked to the existing infrastructure without the taxpayer needing to contribute to initial capital improvements or excessive operating costs. As part of the proposal the developer is offering several community amenity contributions (outlined in greater detail below) meant to improve the connectivity of the site which includes intersection improvements, a new sidewalk along Solly Road, and a new pedestrian path.

This property is located within the District's Urban Growth Area. The Urban Growth Area is meant to be the primary planning tool supporting new growth and intensification properties within the Urban Growth Area.

The growth management strategy in the OCP includes an objective to:

"(4.2.2) Provide long-term urban growth opportunities through intensification, infill, and development within the Urban Growth Area, avoiding net loss of agricultural land and preserving ecologically significant areas"

"(4.2.6) provide for a range of housing types, densities, and affordability levels within the designated Urban Growth area to address the needs of current future residents"

There are several policies in the OCP which are relevant to the proposed development in relation to the Urban Growth Area which include:

(6.2.2.2) Consider the implications of proposed developments on the social, economic, cultural and environmental well-being of Summerland

(6.2.2.3) Embrace recognized ecological standards and practices thus ensuring the preservation of ecological values.

(6.2.2.4) Preserve and protect agricultural land and encourage farming.

(6.2.2.8) Promote infill development and selective intensification of land uses within existing urban areas being respectful of existing uses and ecological values

The proposed development would result in the loss of seven (7) acres of productive agricultural land however this property is not located in the Agricultural Land Reserve. The loss of this agricultural land must be considered in the context of the social, economic, and cultural benefits this type of development will provide to the community. Specifically, this proposal provides a type of housing that caters to one of the predominant demographics of the community (seniors), increases the population density in an area that is currently designated for residential, and provides a potential economic 'boost' to the community resulting from permit fees, new tax dollars, additional employment and new residents.

The proposed development is being considered in terms of the ecological values on the site. The footprint of the proposed development respects the natural slopes and is located primarily on the areas of the property that are already disturbed from agriculture. The sloping areas of the property are located in the 'Environmentally Sensitive Development Permit Area.' If the proposed OCP and zoning amendments are approved a development permit will be required prior to development of the site.

Secondary Plans (OCP)

Lower Town Strategic Plan

This property is identified as "Shaughnessy Springs" in the Lower Town Strategic Plan as shown on Schedule B attached. This area is identified "...for additional residential development...encouraging increased residential densities...New development must be sensitive to surrounding character of the neighbourhood, hazardous conditions, safe access and address the need for affordable and/or seniors housing."

Agricultural Plan

The District's Agricultural Plan describes support for the "integrity and stability of the ALR". The plan also describes the importance of managing the interface between farm use and non-farm use. In this case the land is an isolated parcel that is zoned for agricultural use but is not in the ALR. Buffering will not be an issue as there are no agricultural lands adjacent to this site.

Cultural Plan

The District's newly adopted cultural plan identifies "Reflect Summerland's cultural values in municipal decisions and projects" as the first strategic direction. The values identified in the plan include the arts, community character, quality of life, history and heritage and agriculture.

The proposed development does not appear to significantly affect the arts or history and heritage within the community. The project will likely have a more significant impact on neighbourhood character rather than community character. The addition of 350 new units could add 500-800 new residents to the community. The community amenities proposed with the development will significantly enhance the pedestrian experience in the neighbourhood and better connect this area to the downtown core. While an agricultural business will be lost, it is an isolated parcel and will not significantly impact the agricultural nature of the community.

Zoning Bylaw

The current zoning amendment is to create a new Comprehensive Development Zone to permit a seniors housing project comprised of 5 separate buildings. The buildings are intended to include approximately 230 units of market housing for seniors, 100 units of independent living and 50 units of assisted living. The concept is to allow seniors to age in place and move to different sections of the development as they age and require greater levels of care.

The development is predominantly six storeys in height over three levels of underground parking. The living space will be constructed of wood frame over the concrete parking structure. The proposal includes amenities for residents, staff and visitors.

This property is proposed to be zoned CD8-Comprehensive Development Zone 8. The specific CD8 zoning amendments are attached as Schedule C.

Comprehensive Development zones are to “...provide a zone which will allow for the creation of customized land use regulations for site-specific developments where the use of other conventional zones in this bylaw (zoning bylaw) would not accommodate the public interest. Proposed uses and densities must be in conformity with the District’s Official Community Plan.”

The proposed comprehensive zone has a format that is similar to the standard zones contained in the District’s Zoning Bylaw except that the proposed site plan and elevation plans are incorporated as part of the CD8 zone. The general purpose of this zone is to provide a zone to accommodate specialized housing for senior citizens providing a combination of Complex Care (Group Home, Major), Assisted or Independent Living, and *Apartment Housing* on lands having *Full Urban Services*. In addition to the Principal Uses of ‘Apartment Housing’ and ‘Group Home, Major’ the proposed Secondary Uses are:

- Child care facilities
- Dining room
- Recreational services
- Health services
- Wellness services
- Personal services (hair dressing, etc)

The secondary uses are included to provide amenities for residents, staff and visitors only.

Site Considerations:

Geotechnical Hazards

The main challenge with this site is the geomorphology. The site includes steep silt bluffs and is partially located in the High Hazard Development Permit Area. A preliminary geotechnical report has been submitted in support of the rezoning application. This preliminary report confirms that this property can be developed for

seniors housing. A more detailed review will be required when the High Hazard Development Permit application is made. Further detailed review will also be required at the Building Permit stage of development. The report submitted for the rezoning application is to confirm that the land use described in the CD8 zoning application is possible.

Hydro-Geological Impacts

The site is located immediately above the water source for the Freshwater Fisheries Society of BC Trout Hatchery. A study by a hydrogeological engineer has been submitted to determine whether the proposed development will impact this water source. The report suggests that “...*the potential for flow quantity in Shaughnessy Springs to be negatively impacted by the proposed development is considered low.*”

The report suggests there may be some turbidity during the construction period due to dust, surface runoff and vibration. Mitigative measures are recommended to reduce the potential for increased turbidity during the construction period.

As a post construction impact to Shaughnessy Springs, the hydrogeological report indicates that initial storing of storm water on site and then the release into the natural drainage course could result in elevated turbidity conditions at Shaughnessy Springs.

This report has been forwarded to the Freshwater Fisheries Society of BC for comment. MDM Groundwater Consulting Ltd. reviewed the report for the Freshwater Fisheries Society of BC and noted that they concur that the proposed development would have “no potential impact” on their water source provided that:

- a) the proposed development “...will not either withdraw groundwater from or directly dispose of water into the water-bearing sand/gravel strata underlying Project lands”, and
- b) “...that storm water collected from the proposed Project during both the construction phase and post-construction phase will not be conveyed into the Shaughnessy Springs area and, instead, will be hydraulically separated from the Shaughnessy Springs area...”

Ecological Values

A preliminary environmental assessment (EA) was requested as the site is partially located within the Environmentally Sensitive Development Permit Area. An EA has been provided that indicates no areas of ESA1 (very high sensitivity), identifies the steep slopes as ESA2 (high sensitivity), the disturbed vineyard area as ESA3 (moderate) and no areas of ESA4 (low). The development is located on the moderate area where the vineyard exists. Further review will be undertaken with the Environmentally Sensitive Development Permit application.

Site Servicing

The proposed development will be serviced with water, sewer and electrical service. Some upgrades to water and sewer mains in the area will likely be required however the extent of upgrading will not be known until building permit drawings have been prepared. The developers engineer has provided a report noting the sanitary sewer system, domestic water system and drainage system can accommodate the proposed development. A water modeling exercise has been completed that confirms the water system can accommodate the development however some upgrades may be required once final design is complete.

There are two options to manage storm water runoff from the site.

- a) Collect and release storm water at a manageable rate to the natural drainage below the site. This is the water source for the trout hatchery so water runoff will likely require some form of treatment before discharge
- b) Collect and release storm water at a manageable rate to the piped storm system in either Hill Crescent or Gowans Street.

Based on the review of the hydrogeological report by the Freshwater Fisheries Society of BC's consultant, it appears the appropriate solution to manage storm drainage generated from the site is via the piped system in either Hill Crescent or Gowans Street. To ensure this is accomplished, staff are recommending that, as a condition of approval, that storm water drainage infrastructure conveys collected drainage to a piped system and is not discharged into the drainage course connected to the fish hatchery property.

There is an existing overhead electrical pole line bisecting the site. This electrical line will have to be relocated underground, around the development site. Some upgrading to the existing electrical lines feeding the site from Highway 97 may be required. Actual electrical demand will not be determined until final drawings have been prepared. Any electrical upgrading will be determined at the building permit stage of development.

Traffic

Primary access to the site is from Solly Road through Latimer Avenue to Banks Crescent and into the site. A preliminary traffic study has been submitted noting that the background traffic on July 11, 2016 was 1500 vehicles per day on Solly Road. They note that Solly Road functions as a collector road which has a threshold of 8000 trips per day. The proposed development is projected to generate an additional 118 trips in the AM peak hour and 142 trips in the PM peak hour. They anticipate that 87% of this traffic will access the site via Solly Road and Latimer Avenue with the remaining 13% accessing via Lakeshore Drive onto Gillespie Road.

This report suggests that modeling up to the year 2026, with an increase in background traffic of 2% per year, traffic generated by the development *"...did not result in any system or capacity issues, and there are no infrastructure improvements required to accommodate the additional development traffic."*

The report does not speak to Latimer Avenue. Staff are suggesting that the intersection of Solly Road and Latimer Avenue as well as Latimer Avenue from Solly Road to the development site will need to be upgraded to handle the additional vehicle volumes and the anticipated truck traffic. In addition, there should be a sidewalk constructed from the development site to Highway 97 to protect pedestrians from the additional car and truck traffic. An appropriate cross section has not been established as yet. This should be completed prior to the public hearing.

Subdivision and Development Bylaws are limited by Section 506 of the Local Government Act to requiring roadwork improvements, as a condition of building permit approval, to roads *"...immediately adjacent to the site being...developed, up to the centre line of the highway"*. Therefore, any road improvements that might be beneficial, that extend beyond the property frontages, cannot be required at building permit and can only be negotiated during the rezoning process.

It is noted that the property has 220m of frontage on Bristow Avenue that is subject to improvement in the Subdivision and Development Bylaw. A development variance permit would be necessary if the developer wished to waive any or all offsite servicing requirements on adjacent road frontages. Such considerations would be undertaken should an application be received.

It is also noted that Solly Road is currently signed as a “No Truck Traffic” area. This designation may need to be changed to accommodate the truck traffic that would be necessary to service this development.

Fire Safety

There has been some concern expressed with respect to fire safety for buildings of this size. It is noted that the BC Building Code is the primary regulatory document that deals with fire safety. All construction in Summerland must meet this minimum standard and such standards cannot be varied. Installation of fire hydrants in accordance with the standards of the BC Building Code will be required.

In addition to the minimum standards in the BC Building Code, Summerland has Fire & Life Safety Bylaw 2421 (High Buildings) that has additional fire safety requirements. This bylaw must also be met and is not subject to variance.

All fire safety requirements will be determined and resolved at the building permit stage of development.

Community Amenities

A rezoning of this magnitude that will add 380 dwelling units to the neighbourhood will impact the limited amenities currently enjoyed by this single family residential area. There will be additional traffic, both pedestrian and vehicular, and regular truck traffic will be introduced into the area to service the development.

The developer has recognized the impact such a development will place on the existing amenities and has suggested what upgrades they are prepared to offer to reduce or eliminate the additional demand their development may create. Their proposal is attached as Schedule E. The developers also recognize these works will provide amenities to the new residents of their development.

The list noted as “Items included in construction” have a final bullet noting the construction items appear to be conditional upon a servicing variance “limiting frontage improvements to the work listed...” in the memo. This cannot be confirmed unless a Development Variance Permit application is approved by Council. Staff understand the developer wishes to limit his offsite construction costs however it is premature to consider this request until a variance application is received and the extent of the variance request is determined. There may be some bylaw requirements with respect to surrounding roads that may be appropriate to waive.

Circulation

This application has been extensively reviewed by District staff. Specific servicing upgrades required to service this development with water, sewer, drainage, and electrical can be obtained at the building permit stage of development. Specific upgrades cannot be determined until the final designs of the buildings have been completed.

Notice of the application will be circulated to neighbouring properties if council schedules a public hearing as such a notice is required by legislation. If council does not schedule a public hearing, notice provisions are not triggered. Council could direct staff to hold an information session or open house to have the developer present development details prior to scheduling a public hearing.

It is expected that a project of this size and scope will generate significant community interest. Some correspondence has been received following the open house held by the developer in May. It is normal practice for all community input to be collated and presented

to council at the public hearing for consideration. The public hearing is the official opportunity required by legislation for council to receive and consider community input.

The application was circulated to the Freshwater Fisheries Society of BC as noted above. The application has been circulated to the Interior Health Authority. They have provided detailed comments that are attached as Schedule D.

This application was presented at the Agricultural Advisory Committee meeting held on October 21, 2016. The AAC discussed the viability of the existing vineyard and that this property is one of the few remaining farms that is a relatively large parcel. After reviewing the application and hearing from the public in attendance and support staff, the Committee passed the following recommendation.

THAT the AAC recommend the application not be supported as presented.

This application was also presented at the Advisory Planning Commission meeting held on October 28, 2016. There was discussion around whether this was an appropriate site and whether the developer had looked at other potential sites in Summerland. The developer identified the site met their criteria with respect to size and proximity to amenities. There was also much discussion over the potential impact the development may have on the water source for the BC Freshwater Fisheries fish hatchery. The developer identified they are working with this society and are committed to ensuring the fish hatchery water source will not be negatively impacted. During the discussion period, two motions were made but did not pass. The Commission ultimately passed the following recommendation.

THAT the application be supported subject to support from the BC Freshwater Fisheries Society.

Section 475 of the Local Government Act requires Council to consider whether consultation on OCP amendments are required with the RDOS, adjacent municipalities, first nations or other Provincial or Federal agencies. Staff have circulated this proposal to the Interior Health Authority and the Ministry of Transportation and Infrastructure. The nature of this bylaw does not require consultation with any other agencies. District staff are therefore satisfied that all appropriate consultation has taken place. The requirements of Section 475 - Consultation during OCP development of the Local Government Act have therefore been fulfilled.

The proposed bylaw amendment has been forwarded to the Okanagan Skaha School District 67 for consultation. The requirements of Section 476 – Planning of School Facilities have therefore been fulfilled.

The proposed bylaw amendment has been considered in conjunction with the District of Summerland's financial plan and waste management plan. The requirements of Section 477 – Adoption procedures have therefore been fulfilled.

LEGISLATION and POLICY:

- LGA Sections 475, 476, 506
- Official Community Plan Bylaw 2014-002
- Lower Town Strategic Plan
- Agricultural Plan
- Cultural Plan
- Zoning Bylaw 2000-450
- Master Drainage Plan

FINANCIAL IMPLICATIONS:

There may be some cost to the District with respect to electrical upgrading depending on how much of any electrical upgrading is attributable to this development and how much will benefit the utility generally. It is expected that the District's share, if any, for upgrades to the electric utility can be funded within the existing financial plan.

Any upgrades to the water, sewer or drainage utilities, will be a condition of building permit and will be fully funded by the developer. Therefore, there is no impact from this development on the financial plan related to capital works in these funds. The project will generate approximately \$3,000,000 in development cost charges as well.

Property taxation is estimated to increase \$197,000 per year for three years or \$591,000 in total. This is based on a phased construction over three years of 350 units using current real estate market estimates and property tax rates. There is no expected increase in capital costs in the general fund related to this project.

Increases in user fees for water, sewer and electricity are difficult to estimate at this point as there is a mix in types of uses. However, based on the equivalent of 350 residential units, the estimated increase in water fees is \$179,000, in sewer fees is \$99,000 and in electricity fees retained by the District is \$117,000.

There will also likely be a significant increase in employment to operate this facility.

CONCLUSION:

This proposal is supported in the Official Community Plan. The concept has been fully reviewed by staff and can be constructed with appropriate professional oversight. The community amenity package will provide significant improvements in the area, particularly with respect to pedestrian connections. Staff are therefore recommending the bylaw be given first and second readings and proceed to public hearing.

OPTIONS:


1. Give the bylaw first reading and direct the developer to conduct an open house to fully explain the project. The project would be brought back to council at a future date following the open house for second reading.
2. Give the bylaw first and second reading and schedule a public hearing (recommended by staff). Council could direct staff to conduct an open house prior to the public hearing date.
3. Pass a motion denying the application.
4. Refer back to staff for other options.

Respectfully Submitted,



Ian McIntosh
Director of Development Services

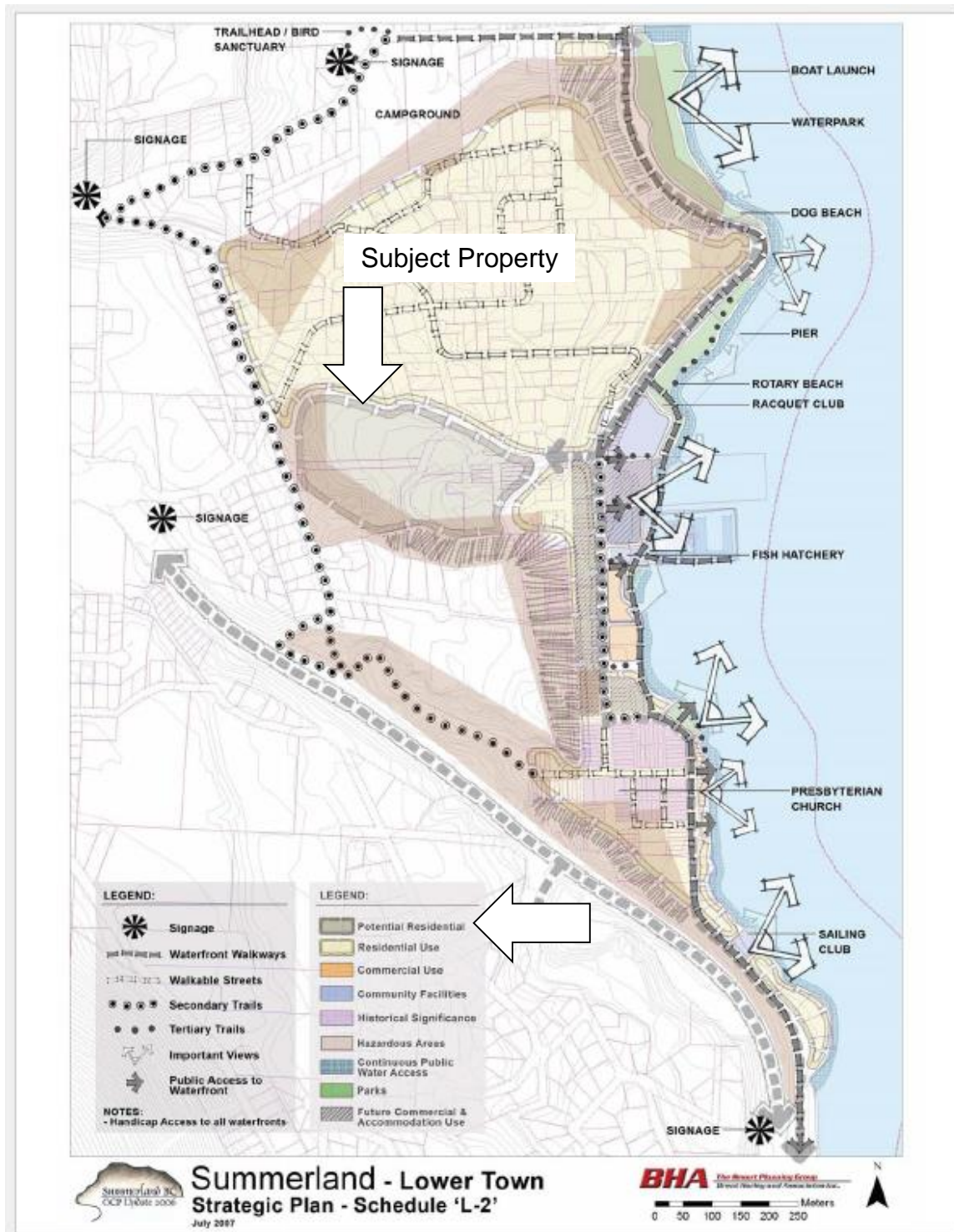
Approved for Agenda

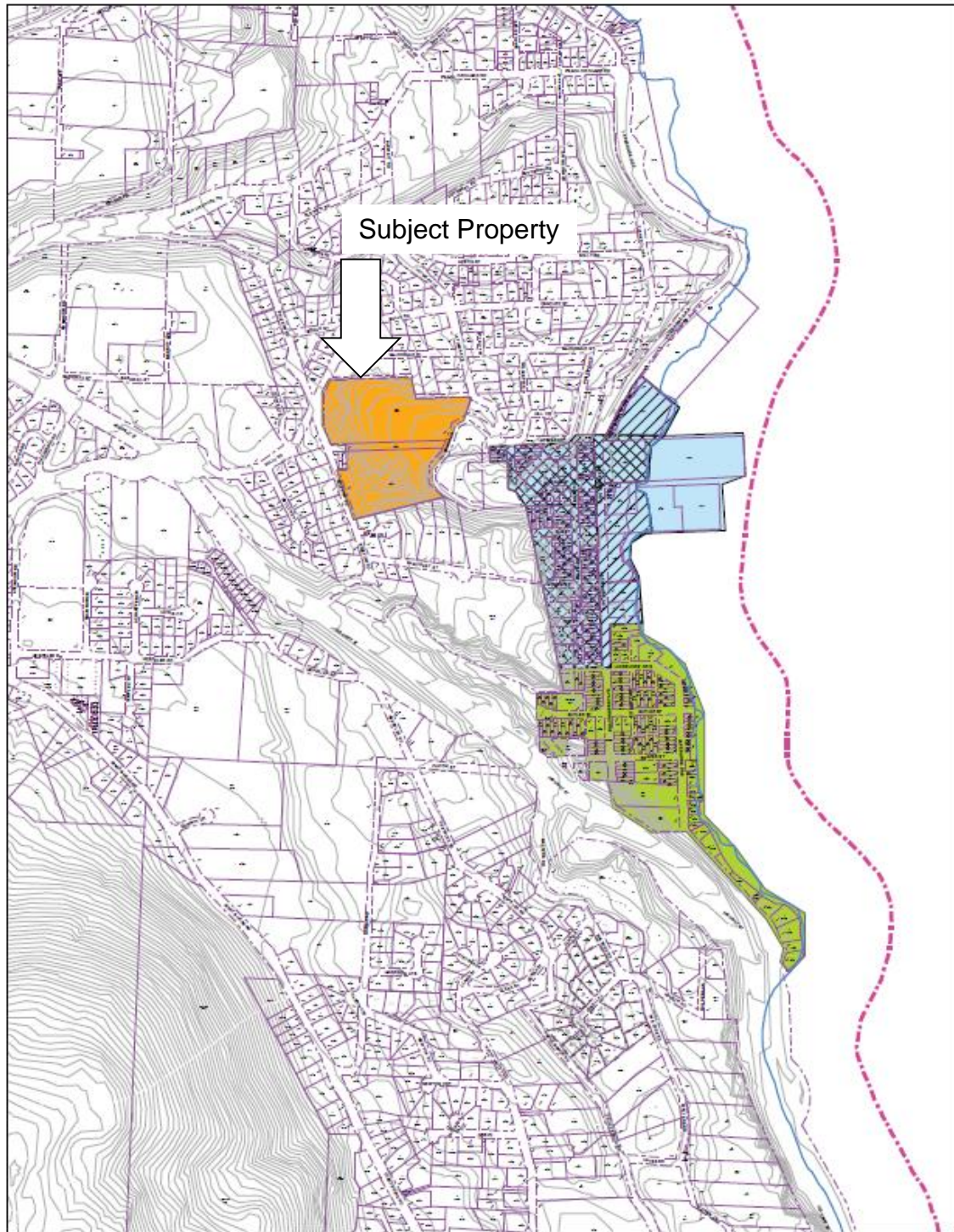

Linda Tynan, CAO

Schedule A – Map of Subject Property



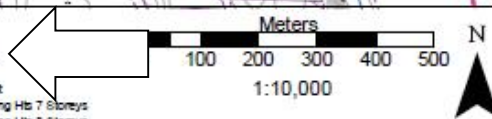
Schedule B – Lower Town Strategic Plan





Summerland - Lower Town
Schedule L-3
Future Development Areas
July 2007

- Legend
- Shaughnessey Springs
 - Lake Shore South
 - Lower Town Water Front
 - Water Front -Max Building Hts 7 Storeys
 - Water Front -Max Building Hts 3 Storeys



DRAFT CD8 – Comprehensive Development Zone:

CD8 Comprehensive Development Zone

CD8

Purpose

To provide a zone to accommodate specialized housing for senior citizens providing a combination of Complex Care (Group Home, Major), Assisted or Independent Living, and *Apartment Housing* on lands having *Full Urban Services*. Lands must be designated as High Density Residential under the *District's* Official Community Plan.

Principal Uses

The following *Uses* and no other *Uses* shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Apartment Housing, and;*
- (b) *Group Home, Major*;*

*For the purpose of this zone, *Group Home, Major* includes assisted living, long term care, memory care, and/or independent living units are intended for senior citizens who by reason of physical or mental difficulties require some professional assistance to meet their day-to-day living activities.

Accessory Uses

The following *Uses* and no other *Uses* shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw*:

- (a) *Accessory Buildings and Structures;*
- (b) *Child Care Centre, Major, provided operation from a common Amenity Space;*
- (c) *Eating and Drinking Establishments;*
- (d) *Community Recreational Services (indoor and outdoor);*
- (e) *Health Services;*
- (f) *Wellness Services (indoor and outdoor);*
- (g) *Personal Services Establishments*
- (h) *Home Occupation Type 1*

* *Accessory uses are limited to the residents, visitors and staff of the development.*

Subdivision Regulations

n/a

Development Regulations

- | | |
|-------------------------------------|-----|
| (a) Maximum <i>Lot Coverage</i> | 35% |
| (b) Maximum <i>Floor Area Ratio</i> | 1.5 |

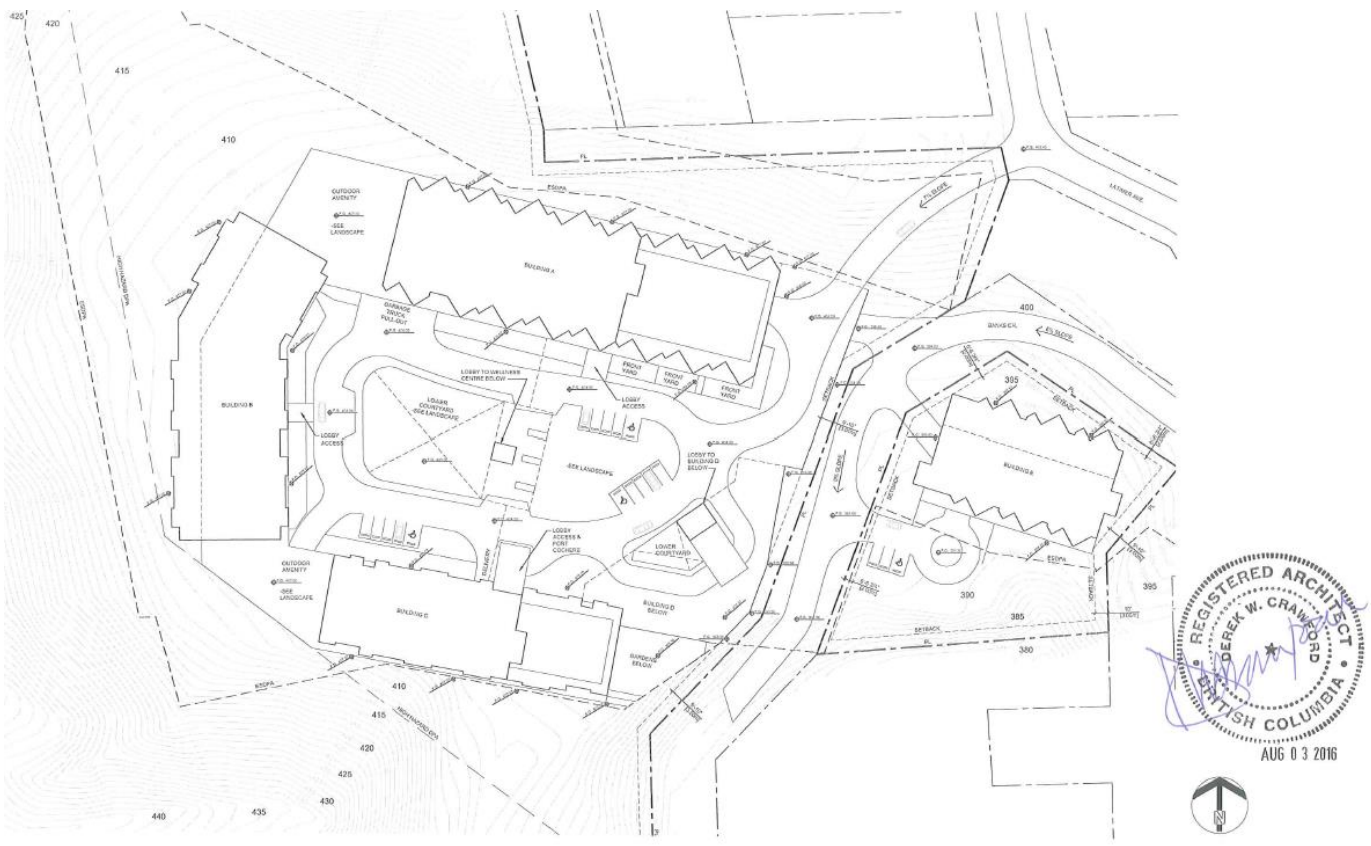
Siting Regulations

The underground parkade structure must maintain a minimum 2.0m set-back from any property line. The buildings above the parkade shall be developed in substantial accordance with the development plans included.

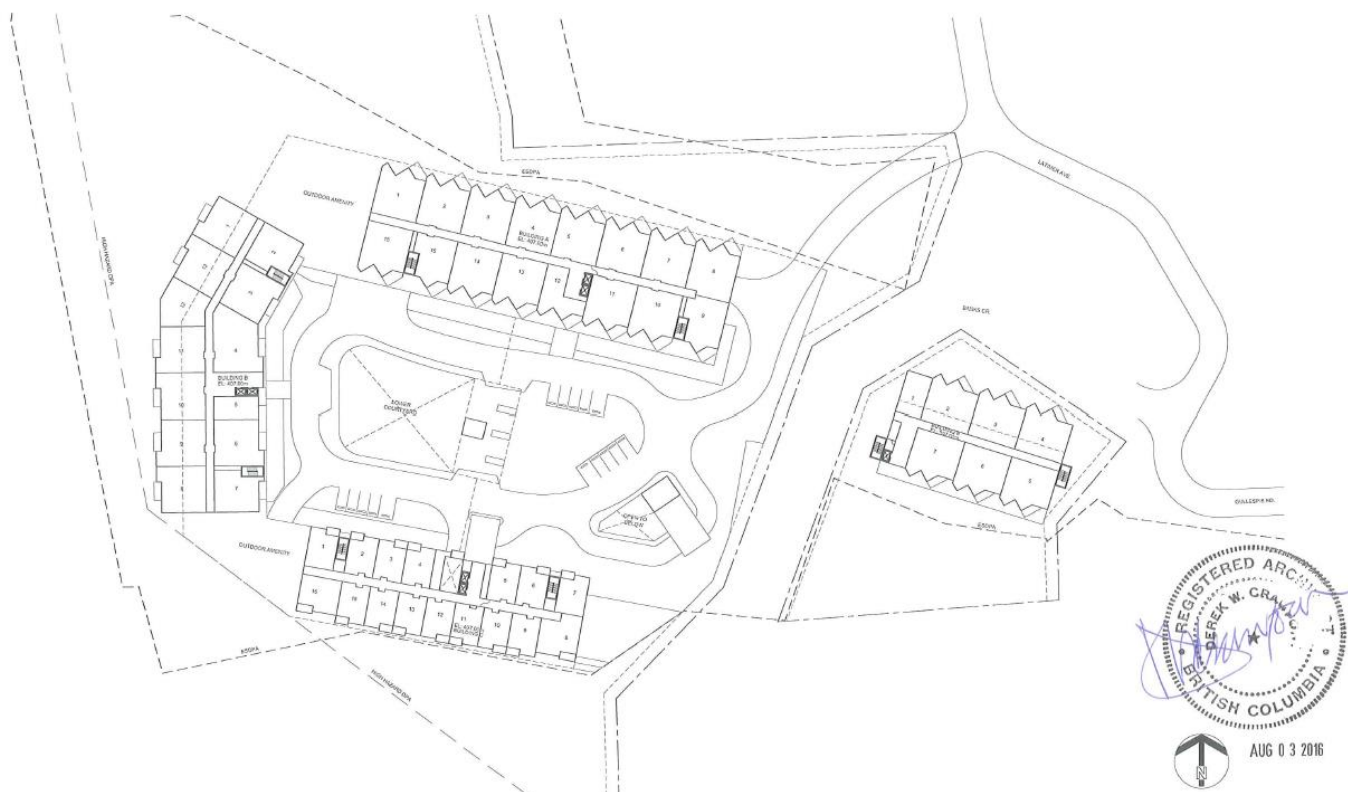
Other Regulations

- (a) The general design and proposed layout of the *Development* shall be in keeping with the plans attached to this *Bylaw* and referred to as CD8
- (b) Section 6: Parking & Loading Regulations shall apply.
 - a. Market Housing Buildings A, B and E are provided with parking stalls in accordance with Apartment housing in section 6.0 Parking & Loading Regulations.
 - b. Independent Living Building C and Memory Care Building D are provided with parking stalls in accordance with Group Home, Major in section 6.0 Parking & Loading Regulations.
- (c) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

CD8 Development Plans

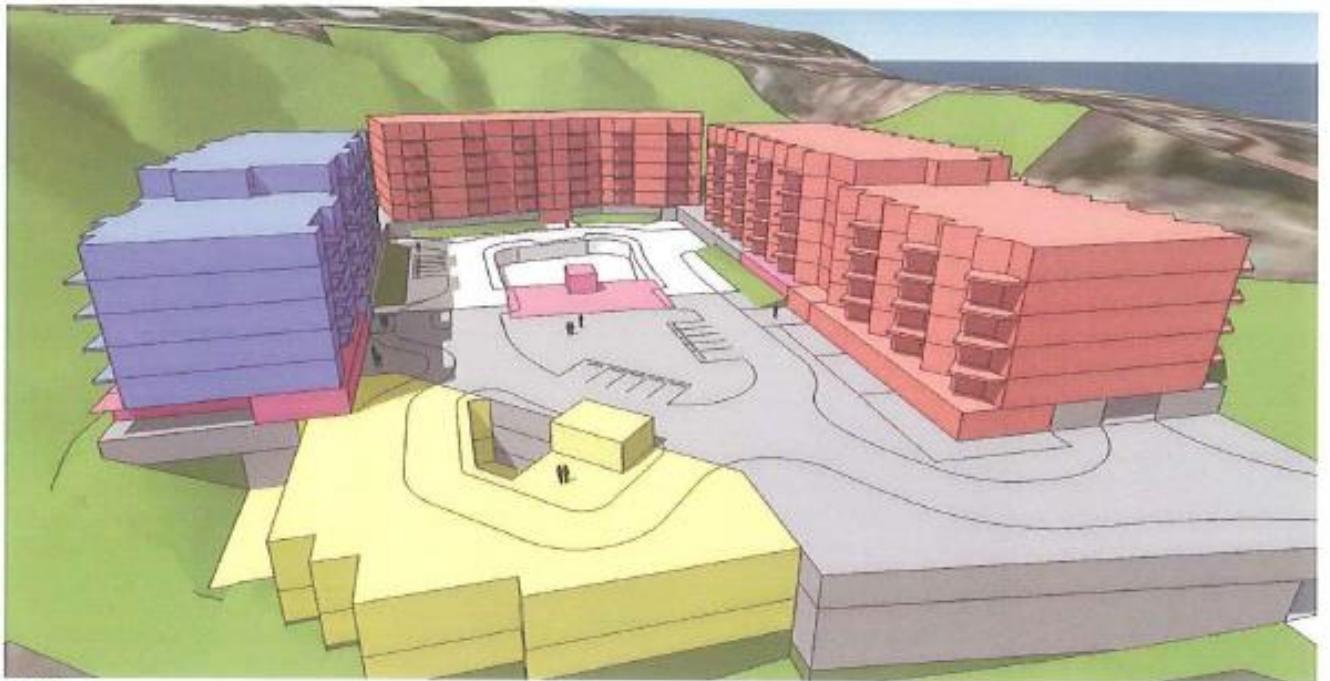








VIEW 1



VIEW 3

Schedule D – Interior Health Authority Comments



November 1, 2016

Ian McIntosh
Director of Development Services
District of Summerland

Dear Ian,

RE: Okanagan Vistas, Shaughnessy Greens

Thank you for the opportunity to provide a health perspective for this development application. If approved this development would include up to 346 housing units for seniors and include market, independent and assisted living options. This site is challenged by the geomorphology with a steep silt bluff partially located in the High Hazard Development Permit Area. The preliminary geotech report supports this development.

If developed the site would contain 5 buildings and will be accessed from Latimer Avenue and Banks Crescent.

The property is bounded by Bristow Rd and Solly Rd at the top of the bluff to the west, a municipal park and single family residential at the top of the bluff to the north, Latimer Avenue and Banks Crescent to the east and single family residential at the top of the bluff to the south that drains to a watercourse that feeds the fish hatchery.

The traffic impact report supports this development and indicates that:

Traffic generated by the development "...did not result in any system or capacity issues, and there are no infrastructure improvements required to accommodate the additional development traffic."

Over the last number of years research has emerged linking the built form to health impacts. As outlined in the [Healthy Built Environment Linkages: A Toolkit for Design-Planning-Health](#) how a community is planned and built makes a difference in how active and healthy residents are. The current health of British Columbians has one in three living with a chronic disease (cardiovascular disease, diabetes, some cancers) and one in four adults are obese. The three risk factors for developing a chronic disease are; smoking, unhealthy eating and physical inactivity. These risk factors are in part influenced by land use patterns and the ability of a resident to 'make the healthy choice the easy choice' as they move through their daily life.

The following comments are intended to provide a health lens in three areas; neighbourhood design and transportation systems, food security and drinking water as it relates to this development application.

Neighbourhood Design and Transportation Systems

Internally the site has limited opportunities for residents to engage in physical activity and connect with other residents at the site. From the diagrams provided there appears to be limited green space available for residents.

[Healthy Aging through Healthy Living](#) indicates that;

Physical activity brings multiple benefits and significantly contributes to healthy aging. Physical inactivity is associated with premature death, chronic diseases, illness and disability, as well as reduced quality of life and independence.

Walking/cycling from the site is limited by narrow roads (Latimer/Banks Crescent and topography (accessing Solly Road/MacDonald Place). Enhancing connectivity can encourage people to walk or cycle for either recreational or transportation purposes. Safety concerns are common barriers to physical activity across smaller communities. Research indicates that; Improving streetscape aesthetics and making streets more useable by providing sidewalks, crosswalks, lighting and benches are all factors associated with an increase in physical activity among older adults. (1)

Interior Health supports the recommendation of staff including:

- a) Construction of a sidewalk from the development site north to Latimer Avenue then west up Solly Road to connect to the existing sidewalk, then further west to connect to the existing pedestrian underpass at Solly Road and Highway 97
- b) Construction of a pedestrian walkway complete with stairs (if required) within the MacDonald Place right-of-way connecting Solly Road to Gillespie Road.

These recommendations will improve the ability of seniors to recreate and use active transportation as part of their daily activities.

Food Security

Interior Health has an interest in community design and planning, as the built environment can support access to healthy food and increase community food security. Community food security, which is the foundation for healthy eating, requires a stable and sustainable food supply across the food system, from production to disposal. This includes having an economically and environmentally sustainable food system that ensures enough nutritious food and water is available, accessible, affordable, acceptable and safe for everyone at all times. (2)

- Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency increases food security and supports healthy eating. Although the current use of the land is to grow grapes for wine production, the land could be converted to grow food crops in the future when needed.
- Food self-sufficiency in BC is increasingly important, as extreme weather will affect food production in California and elsewhere. Currently, California supplies 40%-50% of BC's imported fruits and vegetables.

If this development does move forward, there are some built environment features that may support community food security of the residents. Garden space for residents to grow food, edible landscapes, and a communal kitchen where residents can cook and eat together are examples that support food security.

Drinking Water

From a drinking water supply perspective, the District of Summerland is encouraged to assess their capacity to provide domestic water that meets the BC Drinking Water Treatment Objectives as they proceed in planning for increased development and growth. The capacity of the Summerland water treatment plant is 75 ML/day. According to the 2008 Water Master Plan, system flows reached 105 ML/day during peak irrigation season.

Summerland has completed a number of projects outlined in their Water Master Plan. Projects to separate portions of irrigation lines from domestic service lines, metering, and increased conservation efforts have been successful. In the past two years they have not needed to activate the supplemental line. However, build out of anticipated development, population growth, and extension of the domestic water supply to Garnet Valley residents may affect the District's ability to continue providing maximum demand without use of the supplemental line. When the capacity of the water treatment plant is exceeded, the supplemental line is opened to provide additional water to meet the high demand. This exposes all water system users to inadequately treated drinking water.

To accommodate future growth and development the District will need to either increase the capacity of the treatment plant or seek an alternate source. Re-establishing an Okanagan Lake pump station was listed as a high priority item in the Plan. Protection of the Okanagan Lake source intake is a key component of a multi-barrier plan for ensuring a safe, reliable drinking water source for Summerland residents.

Assisted Living Residences

It appears that 46 units will potentially be Assisted Living residences; and don't fall under the purview of Community Care Licensing and do not require a licence. However, there is an Assisted Living registrar <http://www2.gov.bc.ca/gov/content/health/accessing-health-care/assisted-living-registrar> that will need to be contacted to register if this development is to be approved.

The three Interior Health portfolios that have made comment can be reached at:

Neighbourhood Design and Transportation Systems – pam.moore@interiorhealth.ca

Food Security – jill.worboys@interiorhealth.ca

Drinking Water – judi.ekkert@interiorhealth.ca

Interior health would be more than happy to become further involved with the District Of Summerland and would welcome the opportunity to discuss this in greater detail

If you have any questions or comments, please contact pam.moore@interiorhealth.ca.

Sincerely,

Pam Moore
Healthy Built Environment Team

References

- (1) [Healthy Built Environment Linkages: A Toolkit for Design-Planning-Health](#); Healthy Transportation
- (2) Agriculture's Connection to Health: http://www.phsa.ca/population-public-health-site/Documents/AgConnectiontoHealth_FullReport_April2016.pdf

Schedule E – Developer's Community Amenity Contribution Letter



November 09, 2016

Okanagan Vistas at Shaughnessy Green

Attention: Ian McIntosh, Planning Department, District of Summerland

**RE: Rezoning and OCP Amendment Application of 13610 Banks Crescent et al,
Amenity Contribution Options**

Good afternoon Ian,

Thank you for the District of Summerland's letter of September 8th. We are excited to provide our proposal for an amenity contribution associated with the above referenced rezoning and development permit application. The primary objective is to enhance the existing community, increase property values, and provide socially and economically valuable amenities.

We have recently reached an agreement with the Crawfords for the purchase of their home. This has allowed for improved entrances to the development at Latimer Ave. as well at Banks Crescent. We have developed a solution in which we propose a cost-neutral land swap with the District allowing a new Banks Crescent to be located further south of its current location. This lower location would provide for a safer entrance and exit to the development site as well as the lot currently used for the Fisheries Society.

Amenity Contributions Summary

Items included in construction:

- Championing the Fisheries Society to provide meaningful input to the proposed storm water service.
- Contribution in work or in cash to the Fisheries Society reservoirs. Two new reservoir lids.
- Development and construction of a new Banks Crescent completed to all municipal standards.
- Latimer-Gillespie improvement including grading and intersection improvements at new Banks Cresc.
- Improve Latimer Ave - Solly Rd intersection to a suitable standard for vehicular and pedestrian flows.
- Widen Latimer Ave. to a suitable standard allowing two vehicles to pass freely.
- A servicing bylaw variance limiting frontage improvements to the work listed above

Amenity Contributions;

- A sidewalk linking the development to the existing sidewalk near the Solly Rd.-Hwy97 intersection.
- Removal of power poles to the East to be converted to underground up to a maximum of \$100,000.00
- Exclusive option for a timber pedestrian trail linking MacDonald Pl. and MacDonald St. cross Latimer.

Sincerely,

Lark Enterprises Ltd.

A handwritten signature in blue ink, appearing to read 'Malek Tawashy', is written over a horizontal line.

Malek Tawashy,
Development Project Manager