



## THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: February 27, 2017 File: 2016-1787  
TO: Linda Tynan, Chief Administrative Officer  
FROM: Dean Strachan, MCIP, RPP, Director of Development Services  
SUBJECT: OCP Amendment and Rezoning – 13610 Banks Crescent

---

### STAFF RECOMMENDATION:

That Council pass the following resolution:

*THAT the letter dated February 24, 2017 from the Freshwater Fisheries Society of BC be received.*

### PURPOSE:

To receive the February 24, 2017 letter from the Freshwater Fisheries Society of BC.

### BACKGROUND and DISCUSSION:

In a letter to the District dated January 16, 2017 the Freshwater Fisheries Society of BC expressed concerns in relation to potential impacts on their hatchery from the proposed development at 13610 Banks Crescent. At their meeting of January 23, 2017, Council passed the following resolution:

*“THAT Staff be requested to meet with the applicants and representatives of the Freshwater Fisheries Society of BC to review the concerns raised in relation to the hatchery facility and the aquifer water source and report back to Council.”*

On February 17, 2017 Staff met with representatives of the Freshwater Fisheries Society of BC to review the concerns raised. The meeting between District Staff and representatives of Freshwater Fisheries Society of BC included a brief review of the hatchery operation, discussion and review of reports and information provided by the applicant to date and the concerns of the Society. It was noted in the discussions that the through the operation of their other facilities the Society is familiar with well water sources and the parameters required to meet their needs as an alternate water source at their Summerland facility. During the meeting the Freshwater Fisheries Society of BC indicated they would provide a letter to the District summarizing their concerns and outlining the conditions under which they would potentially support the subject development. They also noted during the meeting that they would seek additional advice from their contracted professionals on the information provided by the applicants to date and the provisions required for the hatchery operation in advance of submitting their letter.

Following the meeting, the Society provided the attached letter dated February 24, 2017 outlining their concerns and conditions should the proposed development proceed. As

per Council's resolution, staff are reporting to Council with the result of discussions with the Society.

In their February 24, 2017 letter, the Freshwater Fisheries Society of BC summarized four concerns that they have indicated would need to be addressed for them to support the proposed development. Their submission also included a review of the applicant submitted information conducted by their consultant Matthew D. Munn, P. Eng. Council could consider including the four concerns as conditions to be addressed as part of the OCP Amendment and Rezoning Process. These conditions could be added as requirements within the Development Agreement and may appear as follow:

1. The provision of a permanent alternative well water source for the hatchery facility meeting the requirements of the Freshwater Fisheries Society of BC;
2. The provision of aquifer and spring water quality monitoring meeting the requirements of the Freshwater Fisheries Society of BC;
3. The completion of an Erosion and Sediment Control Plan (ESCP) reviewed by the District in conjunction with an independent third party consulting Professional Engineer; and
4. The three above noted items are to be in place and verified prior to construction beginning on the subject property.

The applicant has explored potential alternative well water sources for the hatchery and provided preliminary costing. Additional information is being prepared by the applicant for review by the Freshwater Fisheries Society of BC and the District. Although the applicant has provided reports that identify a means to address the hatchery concerns, as noted by the Society detailed technical discussion between the District, the applicant and the Society are required. This technical component would follow in parallel with other technical work proceeding and noted below including, environmental, financial, water, sewer, storm, electrical and roads.

The applicant has completed a preliminary review of the February 24, 2017 letter from the Freshwater Fisheries Society of BC and has confirmed that they are willing to work with the District and the Society to address the concerns.

Given the response from the Freshwater Fisheries Society of BC and their indication that they could support the project if the conditions are met, staff will continue study of additional outstanding items unless otherwise directed by Council.

These items were identified in staff reports to Council on January 23, 2017 and February 14, 2017 for additional study and review:

1. Revised and updated Environment Assessment Reporting in accordance with the District of Summerland Terms of Reference for Environmental Reports;
2. Preparing of a District Revenue Analysis by the Finance Department;
3. High level plan for upgrades required for road section determined through the traffic study to be upgraded from local roads restricting truck use to collector roads permitting truck use;
4. Sanitary sewer service modelling for full build out of lift station and mains in service catchment area;
5. Identify the preferred water service option and what off site works would be required;
6. Additional storm water design including off site line routing plan; and
7. Additional electrical design and modelling for onsite construction purposes as well as potential off site upgrades required.

Additional areas of review and study may be identified through the information gathering process.

Once the above noted study and review is completed a summary report will be prepared including a summary of the community consultation comments and questions received with responses and answers provided where possible and/or applicable.

It is anticipated that the additional information gathered would likely result in more detailed additional and/or alternate amenity provisions being recommended. The attached letter from the hatchery and any subsequent information and/or review by the Freshwater Fisheries Society of BC would also form part of the report and recommendations.

**LEGISLATION and POLICY:**

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

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

**FINANCIAL IMPLICATIONS:**

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

**CONCLUSION:**

The Freshwater Fisheries Society of BC have stated that they would not support the proposed development unless the concerns and conditions provided are addressed. Additional study and review information will be requested from the applicant. Staff will continue to update Council and once the additional study and review is completed will report to Council with a summary report.

**OPTIONS:**

1. Move the motion as recommended by Staff.
2. Refer the report back to staff for other options.

Respectfully Submitted,



Dean Strachan, MCIP, RPP  
Director of Development Services

**Approved for Agenda**



Linda Tynan, CAO

## Dean Strachan

---

**From:** Girgan, Kyle <Kyle.Girgan@gofishbc.com>  
**Sent:** Friday, February 24, 2017 1:40 PM  
**To:** Dean Strachan; Alex Kondor  
**Cc:** Yesaki, Tim; 'Matthew Munn'  
**Subject:** FW: FFSBC and Summerland Trout Hatchery's concerns and consultant's review of Piteau Associates Ltd. Memo dated January 19, 2017.  
**Attachments:** FFSBC Update and Review of Piteau Associates Ltd.'s Memorandum "Hydrogeological Update" (January 19, 2017) and Email "Summerland Hatchery - Alternate Water Source Concepts" (February 2, 2017)



**Kyle Girgan**

Hatchery Manager

Freshwater Fisheries Society of BC

T 250.494.0491 C 250.488.0485

13405 Lakeshore Drive South, Summerland, BC V0H 1Z1

[gofishbc.com](http://gofishbc.com)

---

**From:** Yesaki, Tim  
**Sent:** February-24-17 1:31 PM  
**To:** Girgan, Kyle  
**Cc:** Yesaki, Tim  
**Subject:** FFSBC and Summerland Trout Hatchery's concerns and consultant's review of Piteau Associates Ltd. Memo dated January 19, 2017.

Dear Dean Strachan,

First of all, I would like to take this opportunity to thank you for meeting with us last Friday February 17<sup>th</sup>, 2017, and providing information for some of the many questions we had pertaining to this development proposal. The meeting was very helpful to us. As discussed at the Feb 17<sup>th</sup> meeting, the Freshwater Fisheries Society of BC and the Summerland Trout Hatchery continue to have concerns surrounding the Banks Crescent Development Proposal and any impacts it may have on Shaughnessy Springs. As agreed to at the Feb 17<sup>th</sup> meeting, the intent of this communication is to clearly communicate our major concerns and also provide our consultants review of the most recent Piteau Associates Ltd., memos referred to as the "Hydrogeological Assessment" and "Hydrogeological Update" for this development proposal. As stated in previous correspondence, we cannot support this development proposal unless our concerns are addressed. Our concerns are as follows:

1. The hatchery will require a permanent (life of hatchery) contingency water source.
2. Aquifer and Spring water quality monitoring – a) Use of existing on-site monitoring wells for aquifer water quality monitoring b) Inclusion of post-construction water quality monitoring, c) Monitoring of spring water quality at reservoir (collection box).
3. Requirement for a fully developed and independently reviewed ESCP.
4. Finally, all of the above concerns, plus the review comments summarized by our consultant, need to be concurrently addressed and in place prior to the start of construction of the Banks Crescent Development.

You will note, all of the concerns listed above are described in the more detailed review prepared by our consultant, on our behalf (attached). We hope that listing these concerns in a concise manner will help with clarity for the report to Council. However, this in no means an indication that these are simple concerns and that these are our only concerns. As part of the ongoing process to review the hydrogeological portion of the larger development proposal, we look forward to further communications with DOS staff and are prepared to consider any further proposals or comments as they relate to our operations.

Sincerely,



**Kyle Girgan**

Hatchery Manager

Freshwater Fisheries Society of BC

T 250.494.0491 C 250.488.0485

13405 Lakeshore Drive South, Summerland, BC V0H 1Z1

[gofishbc.com](http://gofishbc.com)