



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: January 4, 2018 File: 2016-1787
TO: Linda Tynan, Chief Administrative Officer
FROM: Dean Strachan, MCIP, RPP, Director of Development Services
SUBJECT: OCP Amendment and Rezoning – 13610 Banks Crescent - Update

STAFF RECOMMENDATION:

That Council pass the following resolutions:

1. *THAT the Review of Aquifer Protection Strategy Report by Golder Associates dated January 4, 2018 be received.*
2. *THAT the proposed amenity contribution letter from the applicants dated January 4, 2018 be received.*
3. *THAT staff be directed to schedule a Public Hearing at the earliest time and date that would meet the statutory requirements for notification and when suitable facilities are available.*

PURPOSE:

To receive the third party review report prepared by Golder Associates and the proposed amenity contribution letter from the applicant for the proposed OCP Amendment and Rezoning of 13610 Banks Crescent and consider scheduling a Public Hearing.

BACKGROUND and DISCUSSION:

1. At their meeting of October 23, 2017 Council directed staff to proceed with having a third party professional review of the proposed Aquifer Protection Strategy.
2. Staff engaged Golder Associates in November to conduct the review. A draft report was received by the District in December with the final report arriving January 4, 2018. Attached along with the final report is the combined document provided to Golder Associates to facilitate their review.
3. The Golder Associates report does not contradict findings of the applicants Aquifer Protection Strategy. However, whether the information and reports has provided adequate assurances on protection of the aquifer is up to the individual Councilors to determine.
4. The final report was forwarded to the applicant and BC Freshwater Fisheries for their review. Any responses and/or comments they may have would be forwarded to Council at the January 22, 2017 Council Meeting.

5. The letter from the applicant outlining the proposed amenities include a number of items for Council's consideration. It includes support for the staff recommendation for removal of the wooden stair case that appeared in the November, 2016 amenity proposal. The letter also includes \$600,000 in upgrades to Latimer Road representing the full up-grade cost estimated by the District's Engineer. Also included is a contribution of \$300,000 towards Solly Road up-grades. If following a Public Hearing, Council approved the project to proceed, staff would recommend that Council direct staff to proceed with the process to add the upgrade to a collector standard for the full length of Solly Road to the project list within the Development Cost Charges Bylaw. This would allow for the DCC's collected from the project in addition to the proposed \$300,000 amenity contribution to be utilized for upgrading Solly Road. The final proposed amenity is \$100,000 towards additional electrical works to the east of the development site to move wires from poles to underground. Also noted in the letter is the acknowledgment from the applicant that the required sanitary main upgrade on Lakeshore is not an amenity but instead is a direct cost to the project. Should the project be approved by Council to proceed a Master Development Agreement would be completed which would include more detailed engineering designs.
6. The applicant's proposal for amenity contribution does form a part of the information being received by Council in advance of the Public Hearing, the specifics and details would be finalized as a part of the Development Agreement that would be prepared should the application proceed to and receive Third Reading. If Council wishes to request the applicant to consider alterations to the amenity contributions proposed they should provide direction and guidance to staff for further negotiations with the applicant and reporting back to Council at their January 22, 2018 meeting prior to a potential Public Hearing. The components of amenity contribution should not substantively change following Public Hearing as substantive change could trigger a requirement for a new Public Hearing.
7. Staff reviewed the information received by Council to date and feel that sufficient information has now been received by Council to consider moving forward with scheduling a Public Hearing. Although Council could debate the information received to date now, they could also wait until after the Public Hearing input is received.
8. In addition to the statutory requirements for notification the number of people participating in the public hearing is anticipated to exceed the capacity of Council Chambers. If directed to schedule a Public Hearing staff would look to book facilities for a date towards the end of January. Dates currently be reviewed for facility bookings are January 29, 30 or 31. Should Council provide direction to schedule a Public Hearing the dates and times would be finalized, and notification begin as soon as possible.
9. The updated Comprehensive Development zoning district would be presented to Council at the January 22, 2017 meeting. The updated bylaw would reflect changes made in the application over the past year in addition to added limitations on building height tying the maximum heights to geodetic elevations instead of height above finished grade. If the application proceeds, at Third Reading of the Zoning Bylaw Amendment Bylaw, Council would be requested to consider an amended Bylaw with the updated zoning district as presented to Council prior to the Public Hearing.

LEGISLATION and POLICY:

The Bylaws related to the subject application have received second reading, a Public Hearing is recommended to be scheduled for the end of January. The Public Hearing format would be proposed to not be a single session but instead scheduled into separate sessions with temporary adjournment between sessions over one or two days.

FINANCIAL IMPLICATIONS:

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

CONCLUSION:

The third party review report by Golder Associates has now been submitted to the District and the applicant has submitted their proposed amenity contribution letter. It is now recommended to Council that they consider proceeding to Public Hearing.

OPTIONS:

1. Move the motions as recommended by Staff.
2. Move the motion to receive the third party review report and applicant amenity contribution letter and request additional information prior to directing the scheduling of a Public Hearing.

Submitted by,



Dean Strachan, MCIP, RPP
Director of Development Services

Approved for Agenda



Linda Tynan, CAO