

FEBRUARY 18, 2014

McLoughlin Point Wastewater Treatment Plant – Revised Rezoning Application Public Hearing



Why are we here?

- Key Issues:
 - To explain how we have addressed the concerns raised by the public and Council
 - To request relaxation of some of the setback and height requirements of Bylaw 2806
 - To include two small parcels in the application (61.6 m²)
- To request that Council adopt revised Bylaw 2805

Current Status of Rezoning Approvals

- Following a public hearing in July 2013, Esquimalt Council amended its OCP (Bylaw 2804) and rezoned the McLoughlin Point Property (Bylaw 2806) in July.
- **Under Bylaw 2806 the permitted uses for the McLoughlin Point property includes a Wastewater Treatment Plant**
- The CRD has submitted a revised rezoning application to address concerns raised by Council and the public and to accommodate all of the proponent's designs (Bylaw 2805)
- On January 20, 2014 Council gave seconding reading to revised Bylaw 2805.

McLoughlin Point Challenges

1. Recognized to be a 'tight' site.
2. Architectural design and plant configuration driven by process efficiency.
3. The prominent location of the site – entrance to Victoria Harbour.
4. The cost limitations spelled out in the CALWMP.
5. No additional grant funding available (increased costs are to be borne by Core area residents).
6. Access to the site through residential neighbourhoods.
7. Complying with Bylaw 2806 would limit the capacity of a WWTP at McLoughlin and increase costs to taxpayers.

The Bylaws and Agreements

- CRD and Esquimalt staff were given a mandate to negotiate a resolution to CRD's concerns with Bylaw 2806.
- The revised Bylaw 2805 and two agreements represent the outcome of those negotiations.
- Staff from CRD and Esquimalt support the revised bylaw and agreements.
- Comparing Bylaw 2806, Revised Bylaw 2805 and the two agreements clearly explains the changes being requested by the CRD.

Current Bylaw 2806	Revised Bylaw 2805/Agreements or Contracts
Use of barges	Included
Temporary dock for barges	Included
Traffic management	Included (Traffic Management Plan)
Lyall Street Upgrades (\$950K)	Included
Education and Interpretive Centre	Included
High Efficiency filters in schools	Outside CRD jurisdiction but addressed by dust suppression during construction and reduced trucking with use of barges
Green building	LEED gold for Admin. building
Design Guidelines	Designs are in compliance
Macaulay Pump Station Upgrade	Contract will require design to CRD standard (e.g. Craigflower Pump Station)

Current Bylaw 2806	Revised Bylaw 2805/Agreements or Contract
Public open space along water front	Walkway and view point included
Public art (\$100,000)	Included
Upgrade Esquimalt Pump Stations	Not included – above ground pump stations will be upgraded as part of ongoing CRD’s capital program
Public open space (\$75K)	Included, themed play-lot not included
Maximum Flow 108 MI/d	Not limited, maximize flow to minimize unit cost to taxpayers
Dock and pedestrian ferry service	Public dock included
Design to include public walkway	Included
Use of reclaimed water on site	Included
Heritage signage	Included

Current Bylaw 2806	Revised Bylaw 2805/Agreements or Contract
Themed hydrants	Not included, standard hydrants and water main upgrades included
Provision of conduits in trenches	Included
Reinstatement of roads affected by construction	Included
Odour mitigation	Included (5 OU at plant boundary)
No trucking of bi-products	Included
Liaison Committee	Included
Annual Payment of \$55,000	Included
Not included	New - \$200K to study DES
Not included (replaces annual payment if accepted by Esquimalt)	New - \$7.5 million for DES
Not Included	Two small parcels recently purchased by CRD. Total area 61.6M ² (0.4% of site area)

SCHEDULE "A" TO BYLAW NO. 2805 LANDS REZONED FROM M-4 TO I-3

PLAN VIP87823

Deposited in the Land Title Office at
Victoria, B.C.
this _____ day of _____, 2013.

Registrar _____

SCALE: 1:500



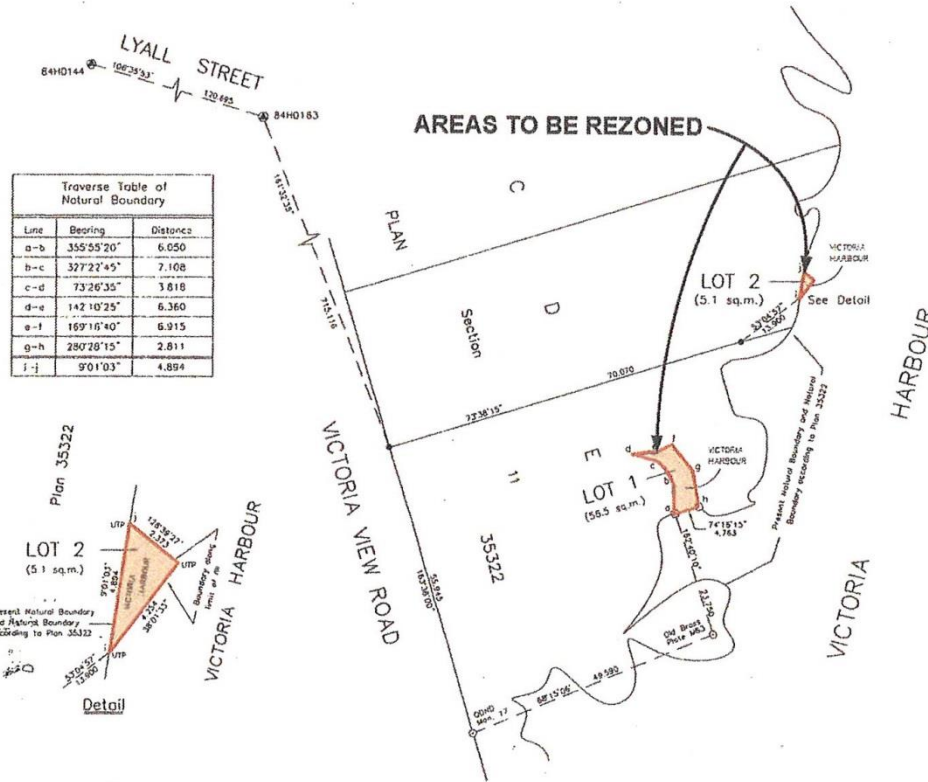
The intended plot size of this plan is 432 mm in width
by 560 mm in height (C size) when plotted at a
scale of 1:500.

Integrated Survey Area #36, Esquimalt Municipality, WDBX(CSRS)
Grid Bearings are derived from observations between
Control Monuments 84H0144 & 84H0183
This Plan Shows Ground Level Measured Distances.
Prior to Computation of UTPs, Co-ordinates
Multiply by Combined Factor 0.9996117.

Legend

- Denotes Standard Iron Post (Type 5) Found
- Denotes Lead Plug (Type 3) Placed
- ⊙ Denotes Control Monument Found
- ⊕ Denotes Monument Found
- UTP Denotes Unable To Post

This Plan lies within the
Capital Regional District.



Her Majesty The Queen in Right of Canada
as represented by the Minister of Transport

Robert Prud'homme
Authorized Signatory
Witness

Robert Prud'homme
SUPERVISOR, PROPERTY SERVICES
3610 620, 800 Burrard Street
Vancouver, BC V6Z 2J8
604-681-1231

John Matherwell & Associates
B.C. Land Surveyors
Victoria, B.C.
FR : 06-68

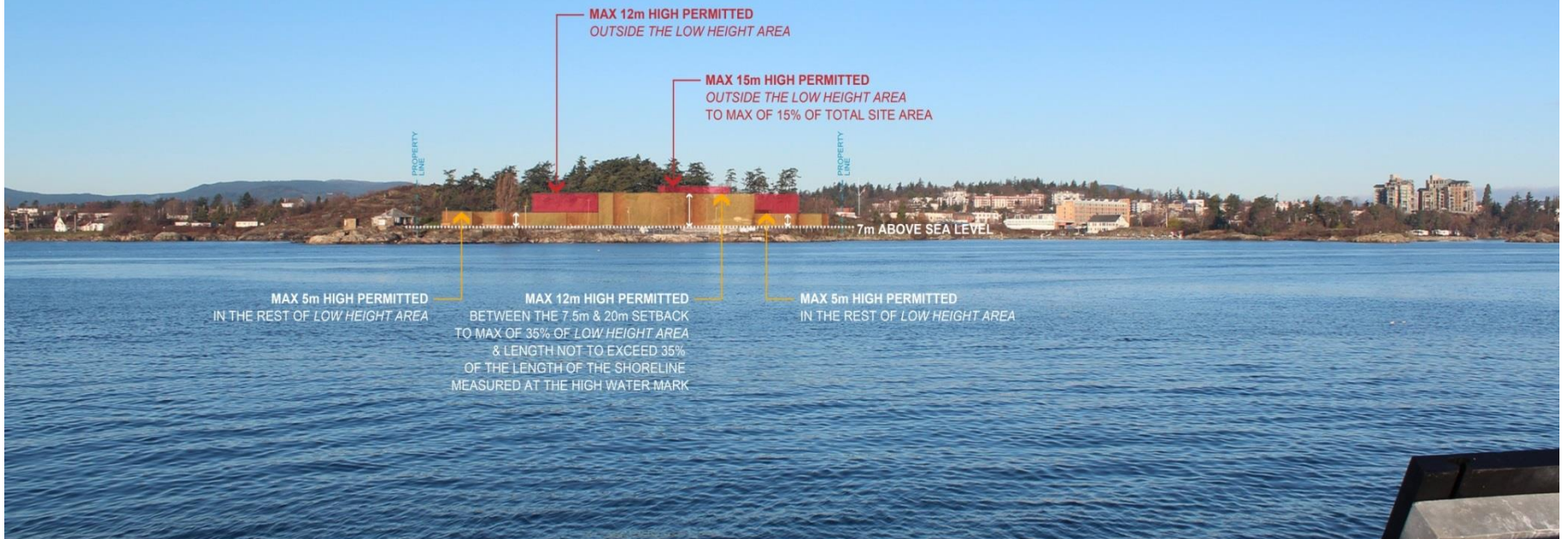
I, John L. Matherwell, a British Columbia Land Surveyor,
of Victoria, in British Columbia, certify that I was present
at and personally superintended the survey represented by
this plan and that the survey and plan are correct.
The survey was completed on the 30th day of Nov. 2012
The plan was completed and checked, and the checklist
filed under ECP #143718, on the 3rd day of Dec. 2012.

John L. Matherwell
B.C.L.S.



Current Bylaw 2806	Revised Bylaw 2805/Agreements or Contract
No structure within 20 m of HWM to be greater than 5 m – the Low height Area (LHA)	No higher than 12 m up to 35% of LHA and no greater than 35% of length of shoreline at HWM
4 m wide landscaping within setback from HWM	Not feasible due to exposure and rock. Landscaping provided within tsunami wall area
Building height up to 15 m outside 20m zone if combined with mixed use development	Max. height 12 m outside LHA except 15 m for up to 15% of area outside LHA
No building within 7.5 m of HWM	Encroachment of up to 10% of the 7.5 m setback area (actual <4%)
Lot coverage no more than 75%	Included
Floor Area Ratio not to exceed 0.35	Included
Floor area not to exceed 4500 m ²	Included

Generic Massing Diagram Illustrating the Maximum Height Permitted under Revised Rezoning Bylaw 2805



View from South Ogden Point looking north-westward at McLoughlin Point. Zoning maximum heights based on bylaw 2805, superimposed on the McLoughlin site to scale, as seen by the human eye. Diagram is intended to illustrate the maximum allowable building heights, but is not an indication of the overall building massing.

LOW HEIGHT AREA – the area measured inland 20 metres from the High Water Mark (HWM)
OUTSIDE LOW HEIGHT AREA

Revised Application Specific Issues

- All designs require minor encroachments into the 7.5 m setback area.
- Minor encroachments support:
 - Optimal capacity on the site
 - Optimal process efficiency
 - Design innovation
 - Diversity of technology solutions
 - Architecturally significant design
 - Least cost to taxpayers

Esquimalt Design Review Committee

- Met 3 times with each proponent team
- Set back issue was specifically discussed
- Committee looking for innovative design
- All proponents left with the impression that the committee could support concessions to the 7.5 m setback constraint to give broad 'license to create' an aesthetically pleasing vista.
- Esquimalt Design Review Committee accepted that all three proponents met the guidelines

McLoughlin Point Designs

- Proponent designs:
 - Will protect the shoreline
 - Will expand public access and enjoyment of the shoreline
 - Will be the first phase of an Esquimalt shoreline walkway
 - Will be aesthetically pleasing

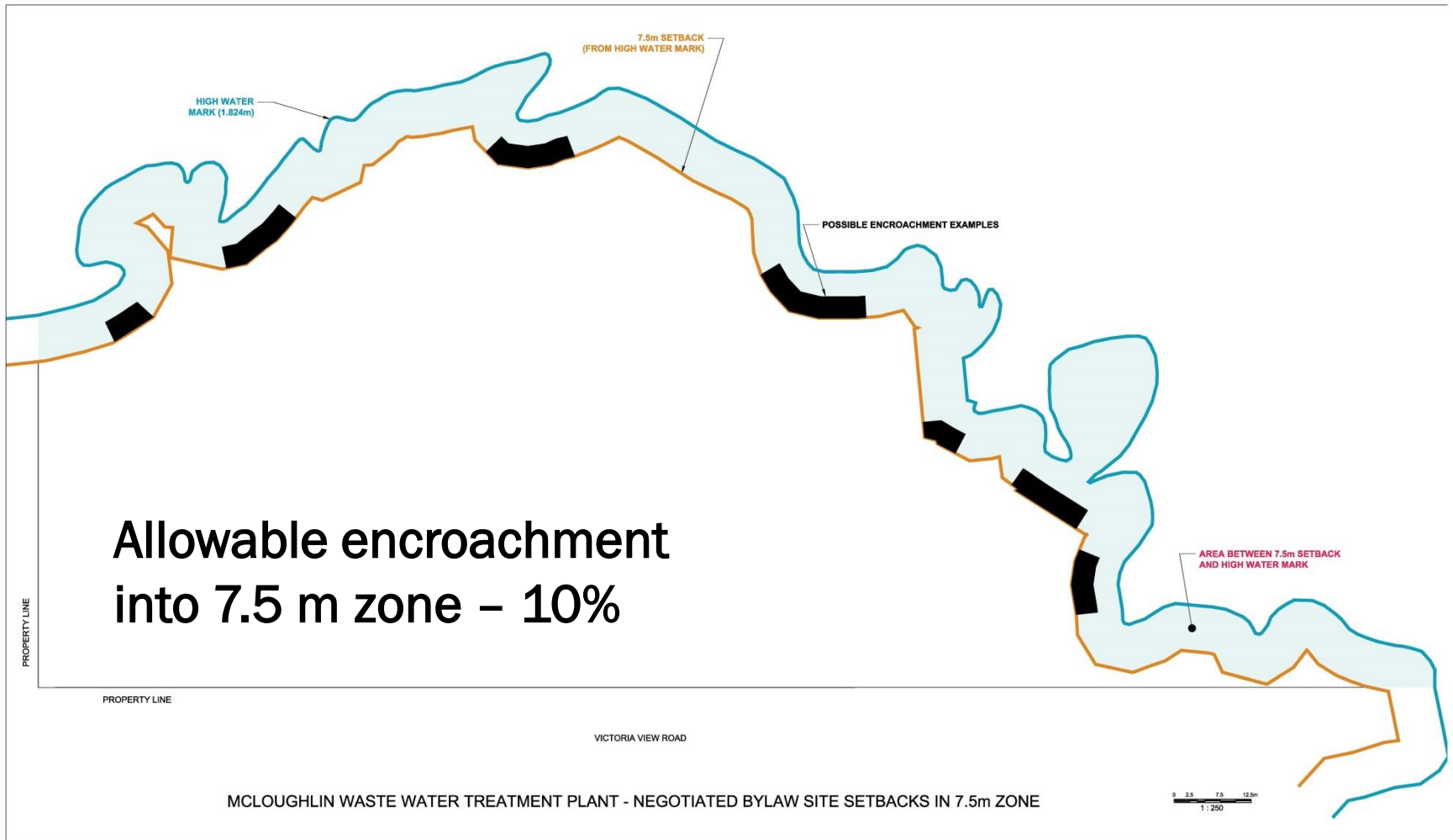
APC meeting of January 14, 2014

- The APC were pleased with the revised application
- The APC recognized that the issues previously raised were addressed in the revised application and the agreements
- The APC recognized that the Design Review Committee had confirmed that all three proponents had met the requirements of the Design Guidelines
- The APC expressed concern that if they allowed incursions into the 7.5 m zone the Township would lose control and the proponents could change their designs to increase incursions into the 7.5 m zone.

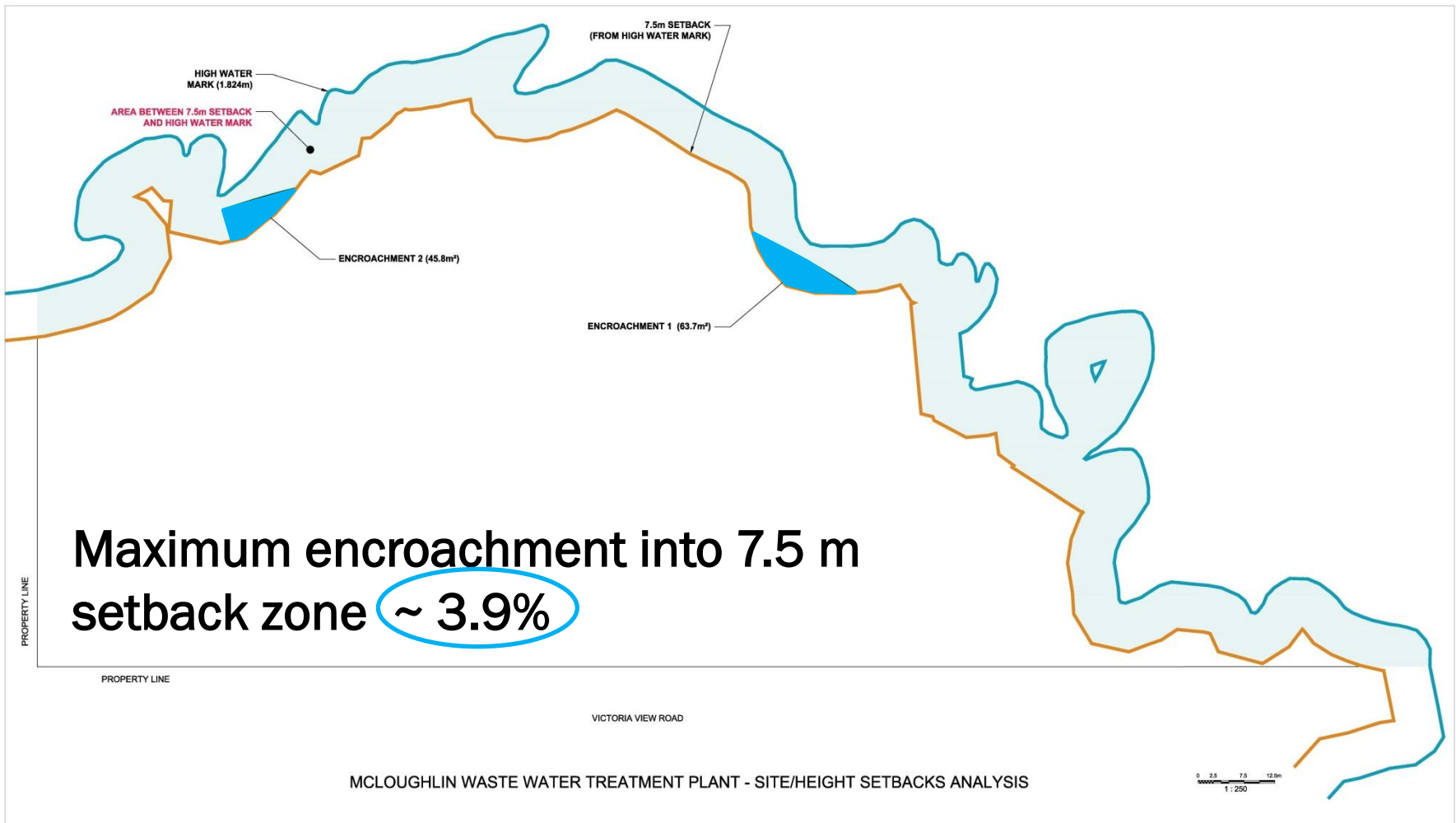
7.5 m Setback Encroachment

- The setback negotiated and supported by Esquimalt and CRD staff allowed limited encroachment into the 7.5 m setback area not to exceed 10% of the total area in the 7.5 m zone.
- All three designs have minor encroachments directly related to the irregularity of the shoreline
- Encroachment of actual designs is less than 4% of the total area in the 7.5 m zone
- No encroachment into 7.5 m setback zone to be less than 2 m from the HWM

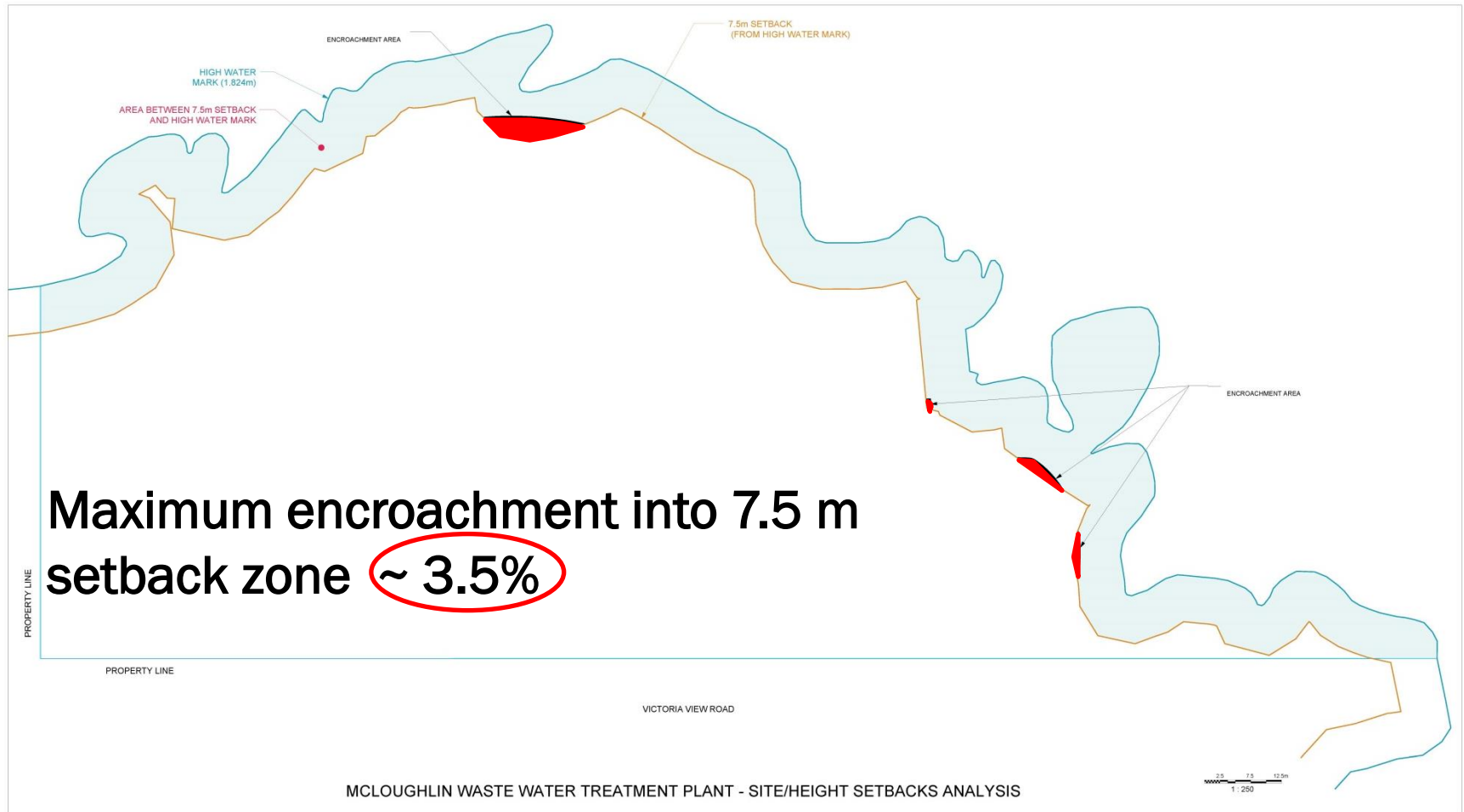
Allowable Encroachment Agreed between Staff



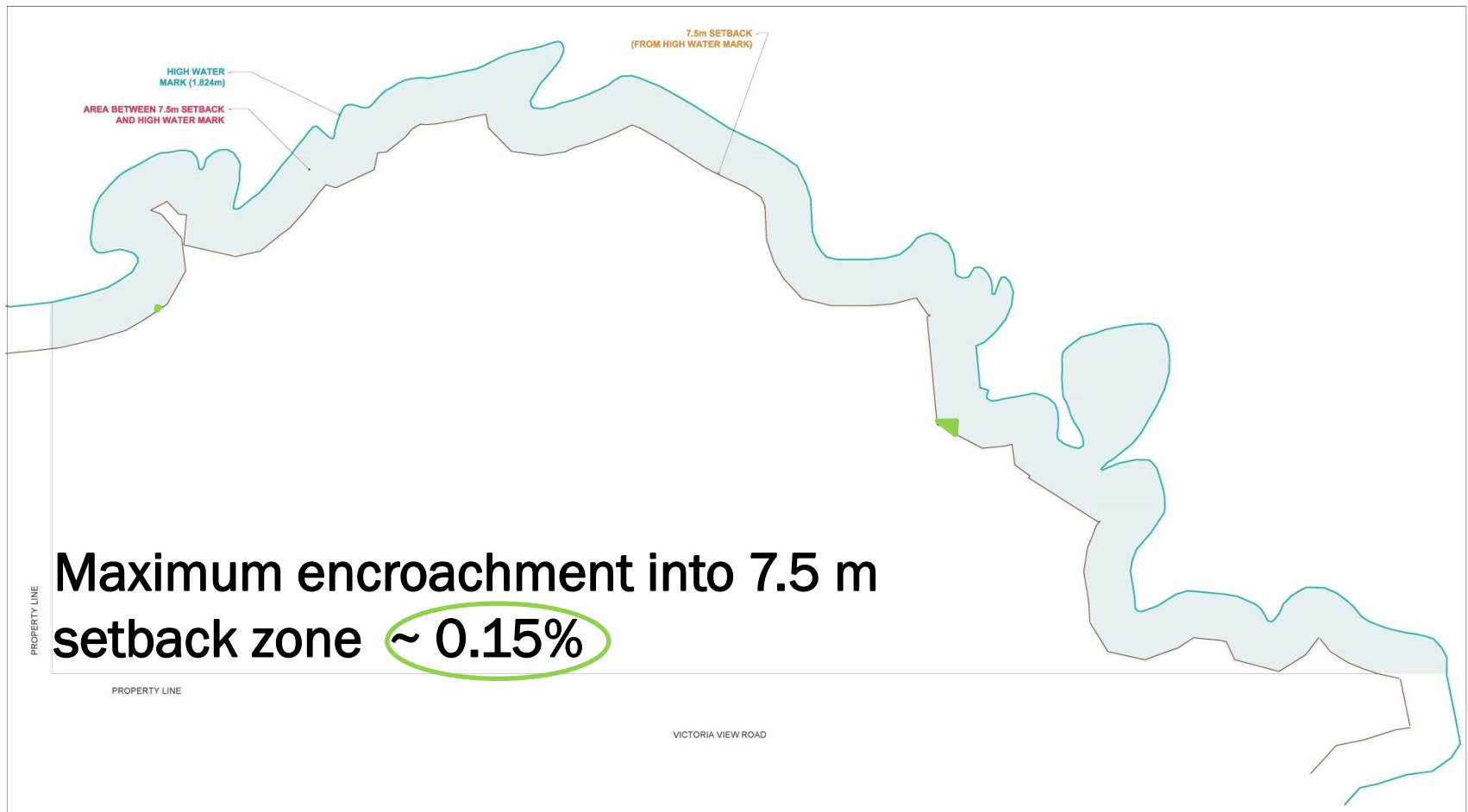
7.5 m Setback Encroachment - Proponent 1



7.5 m Setback Encroachment - Proponent 2

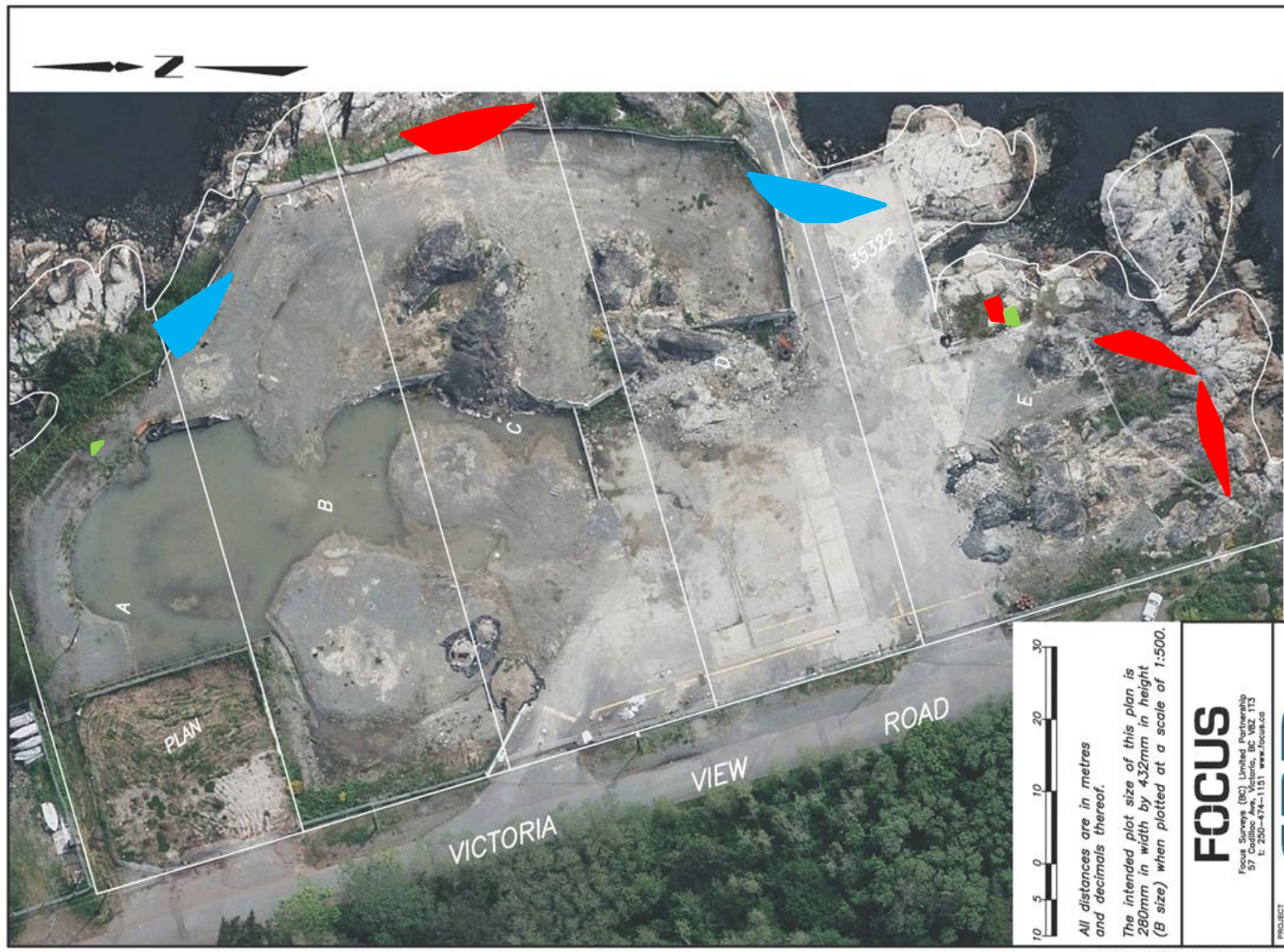


7.5 m Setback Encroachment - Proponent 3



MCLOUGHLIN WASTE WATER TREATMENT PLANT - SITE/HEIGHT SETBACKS ENCROACHMENT EXAMPLE

0 2.5 7.5 12.5m
1:250



C:\Users\mrcorral\appdata\local\temp\AcadPlot\74881\010040904-BNSK01-R00.dwg 2014/01/28 11:58

All distances are in metres and decimals thereof.
The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:500.

FOCUS
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 57 E. 250th Street, Suite 113
 Vancouver, BC V7A 1J3
 www.focus.ca

CRPD
 Making a difference...together

COVENANT AREAS

PROJECT	DATE	CHECKED	SCALE
ME	2014-01-28	RCO	1:500
SHEET NO. 010040904-BNSK01-R00			

LEGEND

- denotes covenant option 1 marked by green and yellow flagging – see Focus drawing 010040904-BNCV01-R00 for details
- denotes covenant option 2 marked by red and red with white stripe flagging – see Focus drawing 010040904-BNCV02-R00 for details
- denotes covenant option 3 marked by blue and blue with white stripe flagging – see Focus drawing 010040904-BNCV03-R00 for details

7.5 m Setback Encroachment

To address the concerns of Esquimalt staff and the APC:

- The CRD has agreed to attach the encroachment information provided by the proponents and presented to council as appendices to the revised Bylaw 2805 to prevent future design changes. (Section 219 Covenant)
- With this proposal the CRD believes that the concerns raised by the Esquimalt staff and the APC have now been addressed.

Other Issues of Concern

- First Nations considerations
 - Consultation ongoing
 - Participated in blessing ceremony w/Esquimalt Nation
 - Establishment of burial site at Beacon Hill for the Seaterra program
- Economic Impact on tourism
 - Positive– eliminates negative impact of dumping raw sewage into the ocean
- Impact of DND lands and residents
 - Ongoing engagement with DND personnel, laydown agreements and impact mitigation

Other Issues of Concern

- Tsunami Risk Assessment
 - Study by AECOM used peer reviewed model
 - Modelling by Dr. K.F. Cheung, Professor of Ocean Engineering at the University of Hawaii
 - Terms of reference specifically modified to include higher resolution for the Victoria Harbour area, including the proposed WWTP site at McLoughlin Point.
 - Study coverage included the entire bay area to capture the local wave dynamics and resonance oscillations and provided improved accuracy to the 9 m grid for Victoria Harbour.

Other Issues of Concern

- Tsunami Risk Assessment (cont'd)
 - The study also covered the vast majority of the population and all previously identified WWTP sites at risk to a Cascadia Subduction Zone tsunami.
 - As recommended in the AECOM report, the CRD has added a 50% safety factor (risk parameter) of 1.325 m to the projected wave height of 2.5 m plus 0.15 m land subsidence – total 4 m

Other Issues of Concern - Tsunami Wall Elevation

Item	Height	Source
Maximum tsunami water level	4.0 m	AECOM Report plus 50% factor of safety
Storm Surge	1.0 m	Institute of Ocean Sciences
Rise in sea level due to climate change	1.0 m	BC MOE/Climate change adaptation Guideline for Sea Dikes and Coastal Flood Hazard Land Use Jan 27, 2012
Correction to Geodetic Datum	0.1 m	City of Victoria
Total	6.1 m	Design height of tsunami wall

Other Issues of Concern

- Colwood withdrawal from CRD System
 - Colwood's share of McLoughlin capacity < 4%
 - McLoughlin WWTP design capacity would not be reduced
 - Withdrawal provides additional capacity to remaining participants
 - Additional capacity would defer need for new capacity for ~4-5 years

Conclusion

- The CRD believes that the revised submittal addresses the major concerns identified to date, implements the outcomes of the negotiations with Esquimalt and with the addition of a Section 219 Covenant to the Bylaw also addresses Esquimalt's concerns on the setbacks.
- The revised submittal enables all three designs to be constructed, thereby maintaining the competitive procurement process.
- The CRD requests that the Council of the Township of Esquimalt give third reading to and adopt the revised Bylaw 2805

Thank you.