



6. That Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No.00430 for 1303 Dallas Road, that first and second reading of the Zoning Regulation Amendment bylaw be considered by Council and a Public Hearing date be set by staff subject to the execution of the Licences of Occupation and all documents associated with this transaction be submitted to the City.

## **LEGISLATIVE AUTHORITY**

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

Pursuant to section 35 of the *Community Charter* the City owns land under public Right-of-Ways and may grant licences of occupation in relation to those lands for any purpose, and on such terms and conditions, as the City deems appropriate.

## **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for a portion of the public Right-of-Way located at 1303 Dallas Road. The application seeks to rezone the property from the R1-B Zone, Single Family Dwelling District to the proposed S-10-CP Zone, Services Clover Point District. An application is required because the existing Clover Point Pump Station, built in 1975, requires expansion and upgrades to comply with federal and provincial regulations and to provide the necessary infrastructure and services for regional growth.

The CRD Pump Station at Clover Point is located in a public Right-of-Way where the existing public facility is a legal non-conforming use. Within the terms of Part 14 Section 531 of the *Local Government Act* (LGA), the pump station cannot be expanded and structurally altered, except by addressing the non-conforming use.

To bring the pump station into conformity with the City's current zoning, the CRD must apply for rezoning. The City of Victoria is the owner of the majority of the portion of the public Right-of-Way that is proposed for rezoning ("zoned area"); however, the Province of British Columbia owns a portion of the southwest edge of the zoned area, which has foreshore status. To allow the pump station in this location, the CRD already has a Lease of Occupation with the Province.

If the rezoning is successful, a grant of a Licence of Occupation to permit construction of the expanded pump station on City owned land will also be required. The Licence of Occupation would provide terms and conditions regarding construction and operation of the pump station and associated amenities, including provision for final approval of the design and location of the pump station by Council.

The overall CRD project also involves the installation of a conveyance pipe along Dallas Road connecting Clover Point and Ogden Point. Although this aspect of the proposal is not directly associated with the rezoning application, a License of Occupation is required which requires Council's authorization. Given that the Licences of Occupation are inherently related to the pump station use, this report brings forward both the Rezoning Application as well as the Licenses of Occupation requirements for Council's consideration.

**BACKGROUND**

At the regular Council meeting held on May 22, 2014, Council passed the following motion with respect to the expansion of the Clover Point Pump Station and the construction of a conveyance pipe:

"Clover Point Pump Station1. *That Council:*

- a. *Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:*
  - i. *Provide for an indefinite term,*
  - ii. *Secure the agreement of the CRD to construct the public realm improvements within the zoned area, including public washroom facilities,*
  - iii. *Be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,*
  - iv. *Provide that the obligations of the City under the agreements are subject to the City adopting a Zoning Regulation Bylaw amendment for Rezoning Application # 00430 in accordance with the requirements of the Local Government Act;*
- b. *Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents associated with this transaction, subject to the publication of the statutory notices required by the Community Charter, and Council's approval of the design of the public plaza and washrooms.*

2. *Direct Rezoning Application # 00430 proceed for consideration at a Public Hearing, subject to:*

- a. *Preparation of a Zoning Regulation Bylaw amendment.*

Conveyance Pipe3. *That Council:*

- a. *Approve the City entering into a License of Occupation to permit the CRD to construct a conveyance pipe from Dallas Road, which agreements shall:*
  - i. *Provide for an indefinite term,*
  - ii. *Secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,*
  - iii. *To be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture.*
- b. *That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the Community Charter and Council's approval of the final alignment of the cycle track."*

The conceptual drawings presented to Council in 2014 of the site included improvements to the Dallas and Clover Point Road intersection and public realm amenities associated with the expansion of the Pump Station. The public realm amenities include:

- public viewing plaza
- bike-pedestrian node to transition from the pedestrian path to the viewing plaza
- benches (minimum of four), bike kitchen (facilities for bicycle maintenance and repair), bike racks (minimum of two) and water fountain
- public washrooms
- two replanted grassed open spaces to the west and east of the plaza
- pedestrian pathways connecting to the Ross Bay seawall
- separated bike path from the north edge of the zoned area to Dallas Road
- intersection improvements at Clover Point Road and Dallas Road.

Bylaw No. 14-033 was drafted to amend the Zoning Regulation Bylaw by creating the S-10-CP Zone, Services Clover Point District, and to rezone a portion of Public Right-of-Way to the S-10-CP Zone, Services Clover Point District and it received first and second reading on May 8, 2014. Given the postponement of the rezoning in 2014 and a number of small refinements, Staff recommend for Council's consideration that Bylaw No. 14-033 is received and filed, and a new Zoning Regulation Amendment Bylaw is given first and second reading.

A Public Hearing date was set for this rezoning application on June 12, 2014; however, the CRD decided not to proceed with a Public Hearing at the time while it updated the Core Area Liquid Waste Management Plan and the rezoning application was put on hold. The CRD is now ready to proceed with the rezoning application as the Plan continues to require the Pump Station expansion generally as proposed in November 2013.

### **Description of Proposal**

The purpose of this Rezoning Application is to allow the pump station as a permitted use in the zone in order to permit the expansion and structural alteration of the existing, legal non-conforming Clover Point Pump Station. This report also addresses the Capital Regional District's (CRD) request to construct a conveyance pipe along Dallas Road from the Clover Point Pump Station to a wastewater treatment plant proposed at McLoughlin Point.

### **Sustainability Features**

As indicated in the applicant's letter dated December 15, 2016, the sustainability features identified in this application are:

- incorporating a green roof into the design
- using ecoSmart concrete
- providing an energy efficient design
- using PowerSmart electrical equipment.

### **Active Transportation Impacts**

The application proposes the following features which support active transportation:

- bike racks
- bike-pedestrian node to transition from the pedestrian path to the viewing plaza
- bike kitchen (facilities for bicycle maintenance and repair)
- separated bike path from the north edge of the zoned area to Dallas Road
- cycle track along Dallas Road from Clover Point to Dock Street
- wayfinding signage along the cycle track.

### Land Use Context

The area is characterized by a mix of single family dwellings, park and greenways.

### Existing Site Development and Development Potential

The site is a road Right-of-Way at Clover Point in close proximity to the ocean and near Dallas Road.

### Data Table

The following data table compares the proposal with the existing R1-B Zone.

Zoning Criteria	Proposal	Zone Standard R1-B
Site area (m <sup>2</sup> ) – minimum (zoned area)	4803	460
Lot width (m)	56	15
Total floor area (m <sup>2</sup> ) – maximum (basement only)	1325	n/a
Density (Floor Space Ratio) – maximum	0.0:1	n/a
Height (m) – maximum	3.55	7.6
Storeys – maximum	basement only	2
Site coverage (%) – maximum (zoned area)	27.6	40
Open space (%) – minimum (zoned area)	72.4	n/a
Setbacks (m) – minimum		
East (from High Water Mark)	13.55	n/a
West (to Clover Point Park road)	2.88	n/a
North (from zone boundary)	44.52	n/a
South (from zone boundary)	9.30	n/a
Parking – minimum	None	n/a
Bicycle rack - minimum	2	n/a
Bicycle storage	None	n/a

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Planning and Zoning Committee of Fairfield Gonzales Community Association at a Community Meeting held on January 11, 2017. A letter dated January 16, 2017 is attached to this report.

## ANALYSIS

### Official Community Plan

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012* (OCP). The public Right-of-Way at Clover Point (1303 Dallas Road) is designated as Public Facilities, Institutions, Parks and Open Space in the OCP, which envisions institutional uses and buildings with a density of up to 0.5:1 FSR. Given that the Capital Regional District proposes a pump station with 0.0:1 FSR, it is consistent with relevant land use policies.

### Other Considerations

#### Wastewater Infrastructure Improvements

The CRD has entered into the implementation phase of the necessary expansion of and upgrades to infrastructure in order to comply with the new requirements for secondary treatment. Given that the Clover Point Pump Station would redirect raw sewage for tertiary treatment to a secondary treatment plant that is proposed at McLoughlin Point in Esquimalt, the expanded and upgraded public facility would serve an essential function within the proposed regional wastewater system.

#### "Zoned Area" within the Public Right-of-Way

In accordance with the *Zoning Regulation Bylaw* General Regulations, public Rights-of-Way in Victoria are zoned, typically with the zone of adjacent land parcel(s), to the middle of the road (and across water); however, the creation of a "zoned area" with prescribed boundaries enables this defined section of the public Right-of-Way to have a different zone than adjacent parcel(s).

The proposed zoned area for the CRD pump station is modest and its establishment would not have an impact on the remaining public Right-of-Way at Clover Point or the current use of the surrounding public park.

#### Design Guidelines for Public Realm Improvements

The Design Guidelines and Specifications relating to place-making, bikeway and pathway connectivity, public washrooms, universal access and construction specifications have been established for the public realm improvements (attached) and are presented for Council's consideration. These guidelines will also be attached to the legal agreements and will be used to inform and guide the design of the proposed public realm improvements at Clover Point which, as noted in the following sections of this report, will ultimately require Council's approval.

A brief description of each theme is summarized the table below.

Theme	Description
Place-making	<ul style="list-style-type: none"> <li>Ensure design recognizes the importance of this area as the beginning/terminus of the Trans Canada Trail, and forms part of the Salish Sea Marine Trail and the Victoria Harbour Migratory Bird Sanctuary.</li> <li>Maintain waterfront views and incorporate architectural elements that contribute to the visual identity of the site.</li> </ul>
Bikeway and Pathway	<ul style="list-style-type: none"> <li>Link existing bikeways and pathways with the proposed cycle track along Dallas Road.</li> </ul>

Connectivity	<ul style="list-style-type: none"> <li>• Minimize conflicts between existing park users and users of the Cycle Track and Public Realm Improvements.</li> <li>• Provide gathering/dismount areas and bike amenities near to the public washroom and plaza area.</li> </ul>
Public Washroom	<ul style="list-style-type: none"> <li>• Design washrooms that are gender neutral and accessible.</li> <li>• Building form and massing must not impact views from public vantage points along Dallas Road, Clover Point Road, or from the water.</li> <li>• Building should be distinctive in appearance, yet the function is integrated into the site's topography and overall landscape design.</li> <li>• Apply CPTED principles.</li> </ul>
Universal Access	<ul style="list-style-type: none"> <li>• Universal access must be provided to all plazas, washrooms and pathways to city standards.</li> </ul>
Construction Specifications	<ul style="list-style-type: none"> <li>• Intersection improvements, roadways, sidewalks, landscaping and any other works or services must be designed and constructed in accordance with the City's requirements and specifications.</li> <li>• Provide traffic calming at the intersection of Dallas and Clover Point Road</li> </ul>

Street View and Public Realm Improvements

The pump station's form and massing would not be visible from Dallas Road. From its south side, above natural grade, it would have only a minor visual impact for park users from public vantage points on the waterfront pathway, which is designated as a People-Only Greenway.

The proposal also involves significant public realm improvements within the "zoned area," including public washrooms, pedestrian and cyclist paths that would extend and link the City's greenways to the north, east and west, a grassed open space to enhance the park environment and a waterfront plaza, at or below, the grade of Dallas Road. The plaza will have street furniture, bike racks, and a "bicycle kitchen" with repair station and water fountain. The CRD will also provide a one-time payment of \$75,000.00 for the maintenance of the public washrooms. As noted above, the design guidelines would inform the design proposal. Ultimately, the plaza and public washroom design will require Council approval in accordance with Council's motion dated May 22, 2014 (attached).

Conveyance Pipe and Cycle Track

The CRD is proposing to construct a cycle track over the conveyance pipe from Clover Point to Ogden Point. Staff have requested that barrier-fencing between the cycle track and the off-leash dog areas along Dallas Road be installed in constrained areas where potential conflicts may occur. In addition, the CRD is willing to work with the City's Parks Department to install interpretive signage, wayfinding signs and street furnishings (benches, garbage cans, bike racks, etc.) at the Plaza and at appropriate locations along the cycle track.

The proposed alignment of the conveyance pipe and cycle track is attached to this report. The design guidelines and specifications of the cycle track include the following:

- 3m wide cycle track to be constructed in accordance with the Typical Trail Section Detail (attached)
- respond to public safety considerations and consider CPTED principles

- provide a bike rack and a bench at key intersections along the cycle track (minimum 6 locations)
- install site furnishings that are consistent in design, style and quality as the City's current Park's standards, and any existing street furniture, including garbage receptacles and benches located adjacent to Dallas Road are reinstated as part of the project
- provide barrier-fencing between the dog off-leash area and the cycle track in areas of potential conflict
- install wayfinding signs at key intersections and amenities (minimum 10 signs).
- intersection improvements, roadways, sidewalks, landscaping and any other works or services are designed and constructed in accordance with the requirements and specifications contained in the Victoria Subdivision and Development Servicing Bylaw No. 12-042.

The final design of the conveyance pipe and cycle track will be brought forward to Council for final consideration and approval following consultation with the community.

Public Consultation

The CRD has provided the following table summarizing the participant involvement in the review of public realm improvements in the future provided that Council supports this rezoning. The Planning and Zoning Committee of the Fairfield Gonzales Community Association, the James Bay Neighbourhood Association, City Staff and Council would be given a presentation of the public realm improvements at the 50% design stage.

STAGE OF DESIGN	PARTICIPANTS INVOLVED IN REVIEW OF PUBLIC REALM IMPROVEMENTS
Design Guidelines	CRD staff with City staff
Final Proposal from Successful Contractor	CRD staff with City staff
30% design	CRD staff with City staff
50% design	CRD presentation to City Staff and Council, as well as: <ul style="list-style-type: none"> <li>• presentation to Fairfield-Gonzales CALUC, and</li> <li>• presentation to James Bay Neighbourhood Association (related to multi-use pedestrian and cycle-track between Clover Point and Ogden Point only)</li> </ul>
90% design	CRD staff with City staff

Legal Agreements

With respect to the Rezoning Application, the usual process for securing applicant's commitments is the preparation, execution and registration of necessary agreements on land title; however, the property in this situation is a section of Right-of-Way owned by the City. Accordingly, Licenses of Occupation are required to secure the design development, construction and maintenance of the proposed public realm improvements and the use of the license area, and to address building construction-related issues such as location of construction staging areas and establishing communications protocols during the construction phase and traffic management for the project.

**Resource Impacts**

Once the public realm improvements are constructed or installed, the City would be responsible for ongoing maintenance of the plaza and landscaped areas, public washrooms and cycle track. Estimates of anticipated resource impact areas will be developed and presented to Council for approval following public consultation and final design of the public realm improvements.

**CONCLUSIONS**

The proposal to rezone a portion of public Right-of-Way at Clover Point is required to enable the expansion of the CRD pump station. The expanded facility is needed which redirects raw sewage to a secondary treatment plant in compliance with federal and provincial wastewater regulations. Rezoning the public Right-of-Way in the zoned area to permit a "public facility" is consistent with the OCP broad objectives, and the public realm improvements being proposed would enhance and improve the visual identity of the park and surrounding area.

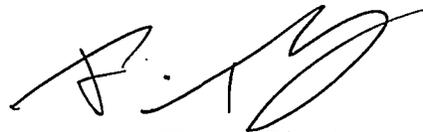
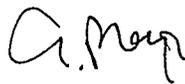
**ALTERNATE MOTION**

That Council decline Rezoning Application No. 00430 for the property located at 1303 Dallas Road.

Respectfully submitted,



Leanne Taylor  
Senior Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

Jan 20, 2017

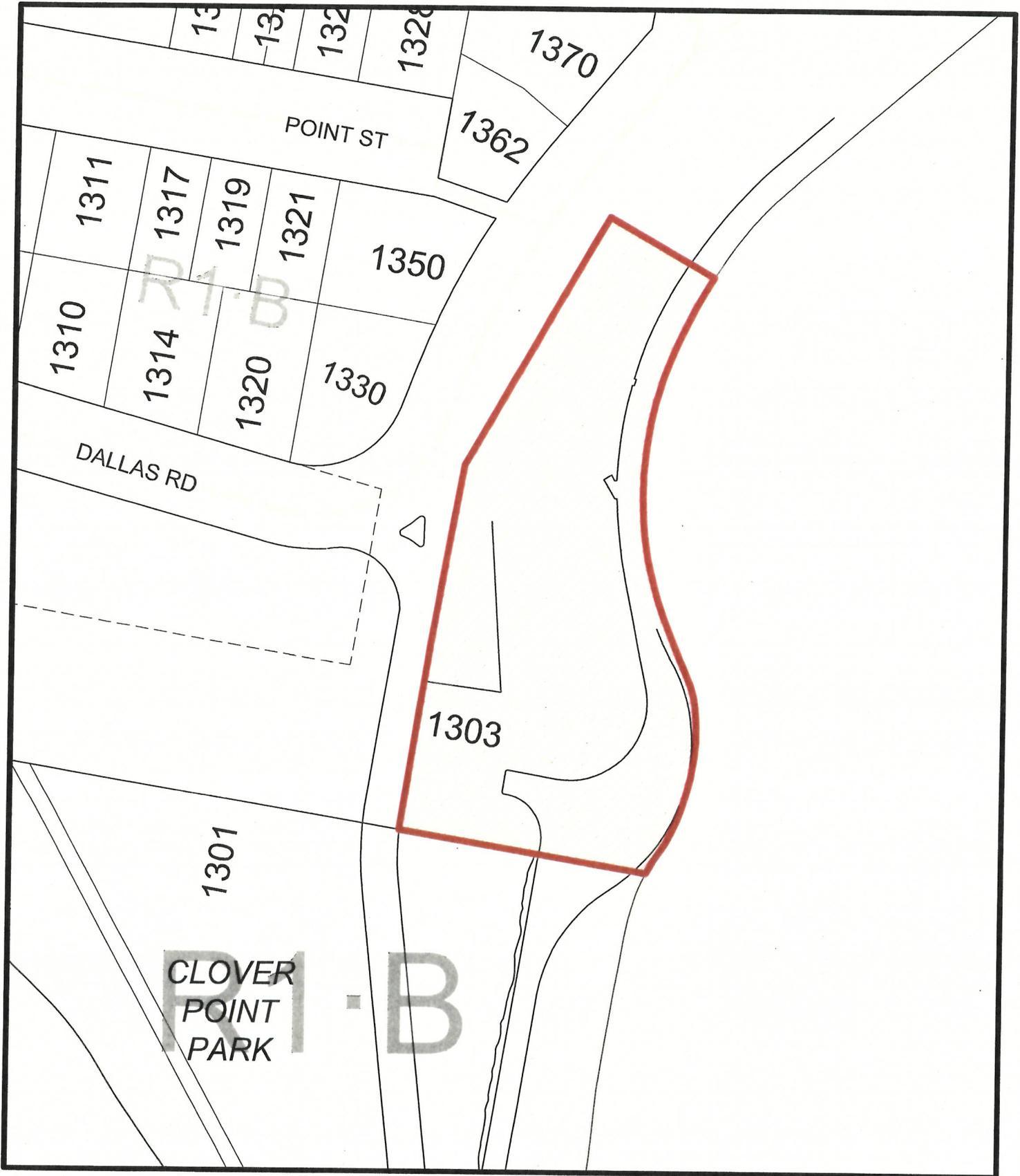
**List of Attachments:**

- Aerial map
- Zoning map
- Letter to Mayor and Council dated December 15, 2016
- Letter from the Planning and Zoning Committee of Fairfield Gonzales Community Association dated January 17, 2017
- Planning and Land Use Committee report dated February 6, 2014
- Planning and Land Use Committee minutes dated February 6, 2014
- Council minutes dated April 10, 2014
- Council minutes dated April 24, 2014
- Council minutes dated May 8, 2014
- Council minutes dated May 22, 2014
- Bylaw No. 14-033
- Draft Conveyance Pipe Alignment
- Typical Trail Section Detail of Cycle Track
- Draft Design Guidelines and Specifications for the Cycle Track.
- Draft Design Guidelines and Specifications for the Public Realm Improvements
- Conceptual drawings dated December 1, 2016.



1303 Dallas Road  
Rezoning #00430  
Bylaw #





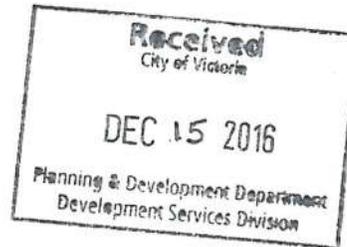
1303 Dallas Road  
Rezoning #00430  
Bylaw #





December 15, 2016

City of Victoria  
City Hall  
1 Centennial Square  
Victoria, BC, V8W 1P6



Dear Mayor Helps and Council:

**RE: Progressing the Rezoning Application for the Clover point Pump Station Expansion**

The Capital Regional District's Project Board (CRD) is ready to progress the previously submitted rezoning application for the Clover Point Pump Station (Pump Station) Expansion. This application includes plans which will improve public safety at the Dallas/Clover Point Road intersection and provide enhancements to Clover Point Park. These enhancements are based on comments that were heard at the December 2013 Fairfield Gonzales Community Association Land Use Committee (CALUC) meeting, as well as comments received from the City's Technical Review Committee. The enhancements were reviewed by the current CALUC at a meeting on December 10, 2016 and include:

- New cyclist and pedestrian viewing plaza on top of the expanded facility
- New street furniture and "bike kitchen" (facilities for bicycle maintenance and repair and a water fountain) within this plaza area
- Sewage connections to enable a public washroom facility
- Two replanted grassed open spaces to the west and east of the plaza
- New pedestrian path along the north edge of the zoned area, continuing off-site to the west
- Pedestrian path and a separated bike path beginning from the north edge of the zoned area, which continues north to connect to Dallas Road.

**Background**

The Pump Station was first built in 1975 and is owned and operated by the CRD. This station must be upgraded to meet the Federal and Provincial wastewater regulations and to better serve the region's growing population. The proposed upgrades are included in the Core Area Liquid Waste Management Plan and have been approved by the CRD Board and Ministry of Environment.

The existing Pump Station screens raw wastewater prior to discharging it at the Cover Point outfall. The Pump Station expansion will pump wastewater to the planned wastewater treatment plant at McLoughlin Point for tertiary treatment.

The Clover Point Pump Station is located in a public right of way and is currently zoned R1-B (Single Family Dwelling District). Pump stations are not a permitted use under the current R1-B

zoning regulations and is therefore considered a legal non-conforming use. Rezoning is required to permit the proposed expansion of the facility. The CRD initially submitted its rezoning application in November 2013 and paused the processing while it updated the Core Area Liquid Waste Management Plan. The updated and approved plan continues to require the Pump Station expansion as proposed in the November 2013 rezoning application.

### **Project Description**

In keeping with the existing Pump Station, the proposed expansion will be primarily underground and below the grade of the adjacent section of Dallas Road. The proposed Pump Station expansion will be sited between the existing facility and Dallas Road and will increase the area of the facility from about 500 m<sup>2</sup> to about 1500 m<sup>2</sup>.

As part of the Pump Station expansion, the existing split rock wall facing the waterfront will be extended to enable access to the Pump Station and maintain the seaside walkway. Similar materials will be used so that the expanded facility will blend in with the existing facility and surrounding area.

The design of the proposed Pump Station expansion will incorporate sustainable design practices including: incorporating a green roof, specifying ecoSmart concrete, adopting an energy efficient design, and using PowerSmart electrical equipment.

### **Neighbourhood Impact**

The CRD will continue to work with the community, municipal staff and other stakeholders to ensure any impacts during construction are minimized.

Information letters will be sent to residents and community associations surrounding the construction zone at the start of construction and updated as the project progresses. These updates will also be posted online.

### **Community Benefit**

As noted above the Pump Station expansion will include green design elements and safety and amenity enhancements to the Clover Point Park. In addition, the CRD is collaborating with the City of Victoria to align the conveyance pipe from Clover Point to McLoughlin Point underneath a new, separated, two-way bike path identified in the City's Official Community Plan and Bicycle Master Plan. This will reduce the social, environmental and economic impacts of both projects.

### **Consultation**

To date, the CRD has had numerous meetings with City staff and have met with local residents who live across the street from the existing Pump Station. Presentations to the Fairfield Gonzales and James Bay Community Associations and consultation with Songhees and Esquimalt Nations have been completed. A Community Association Land Use Committee (CALUC) public meeting took place with Fairfield Gonzales community members on December 7, 2013. Given the length of time since the original application the CALUC were re-engaged in a meeting on December 10, 2016 and an additional CALUC public meeting will be scheduled in mid-January 2017. In addition, informational letters have been hand delivered to neighbours of the Pump Station and a larger



mailout will be sent to residents in close proximity to the pump station to provide more information about the project and invite them to the CALUC meeting.

### Conclusion

The expanded Pump Station will blend in with the surrounding area and will provide significant benefits to the City of Victoria residents and the region. Please accept this re-submission to move this project towards the successful rezoning of the land to permit the use of this critical public facility. Meanwhile, should you have any questions or require further information regarding this project, please contact Dave Clancy at 250-360-3000 or [dclancy@crd.bc.ca](mailto:dclancy@crd.bc.ca)

Sincerely,



Dave Clancy  
Project Director



## Report from Fairfield Gonzales community Association Land Use Committee

Community Meeting January 11, 2017, 7:00PM

Saanich room, Victoria Conference Centre

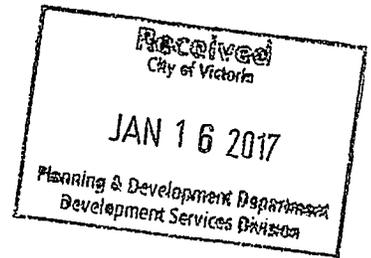
Clover Point Rezoning Application by Capital Regional District

25 people in attendance

CALUC members in attendance: Susan Kainer, Alice Albert, Heather Murphy,

Andrew Brownwright, Robin Jones,

Don Monsour (partial), David Biltek



### Major Concerns:

Odours from wastewater pumping station

Noise from pumps

Finished designs

Final designs were not available because tenders have not been finalized.  
Neighbourhood request opportunity to review these before construction

Construction of plant and of pipeline to McLaughlin

Mitigation there will be substantial construction in and around the new plant as well as along the new pipeline route.

The neighbourhood would like to be apprised of what measures the CRD and the City of Victoria will put in place to mitigate disruptions from construction noise, traffic, replacement parking, construction debris and dirt, as well as lighting, safety and any other matter that would impact "quiet enjoyment".

Remediation once construction is complete what will area over pipeline. What cycle paths, landscaping, new parking lots, fences, trees, etc., suggestions made included: putting power lines underground, electric car recharging station. Particular comments were made requesting that the plaza on top of plant

be kept flat, i.e. no towers, obelisks, or raised areas that might obstruct

The CALUC did make a commitment to host a meeting specifically on the redesign of the Dallas Road Boulevard. We are happy to do this sooner rather than later. There was substantial concern on the "look" of a remediated Dallas Road boulevard.

Addendum : comment about use of native Plants

On East slope is a special native plant called Sea thrift (*Armeria maritima*). The plant is a mound that grows close to the ground showing a multitude of pink flowers in mid spring. As the City of Victoria Parks department have ceased cutting the east slope, the display of Sea thrift over the past two or three years has become a spectacular sea of pink. It is probably the best example of our native Sea thrift anywhere in this region. Also growing among the Sea thrift is a native plant called Gumweed (*Grindelia integrifolia*) which is more common than Sea thrift nevertheless a showy plant with a later bright yellow bloom. If there does have to be some upheaval of their surroundings hope that the plants be transplanted to other areas of Clover Point.

Suggest that native plants be used for any landscaping that needs to be done in and around the area where the waste management expansion project might be developed. Native plants are incredibly drought resistant, easy to grow, attract beneficial wildlife, don't need chemicals and are beautiful! And, of course, they are what grow naturally in this region.



## Planning and Land Use Committee Report

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**Date:** January 24, 2014      **From:** Helen Cain, Senior Planner

**Subject:** **Rezoning Application #00430 for 1303 Dallas Road and Licenses of Occupation for Clover Point Pump Station and Conveyance Pipe**  
 Application to rezone a portion of the public Right-of-Way from R1-B Zone to a new zone to permit an addition to a legal non-conforming, existing public facility and an associated License of Occupation for Clover Point. A separate License of Occupation is required for conveyance pipe from Clover Point to a sewage plant.

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### Executive Summary

The purposes of this report are to present Council with information, analysis and recommendations regarding the following:

- A Rezoning Application for a portion of the public Right-of-Way at Clover Point and an associated License of Occupation to permit the Capital Regional District (CRD) to occupy and expand the Clover Point Pump Station.
- Unrelated to the proposed rezoning of Clover Point, a second License of Occupation to permit the CRD to construct conveyance piping along Dallas Road from Clover Point Pump Station to a secondary treatment sewage plant.

With respect to the Rezoning Application, the CRD proposes to rezone the property from the R1-B Zone to permit an addition to and alteration of the Clover Point Pump Station, which is a legal non-conforming public facility.

The following points were considered in assessing this application:

- In 2010, the CRD amended the *Core Area Liquid Waste Management Plan* (CALWMP) to comply with new federal regulations and provincial requirements for secondary treatment in wastewater systems. The proposed expansion of the Clover Point Pump Station is part of the "Seatterra Program", which is the comprehensive package of capital projects required to implement the amended CALWMP.
- The public Right-of-Way at Clover Point is designated "Public Facilities, Institutions, Parks and Open Space" in the *Official Community Plan, 2012*, (OCP) and the OCP objectives include "strategic improvements to, and efficient use of, existing infrastructure". With respect to wastewater management, specifically, OCP Policy 11.15 is to continue to support the CRD in the regular update and implementation of the regional CALWMP.
- The visual impact of the proposed expansion to the existing pump station at Clover Point would be minimal and the improved facility would not adversely affect the public use and enjoyment of this area.
- Legal agreements are necessary for the City to grant permission for the CRD to occupy the zoned area of Clover Point and to construct the facility addition. Because the zoned area is a road Right-of-Way, and not a land parcel, a License of Occupation is required. Other legal commitments, such as on-site public realm improvements, would be attached to the License of Occupation.

- Outside the scope of this rezoning, another License of Occupation would be required for conveyance piping from the Clover Point Pump Station to a secondary treatment plant at McLoughlin Point. Along this route, the CRD would provide greenway improvements including a new cycle track. While these items are separate from this application, the necessary legal agreements are included in the staff recommendation to address the issues of occupancy, construction and public realm improvements, comprehensively.

Given that the expansion of and improvements to the Clover Point Pump Station are needed to redirect sewage to a secondary treatment plant, consistent with the CALWMP, and that the proposal is consistent with the City's OCP, staff are recommending support for this application.

### Recommendations

#### Clover Point Pump Station

1. That Council:
  - (a) Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:
    - i. provide for an indefinite term,
    - ii. secure the agreement of the CRD to construct the public realm improvements within the zoned area,
    - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,
    - iv. provide that the obligations of the City under the agreements are subject to the City adopting a *Zoning Regulation Bylaw* amendment for Rezoning Application #00430 in accordance with the requirements of the *Local Government Act*;
  - (b) Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

2. That Council:

Direct Rezoning Application #00430 proceed for consideration at a Public Hearing, subject to:

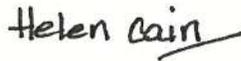
- a) Preparation of a *Zoning Regulation Bylaw* amendment;
- b) The City and the CRD entering into the necessary legal agreements.

#### Conveyance Pipe

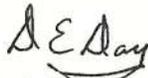
3. That Council:
  - (a) Approve the City entering into a License of Occupation to permit the CRD to construct a conveyance pipe from Dallas Road, which agreements shall:
    - i. provide for an indefinite term,

- ii. secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,
  - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture;
- (b) That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

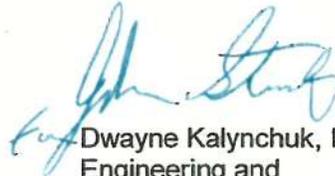
Respectfully submitted,



Helen Cain  
Senior Planner  
Development Services



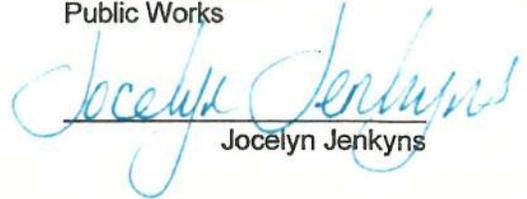
Deb Day, Director  
Sustainable Planning and  
Community Development



Dwayne Kalynchuk, Director  
Engineering and  
Public Works

Report accepted and recommended by the City Manager:

HC:aw

  
Jocelyn Jenkyns

## 1.0 Purpose

The purposes of this report are to present Council with information, analysis and recommendations regarding a Rezoning Application for a zoned area of a public Right-of-Way located at 1303 Dallas Road, and the necessary legal agreements to permit the CRD to occupy the proposed zoned area and to construct conveyance pipe along Dallas Road.

## 2.0 Background

The Rezoning Application is limited to the creation of a zoned area within the public Right-of-Way at Clover Point Park to permit and accommodate the proposed expansion and structural alteration of a pump station. However, this section provides broader information pertaining to comprehensive improvements to the regional wastewater system in order to provide the legal, regulatory and policy context for the proposal for Clover Point Pump Station.

### 2.1 Federal and Provincial Regulations for Wastewater Management

Management of the collection, treatment and release of wastewater effluent is an intergovernmental jurisdiction and shared responsibility. The Government of Canada is responsible for managing risks posed by substances listed under the *Canadian Environmental Protection Act, 1999*, including biosolids. In 2012, Canada amended the *Federal Fisheries Act* to add the *Wastewater Systems Effluent Regulations*, which are the first national standards for wastewater treatment. These new regulations require the provinces and municipalities to meet minimum secondary treatment standards and do not permit the release of untreated or under-treated sewage into waterways. However, the Federal government has granted a transition period for compliance from 2020-2040, depending on risk assessments for existing systems.

Prior to the new 2012 federal regulations, the British Columbia Ministry of Environment had directed the Capital Regional District (CRD) to plan and implement a secondary treatment plant within their wastewater system. The *Core Area Liquid Waste Management Plan (CALWMP)* was updated through an amendment obtaining provincial approval in 2010 and the CRD is working to implement the CALWMP through the "Seattera Program" summarized below.

### 2.2 Seattera Program: Implementation of Core Area Liquid Waste Management Plan

In order to implement the CALWMP, the CRD has initiated the Seattera Program, or "Seattera", which involves new infrastructure and improvements to existing facilities across the metropolitan region. This initiative will provide preliminary, primary and secondary treatment to bring the regional wastewater system into compliance with the new federal and provincial regulations by 2018.

Seattera has three key elements:

- A new Treatment Plant is planned for McLoughlin Point in Esquimalt, which would provide secondary treatment of raw wastewater received from two existing pumping stations at Macaulay Point in Esquimalt and Clover Point in Victoria.
- A Resource Recovery Centre is planned for the Hartland Landfill in Saanich, which would process residual biosolids produced at the Treatment Plant.

- Conveyance system infrastructure expansion and upgrades are planned, including, but not limited to, pump stations and piping on Craigflower Road in View Royal, Currie Road in Oak Bay, Macaulay Point in Esquimalt and Clover Point in Victoria.

With respect to Seaterra capital projects within Victoria's boundaries, conveyance piping ("force main") will run from Clover Point to Ogden Point and the CRD will construct a cycling track over the force main between the two destinations. Secondly, the Clover Point Pump Station, built in 1975, requires expansion and upgrades to comply with the federal and provincial regulations and to provide the necessary infrastructure and services for regional growth. This Rezoning Application is limited to the expansion of and upgrades to the Clover Point Pump Station.

### 2.3 Approval Process for Clover Point Pump Station

The CRD Pump Station at Clover Point is located in a public Right-of-Way and in the R1-B Zone, Single Family Dwelling District, where the existing public facility is a legal non-conforming use. Within the terms of Part 26 Section 911 (5) of the *Local Government Act* (LGA), the pump station cannot be expanded and structurally altered, except by addressing the non-conforming use.

In order to bring the pump station into conformity with the City's current zoning, the CRD must apply to the Board of Variance for the proposed expansion or to the City of Victoria to rezone a portion of Clover Point Park. Both options require the permission of the property owner or owners. The City of Victoria is the owner of the majority of the portion of the public Right-of-Way that is proposed for rezoning ("zoned area") but the Province of British Columbia owns a portion of the southwest edge of the zoned area, which has foreshore status. To allow the pump station in this location, the CRD already has a Lease of Occupation with the Province.

City staff brought forward a report (attached to this report) to the Planning and Land Use Committee for Council consideration of application process options on November 7, 2013, and Council subsequently made a decision to allow the CRD to apply for a rezoning on November 14, 2013. With respect to the Province, informal correspondence has been received indicating that there is no objection to the CRD's rezoning proposal. An official letter is pending and City staff expect to receive written confirmation of the provincial approval prior to a Public Hearing.

### 2.4 Description of Proposal

The CRD has provided an overview of the proposed improvements to the Clover Point Pump Station in their letter to Council and a public consultation "fact sheet", attached to this report. As stated in this fact sheet, the scope of work includes expansion and upgrades:

*Clover Pump Station currently provides screening of raw wastewater prior to discharge at Clover marine outfall. Under the Seaterra Program, raw wastewater will no longer be discharged at Clover Point, except during an extreme wet weather storm event. Instead, the new Clover Pump Station will pump wastewater to the Treatment Plant at McLoughlin Point for secondary treatment via a new conveyance pipe (force main) that will be installed alongside Dallas Road.*

The CRD proposal is to rezone a portion of public Right-of-Way at Clover Point from the R1-B Zone, Single Family Dwelling District, to a new zone that would include "public facility" as a permitted use. This location is also used as a public park and the new zone for the zoned area would carry forward the current use of the Right-of-Way as a public park.

Portions of the existing facility would be sited underground, but other sections are above natural grade and the new addition would include floor area below and above ground. Though parts of the proposed building are above natural grade, all the floor area is "basement" as defined in the *Zoning Regulation Bylaw*, and as such the floor space ratio (FSR), and density, is 0.0:1 FSR.

As is currently the case, the expanded building would not be visible from the Dallas Road roadway, but would be visible from public vantage points along the greenway that runs next to the ocean. Access and egress to the subject site is currently from Dallas Road to loading bays on the north side of the existing facility and would remain in this location. No parking is proposed or required for this facility and all existing on-site parking stalls, which are for park users, would be removed.

To support the Rezoning Application, the CRD is also proposing the following public realm improvements:

- new cyclist and pedestrian viewing plaza on top of the expanded facility
- new street furniture and "bike kitchen" (facilities for bicycle maintenance and repair and a water fountain) within this plaza area
- sewage connections to enable any future public washroom facility
- two replanted grassed open spaces to the west and east of the plaza
- new pedestrian path along the north edge of the zoned area, continuing off-site to the west
- pedestrian path and a separated bike path beginning from the north edge of the zoned area, which continues north to connect to Dallas Road.

Provision of the proposed public realm improvements would be secured through the necessary legal agreements as described in "Section 2.10 Legal Agreements" of this report.

## **2.7 Land Use Context**

The subject site is located in road Right-of-Way at Clover Point in close proximity to the ocean and near Dallas Road, where the surrounding land-use context is single family dwellings. In addition, Clover Point is used as a public park and is connected to greenways to the north, west and east. Given the subject site is part of the public Right-of-Way and sited some distance from the nearest residential uses, placement of a sewage pump station at Clover Point is appropriate.

## **2.8 Community Consultation**

The applicant consulted with the Fairfield Gonzales Community Association Land Use Committee (CALUC) on December 16, 2013. Correspondence from the CALUC is attached to this report. The applicant's community consultation efforts on the entire Seaterra Program have included Open Houses in James Bay and Fairfield, as well as a project website.

## 2.9 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R1-B Zone (Single Family Dwelling District).

Zoning Criteria	Proposal	Zone Standard R1-B
Site area (m <sup>2</sup> ) – minimum (zoned area)	4803	460
Lot width (m)	56	15
Total floor area (m <sup>2</sup> ) – maximum (basement only)	1325	n/a
Density (Floor Space Ratio) – maximum	0.0:1	n/a
Height (m) – maximum	3.55	7.6
Storeys – maximum	basement only	2
Site coverage (%) – maximum (zoned area)	27.6	40
Open space (%) – minimum (zoned area)	72.4	n/a
Setbacks (m) – minimum		
East (from High Water Mark)	13.55	n/a
West (to Clover Point Park road)	2.88	n/a
North (from zone boundary)	44.52	n/a
South (from zone boundary)	9.30	n/a
Parking – minimum	None	n/a
Bicycle rack	None	n/a
Bicycle storage	None	n/a

## 2.10 Legal Agreements

With respect to the Rezoning Application, the usual process for securing legal commitments is the preparation, execution and registration of necessary agreements on land title. However, the property in this situation is a section of Right-of-Way, and is not a land parcel with legal title. Accordingly, a License of Occupation is required to secure the construction and maintenance of the proposed public realm improvements, and to address building construction-related issues, such as location of construction staging areas.

Separate from the proposed rezoning, another License of Occupation is required to permit the CRD to occupy the public Right-of-Way underground along Dallas Road and to construct and maintain the conveyance pipe. This License would secure the CRD commitment to construct and maintain greenway improvements (i.e. cycle track) over the force main from Clover Point to Ogdan Point.

## 2.11 Legal Description

The subject site is contained within the public Right-of-Way, not a land parcel, and as such does not have a legal description.

## 2.12 Consistency with Policy

### 2.12.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goals for sustainable environmental management through infrastructure improvements related to waste discharge and diversion in the metropolitan core and within the boundaries of Victoria.

### 2.12.2 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012* (OCP). The public Right-of-Way at Clover Point (1303 Dallas Road) is designated as Public Facilities, Institutions, Parks and Open Space in the OCP, which envisions institutional uses and buildings with density up to 0.5:1 FSR. Given that the Capital Regional District proposes a public facility with 0.0:1 FSR, it is consistent with relevant land use policy.

OCP "Section 11- Infrastructure" also includes the following broad objectives and policies that are related to land use planning and development:

- 11(a) *That urban growth is accommodated through strategic improvements to, and efficient use of, existing infrastructure.*
- 11.1 *Maintain and enhance infrastructure, including water, waste water, rainwater and solid waste facilities and services identified in Map 11, Map 12, Map 3 and Map 16.*
- 11.5 *Continue to bridge the gap between existing infrastructure and needed physical improvements through:*
  - 11.5.1 *Coordination with Capital Regional District plans and works undertaken.*
- 11.15 *Continue to support the Capital Regional District in the regular update and implementation of the Core Liquid Waste Management Plan.*

The purpose of the Seaterra Program is to implement the CALWMP, which depends on coordination between the CRD and member municipalities. Support for Seaterra generally and the Clover Point Pump Station expansion and upgrades in particular are consistent with the OCP objectives and policies for strategic improvements to the existing infrastructure through maintenance and enhancement of a wastewater facility already within the City's boundaries.

## 3.0 Issues

The main issues related to this application are:

- wastewater infrastructure improvements
- "zoned area" within the public Right-of-Way
- street view and public realm improvements.

## 4.0 Analysis

### 4.1 Wastewater Infrastructure Improvements

Support for this application is consistent with the OCP broad objectives and policies for infrastructure. The federal and provincial legislative framework for environmental management with respect to new wastewater treatment regulations was incorporated into the *Core Area Liquid Waste Management Plan* in 2010. Since the CALWMP was approved, the CRD has entered into the implementation phase of the necessary expansion of and upgrades to infrastructure in order to comply with the new requirements for secondary treatment. Given that the Clover Point Pump Station would redirect raw sewage to a secondary treatment plant that is proposed at McLoughlin Point in Esquimalt, the expanded and upgraded public facility would serve an essential function within the proposed regional wastewater system.

### 4.2 “Zoned Area” within the Public Right-of-Way

In accordance with the *Zoning Regulation Bylaw* General Regulations, public Rights-of-Way in Victoria are zoned, typically with the zone of adjacent land parcel(s). However, the creation of a “zoned area” with prescribed boundaries enables this defined section of the public Right-of-Way to have a different zone than adjacent parcel(s). The proposed zoned area for the CRD pump station is modest and its establishment would not have an impact on the remaining public Right-of-Way at Clover Point or current use of the zoned area and surrounding Right-of-Way as a public park.

### 4.3 Street View and Public Realm Improvements

The building form and massing would not be visible from Dallas Road. From its south side, above natural grade, it would have only a minor visual impact for park users from public vantage points on the waterfront pathway, which is designated as a People-Only Greenway. Additionally, the proposal involves significant public realm improvements, including pedestrian and cyclist paths, that would extend and link the City’s greenways to the north, east and west; a grassed open space to enhance the park environment and a raised waterfront plaza. The latter would have street furniture, a “bicycle kitchen” with repair station and water fountain, and infrastructure connections for a future public toilet facility.

## 5.0 Resource Impacts

There are no resource impacts that are associated with this proposal.

## 6.0 Options

Option One: (Staff Recommendation – Proceed to a Public Hearing)

### Clover Point Pump Station

1. That Council:

- (a) Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:
  - i. provide for an indefinite term,

- ii. secure the agreement of the CRD to construct the public realm improvements within the zoned area,
  - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,
  - iv. provide that the obligations of the City under the agreements are subject to the City adopting a *Zoning Regulation Bylaw* amendment for Rezoning Application #00430 in accordance with the requirements of the *Local Government Act*;
- (b) Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

2. That Council:

Direct Rezoning Application #00430 to proceed for consideration at a Public Hearing, subject to:

- a) Preparation of a *Zoning Regulation Bylaw* amendment;
- b) The City and the CRD entering into the necessary legal agreements.

Conveyance Pipe

3. That Council:

- (a) Approve the City entering into a License of Occupation to permit the CRD to construct and maintain a conveyance pipe from Dallas Road, which agreements shall:
- i. provide for an indefinite term,
  - ii. secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,
  - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture;
- (b) That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

Option Two: (Decline)

That Council decline Rezoning Application #00430.

**7.0 Conclusion**

The proposal to rezone a portion of public Right-of-Way at Clover Point is required to enable the expansion of the CRD pump station. The expanded facility is needed to redirect raw sewage to a secondary treatment plant in compliance with federal and provincial wastewater regulations. Rezoning the public Right-of-Way in the zoned area to permit a "public facility" is consistent with

the OCP broad objectives and policies for strategic improvements to existing infrastructure and would support the CRD toward implementation of the CALWMP. Impact of the proposed expansion would be minimal and would not adversely affect public use and enjoyment of this section of Dallas Road including greenways and the waterfront generally.

## 8.0 Recommendation

### 1. That Council:

- (a) Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:
  - i. provide for an indefinite term,
  - ii. secure the agreement of the CRD to construct the public realm improvements within the zoned area,
  - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,
  - iv. provide that the obligations of the City under the agreements are subject to the City adopting a *Zoning Regulation Bylaw* amendment for Rezoning Application #00430 in accordance with the requirements of the *Local Government Act*;
- (b) Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

### 2. That Council:

Direct Rezoning Application #00430 to proceed for consideration at a Public Hearing, subject to:

- a) Preparation of a *Zoning Regulation Bylaw* amendment;
- b) The City and the CRD entering into the necessary legal agreements.

### Conveyance Pipe

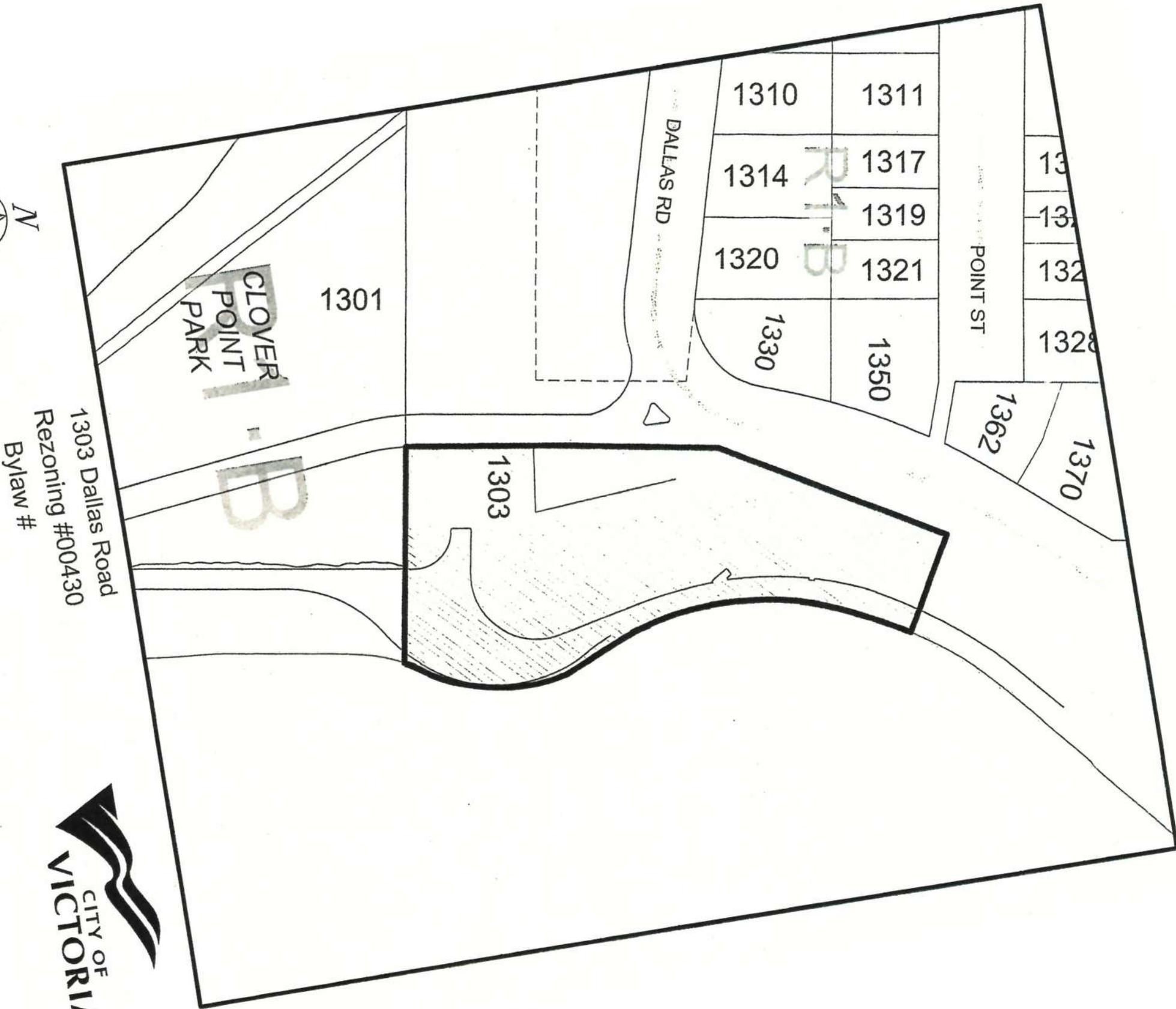
### 3. That Council:

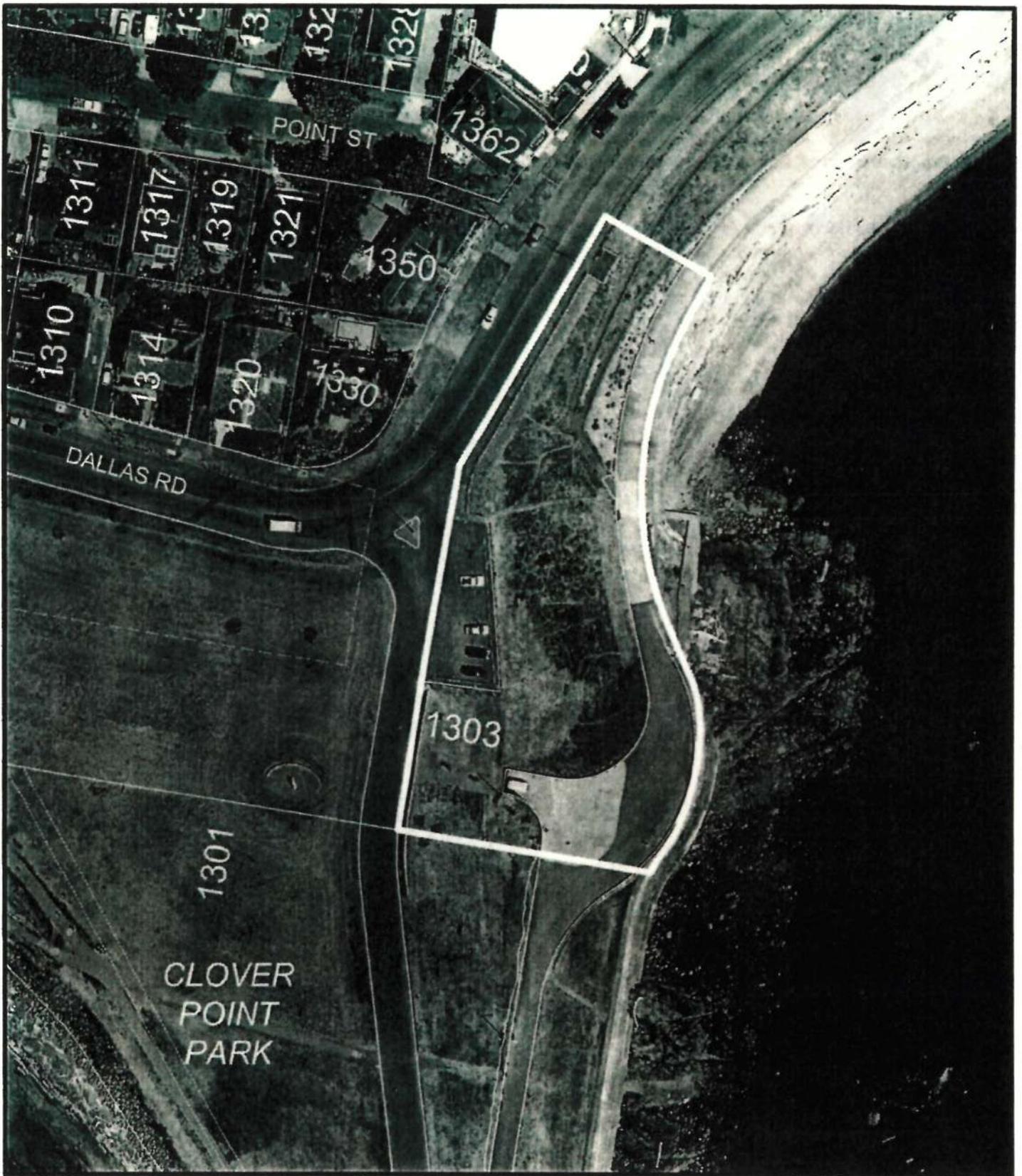
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  - ii. secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,
  - iii. be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture;

- (b) That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.

**9.0 List of Attachments**

- Zoning map
- Aerial photo
- Letters from Capital Regional District, date-stamped January 15, 2014, January 9, 2014, and November 14, 2013
- Fact sheet, "Seattera Program: Clover Pump Station & Conveyance Pipe"
- Plans for Rezoning Application #00430, date-stamped January 9, 2014
- Council Meeting Minutes dated November 14, 2013
- Staff Report, "CRD Clover Point Pump Station - Approvals Process Options", considered at Planning and Land Use Standing Committee on November 7, 2013
- Correspondence from the Fairfield Gonzales Community Association meeting on December 16, 2013.



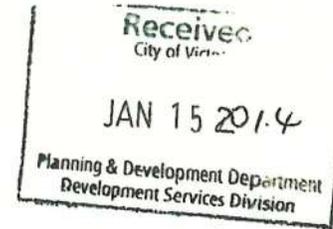


1303 Dallas Road  
Rezoning #00430  
Bylaw #





Making a difference...together



625 Fisgard St. PO Box 1000 Victoria BC V8W 2S6 | T 250.360.3176 | F 250.360.3245 | www.crd.bc.ca

December 23, 2013

City of Victoria  
City Hall  
1 Centennial Square  
Victoria, BC  
V8W 1P6

Attention: Mayor and Council

**Re: Rezoning Application - Clover Point Pump Station Expansion**

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Following the CALUC meeting held on December 16, 2013 the CRD is providing information regarding the proposed additional improvements proposed for the site of the pump station expansion.

Specific comments from the community regarding the site have been reviewed with City staff. As a result, we are proposing to remove the public parking located above the pump station in order to create additional public open space and address some of the safety concerns that were brought to our attention. We are also proposing the removal of the alcove to the northeast of the pump station that was identified on the walkway and replacing it with a re-contoured slope similar to the adjacent area.

As outlined in our letter dated November 14, 2013, the CRD has already committed to providing public/cycling improvements at the site of the pump station including a water fountain, a compressed air station, and a sanitary sewer connection should the City decide in the future to provide a public washroom at the Point.

We will be developing a more detailed landscape concept for the site that will incorporate the public realm improvements as described and plan to resubmit the drawings to the City for the rezoning application by January 6, 2014. This concept will also be presented at the upcoming January 25, 2014 public open house. Following the public open house we would be prepared to present the finalized plan to City Council prior to the public hearing. Our understanding is that an adjustment will not delay setting the date for the public hearing.

Additionally the CRD has indicated they will contribute to offsite improvements including: the Beacon Hill reburial site, and a bicycle path along Dallas Road to Ogden Point that is approximately three (3) kilometers long.

We trust you will find these considerations acceptable.



Finance & Technology Department  
625 Fisgard Street  
Victoria, BC V8W 2S6

T: 250.360.3176  
F: 250.360.3245  
www.crd.bc.ca



January 6, 2014

Seattera File: CPS 3360-20

City of Victoria  
City Hall  
1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor Fortin and Council:

**Re: Rezoning Application - Clover Point Pump Station Expansion**

Further to our letter of December 23, 2013 the Capital Regional District (CRD) is submitting revised plans to our rezoning application. The revised plans are based on comments that were heard at the December 16, 2013 Fairfield Gonzales Community Association Land Use Committee (CALUC) meeting, as well as comments received from the City's Technical Review Committee.

We believe that the revised plans improve public safety at the Dallas/Clover Point Road intersection and provide significant additional enhancements to Clover Point Park. The following changes are noted which are also identified on the revised drawings:

1. Remove the parking area at the Dallas and Clover Point Road intersection to improve traffic flow and safety of pedestrians and cyclists who cross behind the parking area.
2. Add a new public plaza area including benches, a drinking fountain, bike racks, and view point, etc.
3. Improve the Dallas/Clover Point Road median to allow for better traffic flow and the crossing of pedestrians and cyclists.
4. Add a new walkway from Clover Point Road to Moss Street crosswalk. This will enable the public to safely cross Dallas Road to access to Clover Point Park.
5. Add a new walkway from Dallas Road alongside Clover Point Road so that the public can safely connect to the existing Clover Park walkway.
6. Add a new connecting walkway and bike path across Clover Point Road to the Ross Bay Seawalk.
7. Reinstate the existing wheelchair ramp from Dallas Road down to the Ross Bay Seawalk.

As requested in the City's December 11, 2013 Application Review Summary letter, the following revisions are also noted in response to each of the department's comments:

Development Services

1. A data table has been provided on the site plan.
2. The existing and proposed addition to the pump station has been clearly labeled.
3. The site plan has been revised to illustrate access and egress to Dallas Road.

Engineering and Public Works

1. The existing surface parking on the site is proposed to be removed and replaced with a plaza.
2. The access and egress is proposed to be reconfigured in order to facilitate a safer environment for cyclists and pedestrians.
3. A revised traffic median is proposed that will also provide a pedestrian refuge.

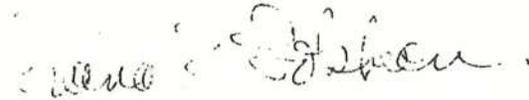
Parks

1. An asphalt pathway is proposed from Dallas Road to Clover Point along the east side of the access road.
2. The wheelchair accessible ramp from Dallas Road down to the lower causeway will be reinstated after the construction is completed.
3. The parking area is proposed to be removed and replaced with a public plaza.

As noted in previous correspondence, we believe that this project will provide significant benefits to City of Victoria residents and the region by incorporating a 2.8 km long bike path from Clover Point to Ogden Point, providing funding for a historic First Nation reburial ground at Beacon Hill Park, and most importantly, discontinuing the daily wastewater discharge at Clover Point.

We trust you will find these revisions to our rezoning application acceptable.

Sincerely,



Diana Lokken  
General Manager, Finance and Technology

cc: CAO, Victoria  
Robert Lapham, CAO, CRD  
Albert Sweetnam, Project Director, Seaterra  
Tony Brcic, Deputy Director, Seaterra

Attachment: Plans



Making a difference...together

November 14, 2013

Core Area Wastewater Treatment Program T: 250.360.3002  
 510-1675 Douglas Street F: 250.360.3071  
 Victoria, BC, Canada V8W 2G5 www.crd.bc.ca



File: CPS 3360-20

Mayor Dean Fortin and Council  
 1 Centennial Square, City of Victoria  
 Victoria, BC V8W 1P6

Dear Mayor Dean Fortin and Council:

### Capital Regional District Clover Point Pump Station Rezoning Application

#### Background

Clover Point Pump Station was first built in 1975 and is owned and operated by the Capital Regional District (CRD). This station is in need of upgrades to meet the new wastewater regulations in order to better serve the region's growing population. The proposed upgrades are included in the Core Area Liquid Waste Management Plan and have been approved by the CRD Board and Ministry of Environment.

The existing Clover Point Pump Station currently provides screening of raw wastewater prior to discharge at the Cover Point outfall. An expanded pump station would pump wastewater to a proposed treatment plant at McLoughlin Point for secondary treatment. Raw wastewater would no longer be discharged at Clover Point, except during extreme wet weather storm events (very infrequently).

The Clover Point Pump Station is located in a public right of way and is currently zoned R1-B (Single Family Dwelling District). Pump stations are not a permitted use under the current R1-B zoning regulations and is therefore considered a legal non-conforming use. Rezoning is required to permit the proposed expansion of the facility. At its meeting of November 7, 2013 the Governance and Priorities Committee authorized the CRD to proceed with a rezoning application, concurrent with the Community Association Land Use Committee process, for a site specific zone.

#### Project Description

The proposed pump station expansion will be sited between the existing facility and Dallas Road and will increase the area of the facility from about 500 m<sup>2</sup> to 1000 m<sup>2</sup>. In keeping with the existing pump station, the proposed expansion will be below ground level and will not be visible from Dallas Road. The seaside walkway and the existing split rock wall facing the waterfront will be extended in order to allow access to the pump station. Similar materials will be used so that the expanded facility will blend in with the existing facility and surrounding area. The rooftop surface above the pump station can be restored back to its original, (grass and parking area), or other park use options could be considered. There will be no net loss of current park use and there could be an opportunity to improve park use and/or the natural environment (by revegetating with native landscape materials). The design of the proposed pump station will incorporate sustainable design practices including: incorporating a green roof, specifying ecoSmart concrete, applying leadership in energy and environmental design (LEED) principles, adopting an energy efficient design, and using PowerSmart electrical equipment.

**Mayor Dean Fortin and Council - November 14, 2013  
Clover Point Pump Station Rezoning Application**

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2

**Neighbourhood Impact**

Projects of this size and complexity will create some construction-related impacts. The CRD will work with municipal staff and the community to ensure that impacts are kept to a minimum and opportunities are identified for possible enhancement and mitigation.

**Community Benefit**

In addition to the noted green design elements, the CRD is also working with the City to develop a bike path as part of the forcemain construction that will extend along Dallas Road from Clover Point to Ogden Point. This will contribute to the City's objective of completing a separated bike path along Dallas Road that can be used by families, seniors, and tourists. To further enhance the proposed bike path at Clover Point, the CRD could consider installing a self-serve bicycle repair "kitchen" that could include a compressed air and electric charging station, a water fountain, and a sanitary sewer connection should the City decide in the future to provide a public washroom at the Point.

**Consultation**

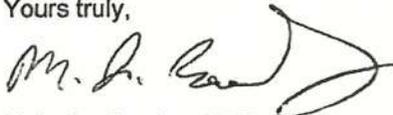
To date, the CRD has had numerous meetings with City staff and have met with local residents who live across the street from the existing Clover Point Pump Station. In addition, staff have made presentations to the Fairfield Gonzales and James Bay Community Associations and have consulted with Songhees and Esquimalt Nations. A Community Association Land Use Committee (CALUC) meeting has also been scheduled with Fairfield Gonzales for December 7, 2013.

**Conclusion**

The new pump station will blend in with the surrounding area; it will improve service to Victoria and the surrounding communities and improve the environment by discontinuing the daily raw wastewater discharge at Clover Point. This project will allow the CRD to move forward with their commitments under the Liquid Waste Management Plan.

Please accept this letter and application as the first step towards the successful rezoning of the land to permit the use of this critical public facility. Meanwhile, should you have any questions or require further information regarding this project, please call or email the undersigned at 250.360.3066 or [mcowley@crd.bc.ca](mailto:mcowley@crd.bc.ca).

Yours truly,



Malcolm Cowley, P. Eng  
Manager, Conveyance Infrastructure, Seaterra Program  
Capital Regional District

MJC/hr

Enclosures

cc: Albert Sweetnam, Program Director, Seaterra Program  
Bob Lapham, Chief Administrative Officer, Capital Regional District  
Alastair Bryson, Chair, Capital Regional District Board  
Denise Blackwell, Chair, Core Area Liquid Waste Management Committee



Managing Construction Impacts Cont.

**SAFETY:**

A traffic management plan will address traffic disruptions, truck traffic and maintain access to nearby residences. Even during peak construction times, one lane of traffic will remain open on Dallas Road.

Fencing and warning signs will be installed around the pump station and conveyance pipe construction zones.

When required, flag persons will direct vehicles and pedestrians around construction areas.

Construction drivers will observe speed limits and exercise caution along Dallas Road.

**NOISE:**

Construction activities will comply with the local noise bylaw for hours of work and noise levels.

Work will typically occur on weekdays from 7 a.m. – 6 p.m.

No work will be planned for Sundays or holidays (except in an emergency or where a critical piece of work must be completed promptly to reduce impacts).

**ENVIRONMENT:**

An Environmental Management Plan (EMP) will be prepared to mitigate potential environmental impacts. The EMP will address issues including

soil management, air quality, water quality and waste management. An environmental monitor will be on-site during the course of construction to ensure compliance with the plan.

**COMMUNICATION:**

Information letters (with contact names and phone numbers) will be provided to local residents and community associations at the start of construction and updated, as required, throughout the project. The Seaterra Program will provide regular updates on the Clover Pump Station at: [www.seaterra.ca](http://www.seaterra.ca).

**Further Information**

Seaterra Program staff are committed to ensuring that residents and businesses are informed about the Clover Pump Station and conveyance pipe project.

Local residents are invited to a Community Open House to learn about the Clover Pump Station, Conveyance Pipe and Bike Path.

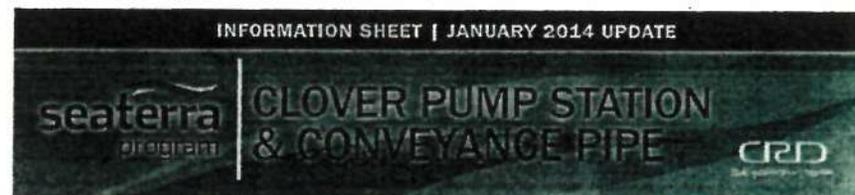
Date: Saturday, January 25, 2014  
Time: 12:00 to 3:00 p.m.

Location: Sir James Douglas Elementary  
401 Moss Street, Victoria  
Gymnasium

Additional Information about the project is available at: [www.seaterra.ca](http://www.seaterra.ca).

If you have any questions or comments about the project, please contact:

Kristin Quayle, Communications Coordinator  
CRD Seaterra Program  
510 – 1675 Douglas Street, Victoria, BC V8W 2G5  
T: 250.360.3623 | F: 250.360.3071



**Project Background**

As part of the Seaterra Program, Clover Pump Station will be upgraded and expanded to meet current standards, increase its capacity and direct wastewater to the Treatment Plant at McLoughlin Point.

Clover Pump Station was first built in 1975 and is in need of upgrades to meet new wastewater regulations in order to serve the region's growing population. The expanded Clover Pump Station will be located below ground, beside the existing underground pump station. The seaside walkway and the rock wall along the existing pump station will be extended to make room for the new facility. The rooftop surface above the pump station is proposed to be improved from a parking area to a public plaza, including benches,

walkways, bike paths, view points and other public and cycling enhancements.

A new conveyance pipe (forcemain) will run from the Clover Pump Station along a proposed route south of Dallas Road to Ogden Point, then under the Victoria Harbour via a marine crossing to the Treatment Plant located at McLoughlin Point. The Seaterra Program is collaborating with the City of Victoria to align the conveyance pipe underneath what will become a separated bike path from Clover Point to Ogden Point.

The Seaterra Program is working with local residents to provide information on the project and receive community feedback, concerns and potential mitigation options that can be provided to the design team for consideration.

**Improved Treatment**

Clover Pump Station currently provides screening of raw wastewater prior to discharge at Clover marine outfall. Under the Seaterra Program, raw wastewater will no longer be discharged at the Clover marine outfall, except during an extreme wet weather storm event. Instead, the new Clover Pump Station will pump wastewater to the Treatment Plant at McLoughlin Point for secondary treatment to meet new Federal and provincial regulations.

# Design Criteria for the Clover Pump Station

## NOISE CONTROL

A noise control consultant will be retained to develop appropriate noise level criteria for the pump station. Typically, the consultant will conduct a 24-hour noise level measurement at the proposed pump station site to determine the lowest nighttime background noise level. Once that information is known, the design team can then design the pump station to not exceed that noise level at the property line. This is typically accomplished by acoustical silencing of the pumps, motors, and fans, and emitting the dampened noise through acoustical louvers placed in discrete locations away from residences.

## ODOUR CONTROL

An odour control specialist will be retained to design a comprehensive odour control system to contain and suppress odour by:

- >> incorporating sophisticated ventilation and scrubbing systems;
- >> maintaining the wet well area of the pump station at negative pressure to draw air into the scrubber; and
- >> directing all foul air through an activated carbon absorber system to remove odours prior to releasing the air to atmosphere.

## SECURITY

The expanded pump station will continue to be owned and operated by the CRD. Staff visit the site regularly and the building is remotely monitored on a 24/7 basis by the CRD's Supervisory Control And Data Acquisition (SCADA) monitoring system.

To discourage vandalism and negative activity at the pump station site, a combination of robust and aesthetic materials will be incorporated into the design (to blend in with the look of the existing pump station). Regular upkeep will ensure that the building and site are maintained in excellent condition.

## AESTHETICS

In keeping with the existing pump station, the proposed expansion will be below ground level and will not be visible from Dallas Road. The seaside walkway and the existing split rock wall facing the waterfront will be extended in order to allow access to the pump station. Similar materials will be used so that the expanded facility will blend in with the existing facility and surrounding area. The rooftop surface above the pump station is proposed to be improved from a parking area to a public plaza, including benches, walkways, bike paths, view points and other public and cycling enhancements. These changes will result in a net gain of park use space.

## "GREEN" DESIGN ELEMENTS

The design of the pump station will be consistent with sustainable design practices including: specifying ecoSmart concrete, applying leadership in energy and environmental design (LEED) principles, adopting an energy efficient design, and using PowerSmart electrical equipment. Other sustainable design initiatives that are recommended include:

- >> a plaza and green roof, with possible revegetation with native grasses and plants;
- >> rainwater run-off control on-site by means of infiltration into vegetated areas;
- >> low level lighting to minimize light pollution;
- >> reuse of recycled water to wash down equipment;
- >> reuse of waste heat to lower building heating requirements.

## Managing Construction Impacts

Projects of this size and complexity will create some construction-related impacts. The Seasterra Program will work with municipal staff and the public to ensure that impacts are kept to a minimum and opportunities are identified for enhancement and mitigation.

### CONSTRUCTION DURATION:

It is anticipated that construction on the pump station will start in winter 2014 and will take just over a year to complete. Construction on the conveyance pipe will start in early 2015 and both projects will be complete in summer 2016. An opening event for the pump station and bike path will be planned for 2016.

Peak construction activity for the pump station will occur in the first few months during excavation and pouring concrete. After this, the work will be similar to a large residential construction project, with various trades completing their portions of the work. The conveyance pipe will be installed in specific segments along Dallas Road to minimize impacts to residents, public events and tourists. Where impacts are unavoidable, a comprehensive mitigation plan will be implemented.

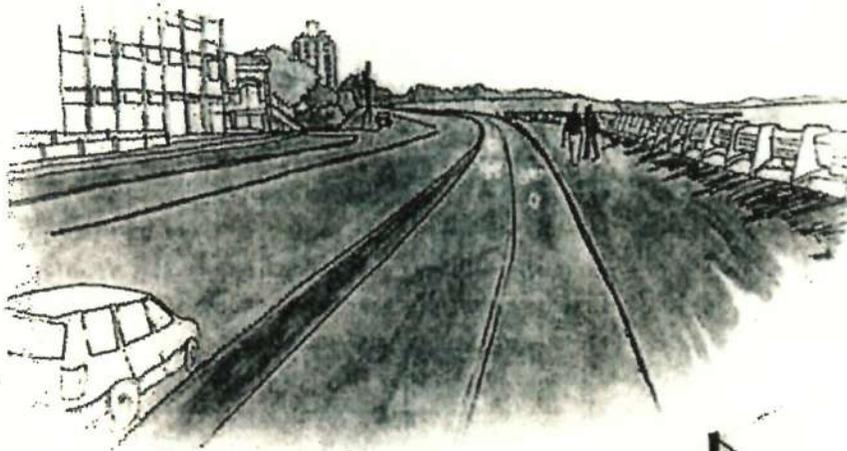
### ARCHAEOLOGY:

The Seasterra Program is working with archaeologists, First Nations, and the City of Victoria to develop a protocol should artifacts be discovered during construction. Archaeological Impact Assessments will be completed and an archaeologist will be on-site observing the work. In September 2013, Seasterra Program staff participated in a ground blessing ceremony with the Esquimalt and Songhees First Nations prior to commencing construction on Seasterra Program facilities. The Seasterra Program has partnered with the City of Victoria and Songhees and Esquimalt First Nations to commence with preparing a respectful and honouring reburial ground, should any significant artifacts be uncovered and require reburial.

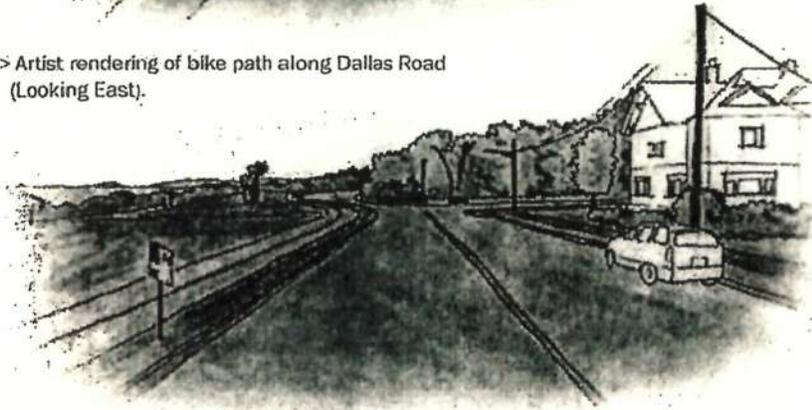
*Continued on reverse>>*



Park use options for the land above the Clover Pump Station could include a public plaza, benches, walkways, bike paths, and reserve bus safety improvements.



>> Artist rendering of bike path along Dallas Road (Looking East).



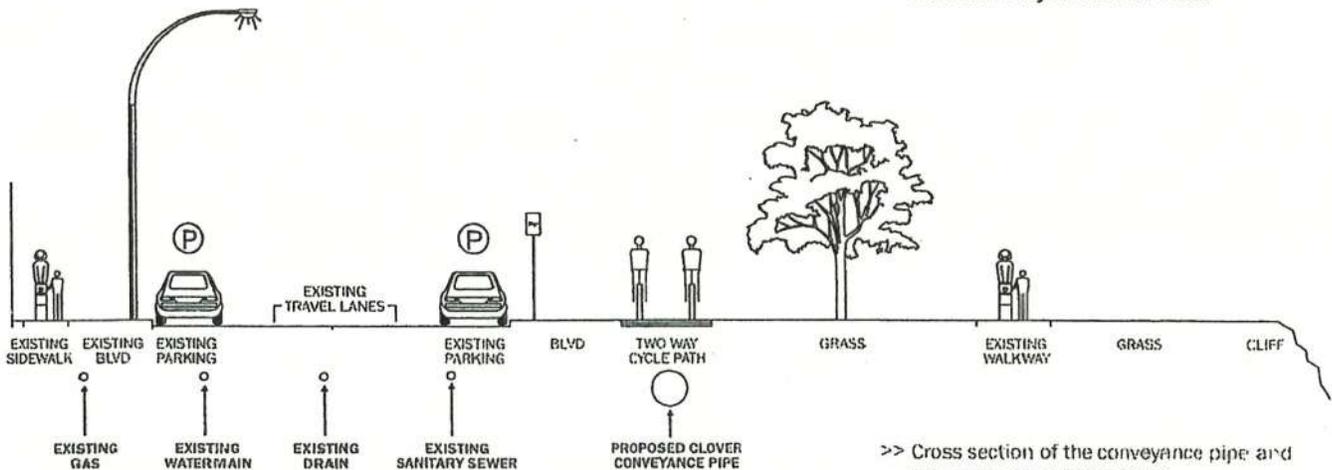
>> Artist rendering of bike path along Dallas Road (Looking West).

**CONVEYANCE PIPE**

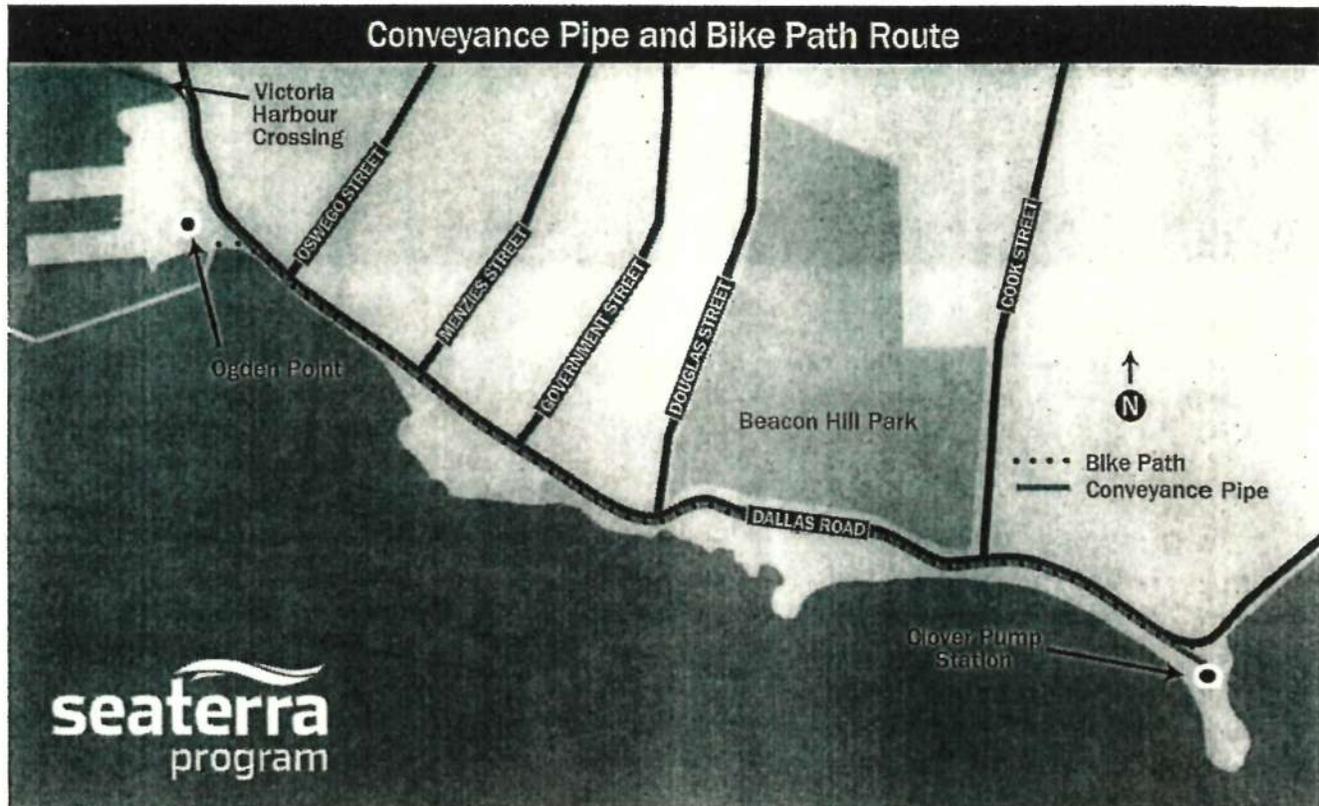
A new conveyance pipe will run from the Clover Pump Station along a proposed route south of Dallas Road to Ogden Point, then under the Victoria Harbour via a marine crossing to the Treatment Plant planned for McLoughlin Point. The pipe will be about 1.2 metres in diameter and will be installed about 1 metre below the ground surface. The total length of the conveyance pipe from Clover Point to Ogden Point will be about 3.4 kilometres.

**WORKING TOGETHER REDUCES COSTS**

By aligning the conveyance pipe directly underneath the City of Victoria's new, separated two-way bike path, the same corridor can be utilized for both projects, which will minimize environmental and social impacts and save costs for Seatterra and the City. Seatterra is collaborating with the City of Victoria on the bike path, which has been long identified in the City's Official Community Plan and Bicycle Master Plan.



>> Cross section of the conveyance pipe and bike path along Dallas Road.



### CONVEYANCE PIPE ROUTE

The conveyance pipe will run along the south side of Dallas Road from Clover Pump Station to Ogden Point.

### ROADWAYS AND WALKWAYS

The conveyance pipe and resulting bike path will not reduce the width of the travel lanes along Dallas Road, but may require revising some angled parking spaces to parallel parking in some locations along Dallas Road. Existing pedestrian walkways along the Dallas Road Waterfront will not be reduced by the installation of the conveyance pipe and bike path.

### ENVIRONMENT

The City of Victoria has completed an initial tree assessment along the proposed conveyance pipe and bike path corridor and it appears feasible that an alignment could be selected that would have little to no impact on any significant boulevard trees.

Further information will be provided when environmental consultants commence their work. The goal is to improve the environment by removing invasive species, revegetating with native species, and improving surface water drainage where possible.

### SAFETY

The proposed bike path will be designed to improve safety along the corridor from Clover Point to Ogden Point by:

- >> Providing a new two-way bike path separated from the road and existing walking paths
- >> Improving sightlines along the route to provide better visibility for all users
- >> Installing signage that will alert drivers, cyclists and pedestrians as to proper use of the corridor

The bike path will be designed by specialists in accordance with the CRD Pedestrian and Cycling Master Plan Design Guidelines.

### Further Information

For more information about the bike path along Dallas Road contact:

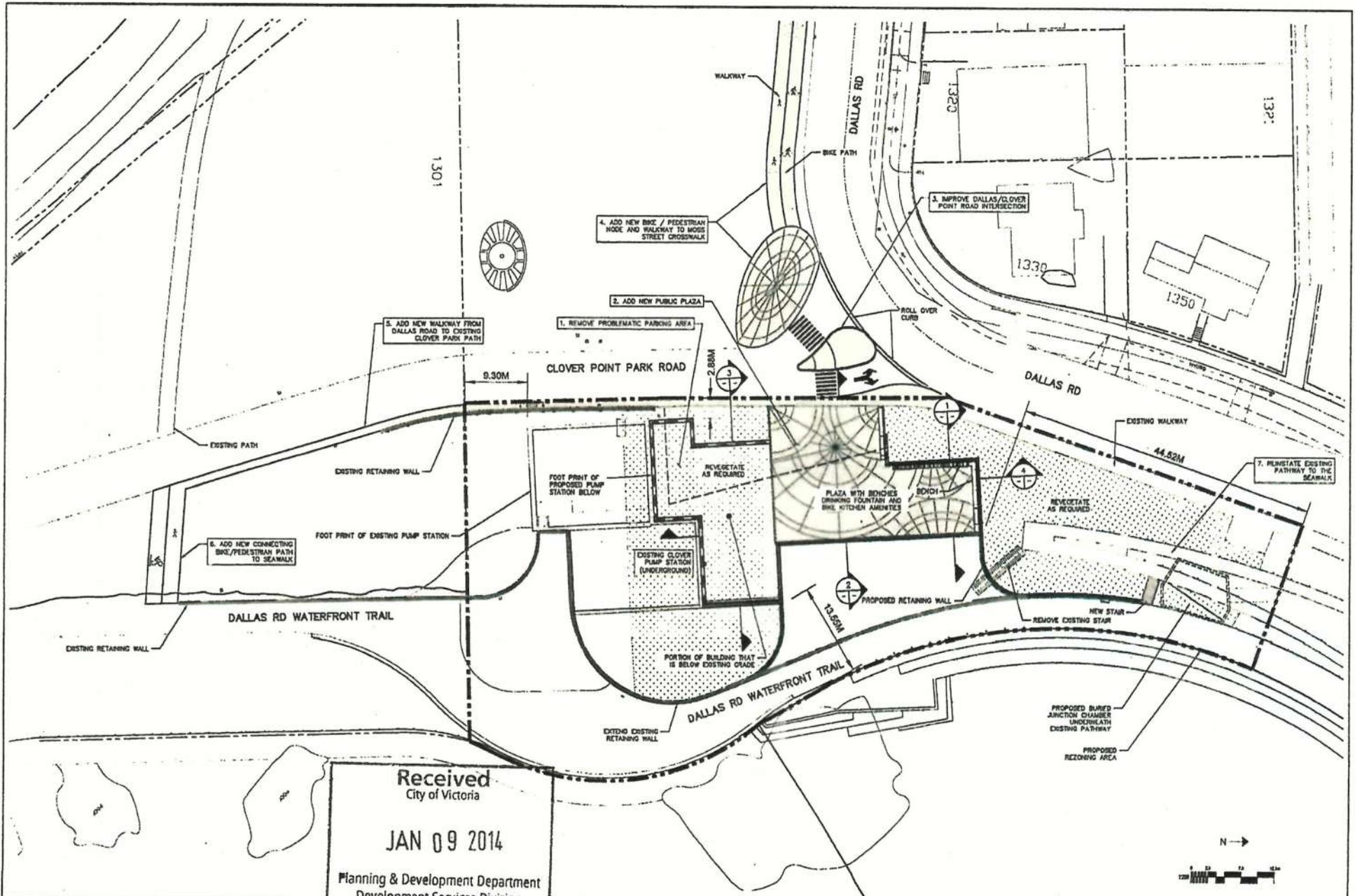
City of Victoria  
Engineering and  
Public Works Department  
T: 250.361.0300  
[www.victoria.ca](http://www.victoria.ca)

For more information about construction related to the conveyance pipe, contact the Seatterra Program:

Kristin Quayle  
Communications Coordinator  
CRD Seatterra Program  
T: 250.360.3623 | F: 250.360.3071  
[www.seatterraprogram.ca](http://www.seatterraprogram.ca)







Received  
City of Victoria  
  
JAN 09 2014  
  
Planning & Development Department  
Development Services Division



CRD City of Victoria	PROJECT NO. --	CORE AREA WASTEWATER TREATMENT PROGRAM
DESIGNED BY RCF	DATE 01/04/13	CLOVER PUMP STATION RESTORATION PLAN
SCALE PRELIMINARY 1:250	CHECKED BY SC	
SCALE FINAL --	APPROVED BY RAJ	
	PROJECT NUMBER CPS-100	PROJECT NUMBER CL-CO-G-003
	1	3

REV.	DATE	BY	DESCRIPTION	ISSUED FOR
1	07/01/2014		ISSUED FOR REZONING APPLICATION	





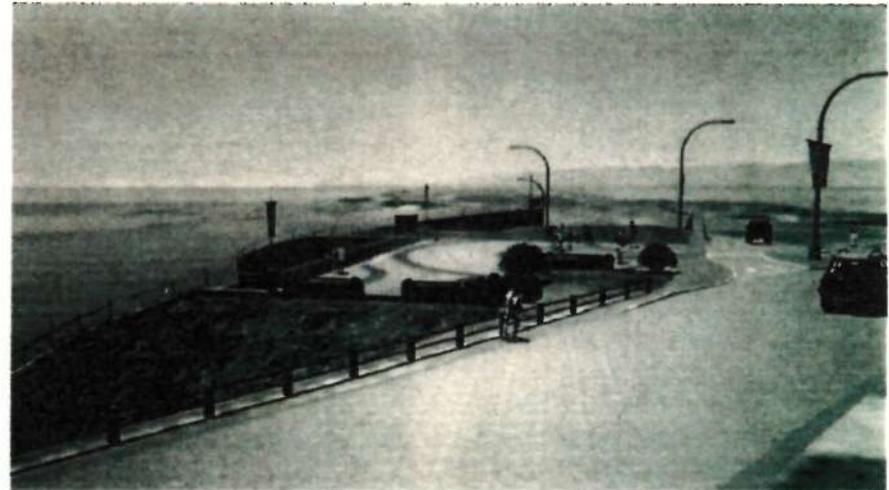
 AERIAL PERSPECTIVE  
NTS



 VIEW FROM DALLAS ROAD LOOKING EAST  
NTS



 VIEW FROM EAST  
NTS



 VIEW FROM DALLAS ROAD LOOKING SOUTH  
NTS

Received  
City of Victoria

JAN 09 2014

Planning & Development Department  
Development Services Division

NO.	DATE	BY	REVISIONS
1	01/09/2014		ISSUED FOR REGIONAL APPLICATION



CRP  
Public Works Dept

OWNER	CRT
SCALE	PROVISIONAL 1:1000
DATE	04/18/13
DESIGNED	ESD

PROPOSED SC

SUBMITTED	-
APPROVED	-

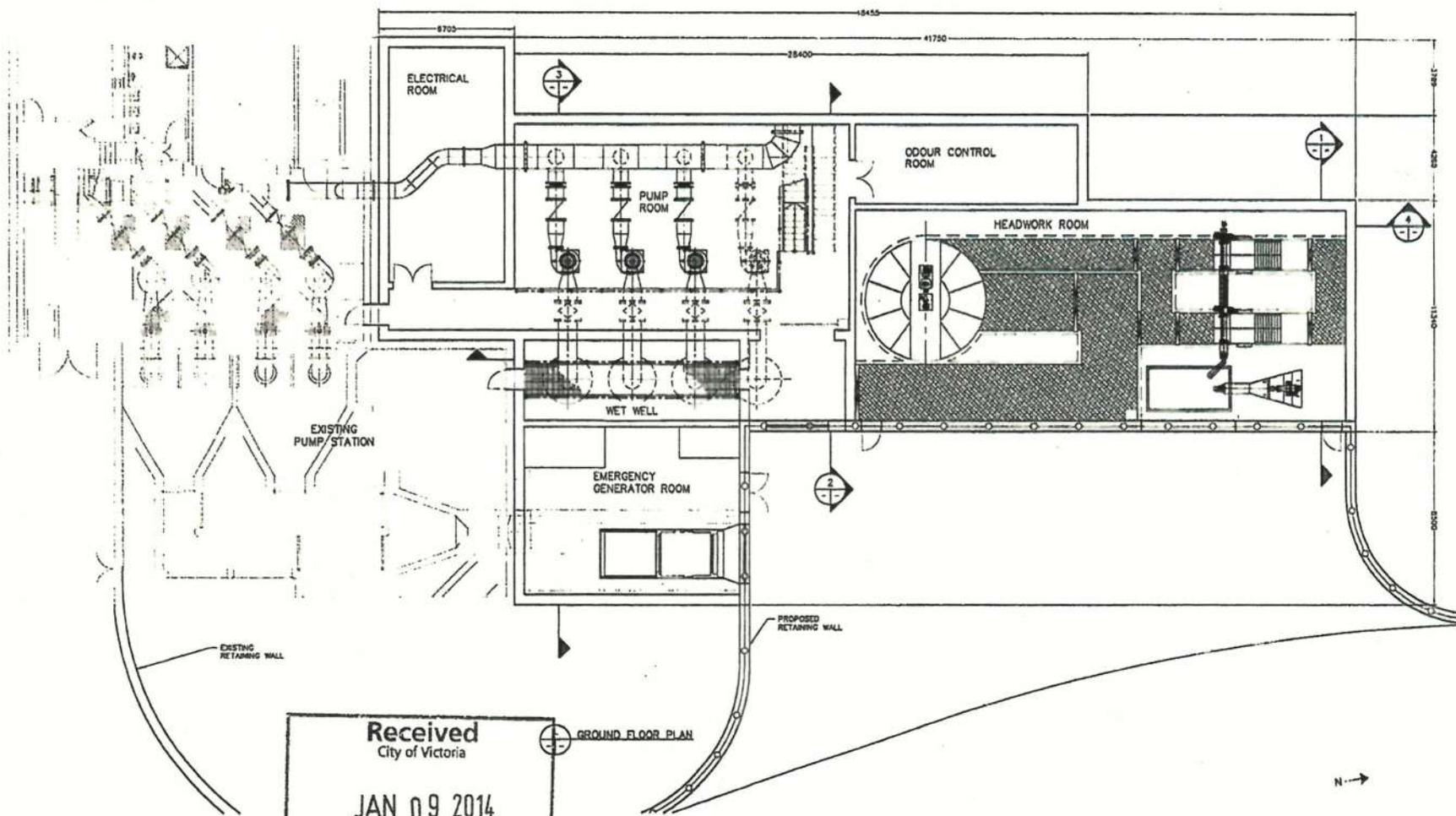
CORE AREA WASTEWATER TREATMENT PROGRAM

CLOVER PUMP STATION  
PROPOSED REORDERING

PROJECT NUMBER	OPS-100	ISSUE NUMBER	CL-C0-G-005	SHEET	1	OF	5
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04-12-13: PROPOSED WASTEWATER TREATMENT PLANT AND INFRASTRUCTURE. 04/18/13: PROPOSED WASTEWATER TREATMENT PLANT AND INFRASTRUCTURE.



Received  
City of Victoria  
  
JAN 09 2014  
  
Planning & Development Department  
Development Services Division

GROUND FLOOR PLAN



NO.	DATE	ISSUED FOR	BY
1	07/01/2014	ISSUED FOR REZONING APPLICATION	



	PREPARED BY: SC CHECKED BY: - DATE: 02/04/13 DRAWN BY: CSO SCALE: 1:100 APPROVED BY: RAF	CORE AREA WASTEWATER TREATMENT PROGRAM  CLOVER PUMP STATION GROUND FLOOR PLAN  SHEET: CPS-100 PROJECT: CL-CO-G-006 TOTAL SHEETS: 6 SHEET NO: 8
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REPORTS OF THE COMMITTEE

1. Governance and Priorities Committee – November 07, 2012

2. CRD Clover Point Pump Station – Approvals Process Options

It was moved by Councillor Alto, seconded by Councillor Madoff, that Council permit the CRD to make a Rezoning Application to allow a public utility as a permitted use in this specific location with the CALUC process to run concurrently. Carried Unanimously



## Governance and Priorities Committee Report

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**Date:** October 28, 2013      **From:** Brad Dellebuur, Manager of Transportation  
**Subject:** CRD Clover Point Pump Station – Approvals Process Options

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### Executive Summary

The CRD is planning to upgrade and expand the existing Clover Point Pump Station, to increase its capacity and direct wastewater to the proposed Wastewater Treatment Plant at McLoughlin Point. In order to move forward, the CRD requires City approval for expansion of the pump station.

Approving the pump station expansion has several process options, necessitating Council direction on the preferred process – Board of Variance application, Rezoning application, or a City-initiated amendment to the Zoning Regulation Bylaw. In the first two options, Council must grant permission to the CRD to proceed with an application to resolve the legal non-conforming use, because the City of Victoria is the property owner. The third option involves a City-initiated action to amend the Zoning Regulation Bylaw, to allow public utilities within all public right-of-ways within the City of Victoria.

Staff recommends that Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations", to allow "public utility" as a permitted use within all public-right-ways within all City zones. This amendment will ensure all existing CRD infrastructure located in public right-of-ways throughout the City conforms to the Zoning Regulation Bylaw, and would avoid potential issues for similar infrastructure projects in the future.

### Recommendation:

That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations" to allow "public utility" as a permitted use within all public-right-ways within all City zones.

That this report be received for information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brad Dellebuur".

Brad Dellebuur  
 Manager of Transportation

A handwritten signature in black ink, appearing to read "Dwayne Kalynchuk".

Dwayne Kalynchuk, P. Eng.  
 Director, Engineering and Public Works

A handwritten signature in black ink, appearing to read "Deborah Day".

Deborah Day  
 Director of Planning

Report accepted and recommended by the Acting City Manager:

A large handwritten signature in black ink, appearing to read "Jocelyn Denkyns".

Jocelyn Denkyns

## Purpose

The purpose of this report is to seek Council approval on the preferred method to process the CRD's proposal to upgrade and expand the existing underground Clover Point Pump Station.

## Background

The CRD is planning to upgrade and expand the underground Clover Point Pump Station, to increase its capacity and direct wastewater to the proposed Wastewater Treatment Plant at McLoughlin Point. In order to move forward, the CRD requires City approval for expansion of the pump station.

The existing Clover Point Pump Station currently provides screening of raw wastewater prior to discharge at the Clover Point outfall. An expanded pump station would pump wastewater to a proposed treatment plant at McLoughlin Point for secondary treatment, via a new forcemain running along Dallas Road, through Ogden Point, and under the Inner Harbour. Raw wastewater would no longer be discharged at Clover Point, except during extreme wet weather storm events.

Approving the pump station expansion has several process options, necessitating Council direction on the preferred process.

## Issues & Analysis

The Capital Regional District (CRD) Pump Station Plant at Clover Point is located in the public right-of-way and zoned R1-B (Single Family Dwelling District). Pump stations are not permitted uses within the R1-B Zone, and the existing facility is therefore a legally non-conforming use. This legal non-conforming status poses a challenge in terms of the CRD's ability to advance their proposal for a large addition to the building. Part 26 Section 911 (5) of the Local Government Act (LGA) prohibits a structural alteration or addition to a legal non-conforming use:

*(5) A structural alteration or addition, except one that is required by an enactment or permitted by a board of variance under Section 901 (2), must not be made in or to a building or other structure while the non-conforming use is continued in all or any part of it.*

In accordance with the above legislation, there are three options for addressing the CRD request to expand the Clover Point Pump Station:

1. CRD makes a Board of Variance Application
2. CRD makes a Rezoning Application
3. City initiates a Zoning Regulation Bylaw Amendment

In Option 1 and Option 2, Council must grant permission to the CRD to proceed with an application to resolve the legal non-conforming use, because the City of Victoria is the property owner. Option 3 involves a City-initiated action to amend the Zoning Regulation Bylaw, to allow public utilities within all public right-of-ways within the City of Victoria.

The following provides a brief analysis of the advantages and disadvantages of each option:

1. *That Council permit the CRD to make a Board of Variance Application to allow the addition and structural alterations to the building, without any change to the current legal non-conforming use.*

Advantages:

- Board of Variance Applications take a fairly short timeframe to process. (Typically six to eight weeks.)
- The immediately adjacent neighbours would be notified of the proposal and invited to submit comment to the Board of Variance.
- If the Board of Variance Application is unsuccessful, Council could still allow the CRD to submit a rezoning application.

Disadvantages:

- The public may perceive the process to be limited with respect to community consultation.

2. *That Council permit the CRD to make a Rezoning Application to allow a public utility as a permitted use in this specific location.*

Advantages:

- The use will be permitted within this location simplifying regulatory challenges.
- The public may perceive greater opportunities for community consultation and involvement than the Board of Variance option.

Disadvantages:

- Rezoning Applications have a longer processing timeframe (typically four to six months for straightforward applications.) This may delay the start date of this CRD project.
- It is not possible to expedite a Rezoning Application for this property without significantly impacting other Departmental Work Program items, and timelines associated with other development applications.

3. *That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations", to allow "public utility" as a permitted use within all public-right-ways within all City zones.*

Advantages:

- Public utilities in other public right-of-ways would no longer be considered legal non-conforming uses, and similar situations would be avoided in the future.

Disadvantages:

- Public utilities would become permitted uses within every public right-of-way; which may result in the development of utilities in locations around the City that are not necessarily in the best interests of the public.
- In order to fully anticipate and analyze potential implications associated with this type of City-initiated rezoning, an expedited process would not be possible without significantly affecting other Departmental Work Program items and timelines associated with development applications.

Staff recommends Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations", to allow "public utility" as a permitted use within all public-right-ways within all City zones. This amendment will ensure all existing CRD infrastructure located in public right-of-ways throughout the City conforms to the Zoning Regulation Bylaw, and would avoid potential issues for similar infrastructure projects in the future.

**Other Project Issues:**

Staff will be forwarding a separate information memo to Council on a number of other ongoing items associated with this project, including the proposed forcemain along Dallas Road and potential construction impacts, and the status of neighbourhood discussions regarding the proposed bike path between Clover Point and Ogden Point.

**Recommendations**

That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations" to allow "public utility" as a permitted use within all public-right-ways within all City zones.



## Governance and Priorities Committee Report

---

**Date:** October 28, 2013      **From:** Brad Dellebuur, Manager of Transportation  
**Subject:** CRD Clover Point Pump Station – Approvals Process Options

---

### Executive Summary

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Approving the pump station expansion has several process options, necessitating Council direction on the preferred process – Board of Variance application, Rezoning application, or a City-initiated amendment to the Zoning Regulation Bylaw. In the first two options, Council must grant permission to the CRD to proceed with an application to resolve the legal non-conforming use, because the City of Victoria is the property owner. The third option involves a City-initiated action to amend the Zoning Regulation Bylaw, to allow public utilities within all public right-of-ways within the City of Victoria.

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### Recommendation:

That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations" to allow "public utility" as a permitted use within all public-right-ways within all City zones.

That this report be received for information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brad Dellebuur".

Brad Dellebuur  
 Manager of Transportation

A handwritten signature in black ink, appearing to read "Dwayne Kalynchuk".

Dwayne Kalynchuk, P. Eng.  
 Director, Engineering and Public Works

A handwritten signature in black ink, appearing to read "Deborah Day".

Deborah Day  
 Director of Planning

Report accepted and recommended by the Acting City Manager:

A large handwritten signature in black ink, appearing to read "Jocelyn Jenkyns".

Jocelyn Jenkyns

## Purpose

The purpose of this report is to seek Council approval on the preferred method to process the CRD's proposal to upgrade and expand the existing underground Clover Point Pump Station.

## Background

The CRD is planning to upgrade and expand the underground Clover Point Pump Station, to increase its capacity and direct wastewater to the proposed Wastewater Treatment Plant at McLoughlin Point. In order to move forward, the CRD requires City approval for expansion of the pump station.

The existing Clover Point Pump Station currently provides screening of raw wastewater prior to discharge at the Clover Point outfall. An expanded pump station would pump wastewater to a proposed treatment plant at McLoughlin Point for secondary treatment, via a new forcemain running along Dallas Road, through Ogden Point, and under the Inner Harbour. Raw wastewater would no longer be discharged at Clover Point, except during extreme wet weather storm events.

Approving the pump station expansion has several process options, necessitating Council direction on the preferred process.

## Issues & Analysis

The Capital Regional District (CRD) Pump Station Plant at Clover Point is located in the public right-of-way and zoned R1-B (Single Family Dwelling District). Pump stations are not permitted uses within the R1-B Zone, and the existing facility is therefore a legally non-conforming use. This legal non-conforming status poses a challenge in terms of the CRD's ability to advance their proposal for a large addition to the building. Part 26 Section 911 (5) of the Local Government Act (LGA) prohibits a structural alteration or addition to a legal non-conforming use:

*(5) A structural alteration or addition, except one that is required by an enactment or permitted by a board of variance under Section 901 (2), must not be made in or to a building or other structure while the non-conforming use is continued in all or any part of it.*

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The following provides a brief analysis of the advantages and disadvantages of each option:

1. *That Council permit the CRD to make a Board of Variance Application to allow the addition and structural alterations to the building, without any change to the current legal non-conforming use.*

Advantages:

- Board of Variance Applications take a fairly short timeframe to process. (Typically six to eight weeks.)
- The immediately adjacent neighbours would be notified of the proposal and invited to submit comment to the Board of Variance.
- If the Board of Variance Application is unsuccessful, Council could still allow the CRD to submit a rezoning application.

Disadvantages:

- The public may perceive the process to be limited with respect to community consultation.

2. *That Council permit the CRD to make a Rezoning Application to allow a public utility as a permitted use in this specific location.*

Advantages:

- The use will be permitted within this location simplifying regulatory challenges.
- The public may perceive greater opportunities for community consultation and involvement than the Board of Variance option.

Disadvantages:

- Rezoning Applications have a longer processing timeframe (typically four to six months for straightforward applications.) This may delay the start date of this CRD project.
- It is not possible to expedite a Rezoning Application for this property without significantly impacting other Departmental Work Program items, and timelines associated with other development applications.

3. *That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations", to allow "public utility" as a permitted use within all public-right-ways within all City zones.*

Advantages:

- Public utilities in other public right-of-ways would no longer be considered legal non-conforming uses, and similar situations would be avoided in the future.

Disadvantages:

- Public utilities would become permitted uses within every public right-of-way; which may result in the development of utilities in locations around the City that are not necessarily in the best interests of the public.
- In order to fully anticipate and analyze potential implications associated with this type of City-initiated rezoning, an expedited process would not be possible without significantly affecting other Departmental Work Program items and timelines associated with development applications.

Staff recommends Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations", to allow "public utility" as a permitted use within all public-right-ways within all City zones. This amendment will ensure all existing CRD infrastructure located in public right-of-ways throughout the City conforms to the Zoning Regulation Bylaw, and would avoid potential issues for similar infrastructure projects in the future.

**Other Project Issues:**

Staff will be forwarding a separate information memo to Council on a number of other ongoing items associated with this project, including the proposed forcemain along Dallas Road and potential construction impacts, and the status of neighbourhood discussions regarding the proposed bike path between Clover Point and Ogden Point.

**Recommendations**

That Council direct staff to initiate a Zoning Regulation Bylaw Amendment to the "General Regulations" to allow "public utility" as a permitted use within all public-right-ways within all City zones.

**MINUTES OF MEETING  
Planning and Zoning Committee  
Fairfield Gonzales Community Association  
December 16, 2013**

**Members of FGCA Planning and Zoning Committee:**

George Zador (chair), Jim Masterton, Chris Schmidt, Bill Rimmer and Paul Brown

**Subject Property:**

1122-1124 Leonard Street; to permit the strata titling of an existing duplex  
Presenter: Michael Cronquist

Proponent will repair roof and stucco siding, redo stoop, windows and masonry; establish parking in the front yard

4 attendees

**Attendee Questions & Comments:**

- Two neighbours with adjacent properties expressed support for the proposal and indicated other neighbours also support it.
- Other neighbour in close proximity also expressed support
- General consensus was the poor condition of the property needed attention and were pleased proponent is proposing to fix it up
- One neighbour questioned whether a masonry wall would undergo strengthening aka seismic upgrading. The proponent indicated that would depend on his contractor's assessment of the condition of the wall

**Subject Property:**

~~1303 Dallas Rd.~~ - Clover Point Pump Station. The existing pump station is to be expanded as part of the overall CRD wastewater handling proposal, and requires a change to its present zoning of R1B, permitted non-conforming.  
Presenter: Malcolm Cowley

Estimate 90 attendees, 80% from the community and 20% from outside the community

Owing to the large turnout and anticipated broad range of questions regarding the CRD wastewater treatment project, attendees were reminded to direct their questions only to the specifics of the rezoning proposal.

It was most helpful to hear the announcement from the presenter that arrangements were made for an Open House on Jan. 25, 2014 as a step in further public engagement about the wastewater handling program, where all other questions will be entertained.

## Attendee Questions &amp; Comments:

- Expression by many that this is another example of poor community engagement by CRD and not in step with CRD stated public engagement standards; aka only 16 notices to residents were sent out.
- Neighbours in close proximity expressed concerns regarding noise, odour, diesel exhaust and traffic safety (pedestrians, cyclists and vehicles). Suggestions that some safety measures need to be addressed during and post construction. How will noise and odour be mitigated? Might some form of traffic calming be considered such as a crosswalk? How is noise measured? Will things be better or worse regarding noise and odour?
- Questions as to why no public engagement before seeking rezoning
- Questions as to why rezoning application submitted to city prior to this CALUC meeting...proponent indicated they were told to do so by City
- What steps have been taken to consult with first nations.....both Songhees and Esquimalt First Nations have been consulted with
- Questions regarding what would be impact if City refuses to rezone property. Is there a plan B? Is the City really willing not to proceed with the rezoning or is this just a process that needs to be followed and rezoning is a given? No answer available from presenter, it will be up to the City.
- When complete, what is the increased flow? Proponent stated there will be a small increase and this will be mitigated by local government efforts to reduce infiltration of storm water into sanitary sewers.
- Will electric power requirements for pumps increase and could power lines be put underground?
- What environmentally friendly steps be taken to reduce electrical power requirements and could other methods to power the pumps be considered? Proponent indicated only practical source of power is electricity; however they are pursuing environmentally initiatives such as green roofing.
- What is the total cost? Answer: budget is \$20 million for the pumping station
- A great deal of questions and discussion regarding the trenching along Dallas Road and extension of pipe across entrance to harbor to the McCauley Point Treatment Plant. These questions were out-of-scope for the rezoning of the pumping station at Clover Point, however people expressed frustration there has not been a public forum to discuss such. Issues included impact on parking, erosion of slopes, whether piping could be put off-shore, pipe maintenance, barriers between cycle path and dog off-leash area....
- Question regarding attention to impact of potential tsunami considered in design...answer, yes it is being accounted for in the design.
- Question as to why upgrading of pumping station is necessary if no increase in flow projected. Answer, existing equipment is old, new equipment will not fit existing structure and must pump sewage much further (McCauley Point) than existing pumps (outfall). Designed for the next 75 years.
- Questions regarding actual size of pumping station and setbacks and difficulty in providing comment without these specifications. Proponent stated these were still

being determined and indicated present proposal shows maximum size of pumping station (actual could be less) and that setback will be about 8 meters from high water.

- Comments regarding difficulty in providing meaningful input on pumping station in isolation, without consideration of impacts all along Dallas Road waterfront
- Comment that parking should not be impacted
- Comment that parking should be eliminated at Clover Point and revert to only parkland
- Comment that future CRD-Seatterra public engagement meetings should be held in the same format as this meeting, with on the spot question – answer opportunity
- Question as to when this will go to council
- Question as to why Amendment 8 does not speak to expansion or upgrading of pumping station. Proponent stated Amendment states remove of grit and ability to handle 3X average flow.

**George Zador**

Planning and Zoning Chair  
Fairfield Gonzales Community Association  
1330 Fairfield Rd. Victoria, BC V8S 5J1  
[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)  
[www.fairfieldcommunity.ca](http://www.fairfieldcommunity.ca)  
[Facebook](#)

REPORTS OF THE COMMITTEE4. Planning and Land Use Committee – February 06, 20141. Rezoning Application # 00430 for 1303 Dallas Road (CRD Wastewater Pump Station at Clover Point)

It was moved by Councillor Alto, seconded by Councillor Coleman,  
Clover Point Pump Station

## 1. That Council:

- a. Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:
    - i. Provide for an indefinite term,
    - ii. Secure the agreement of the CRD to construct the public realm improvements within the zoned area, including public washroom facilities,
    - iii. Be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,
    - iv. Provide that the obligations of the City under the agreements are subject to the City adopting a *Zoning Regulation Bylaw* amendment for Rezoning Application # 00430 in accordance with the requirements of the *Local Government Act*,
  - b. Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*.
2. Direct Rezoning Application # 00430 proceed for consideration at a Public Hearing, subject to:
- a. Preparation of a *Zoning Regulation Bylaw* amendment.
  - b. The City and the CRD entering into the necessary legal agreements.

Conveyance Pipe

## 3. That Council:

- a. Approve the City entering into a License of Occupation to permit the CRD to construct a conveyance pipe from Dallas Road, which agreements shall:
  - i. Provide for an indefinite term,
  - ii. Secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,
  - iii. To be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture.
- b. That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter* and Council's approval of the final alignment of the cycle track.

Carried Unanimously

**BYLAWS**

**FIRST READING**

It was moved by Councillor Isitt, seconded by Councillor Young, that the following bylaw be given first reading:

Zoning Regulation Bylaw, Amendment Bylaw (No. 991) 14-033

*To rezone a portion of Public Right-of-Way known as 1303 Dallas Road to permit public buildings and accessory buildings and expansion and alteration of an existing wastewater pump station to collect and pump wastewater effluent*

*Councillor Gudgeon asked if washrooms are included in this.*

Dwayne Kalynchuk (Director of Engineering): Yes they are included and when the Planning Department brings the information forward, they will be included in the agreements.

*Councillor Isitt asked about the cycling pathway tying in to Clover Point.*

Dwayne Kalynchuk: It is included in the Plaza area and how it connects on the east and west side and the detailed information will be brought forward at the next meeting.

*Councillor Isitt said that there is an issue for the zoning of the downstream facility to convey the waste and he has confidence in the project.*

*Councillor Helps said that she does not feel that this should move forward.*

**Motion to Table:**

It was moved by Councillor Helps, seconded by Councillor Alto, that Council table consideration of the following bylaw:

Zoning Regulation Bylaw, Amendment Bylaw (No. 991) 14-033 Carried

**For:**

*Councillors Alto, Gudgeon, Helps,  
Madoff and Thornton-Joe*

**Against:** *Mayor Fortin, Councillors Coleman, Isitt and Young*

Council meeting  
April 10, 2014

UNFINISHED BUSINESS

1. Unfinished Business List

It was moved by Councillor Isitt, seconded by Councillor Young, that Zoning Regulation Bylaw, Amendment Bylaw (No. 991) – No. 14-033 for 1303 Dallas Road be lifted from the table.

*Councillor Isitt said that there may have been some unintended consequences with Council tabling consideration of the bylaw at the last Council meeting.*

*Mayor Fortin advised that the motion is not debatable, but as he has already allowed Councillor Isitt to speak, he would like to suspend the rules of order.*

Motion:

It was moved by Mayor Fortin, seconded by Councillor Isitt, that Council suspend the rules of order.

Carried

For:

*Mayor Fortin, Councillors Coleman, Gudgeon, Helps, Isitt, Madoff, Thornton-Joe and Young*

Against:

*Councillor Alto*

John Sturdy (Assistant Director, Engineering and Public Works): Engineering Department is drafting a report for the May 8<sup>th</sup> Council meeting to provide an update on the current status of all issues related to the rezoning, including the CRD plans.

*Mayor Fortin said that there are also infrastructure upgrades that are tied to the rezoning whether sewage treatment goes ahead or not.*

*Councillor Coleman said that there was a presentation at the Fairfield Community Centre by Seaterra that said the rezoning had to go ahead because a volumetric upgrade had be done and if it is tabled we could lose the amenities.*

On the main motion:

Defeated

For:

*Councillors Isitt and Young*

Against:

*Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Madoff and Thornton-Joe*

Council meeting  
April 24, 2014

HEARINGS - REQUESTS TO ADDRESS COUNCIL

8. **Stephen Henderson, CRD, re: Zoning Regulation Bylaw, Amendment Bylaw (No. 991) – No. 14-033:** The equipment within the facility has a 25 year life cycle and the building was built 40 years ago and the equipment is overdue for an upgrade and the upgrades require expansion of the facility. Currently there are about six overflows a year which affects the environment as it is at capacity. The upgrades proposed are new screens, higher capacity pumps, electrical and mechanical equipment, acoustical insulation and odour control equipment. Currently the system removes about 1,000 kg of solids from the effluent a day and with the upgrade a further 1,000 kg of solids would be removed a day. The benefits realized are increased capacity to prevent overflows, better effluent quality which will contribute to a cleaner ocean. The expansion of the facility will allow site benefits such as a new intersection and sidewalks, new public realm improvements including public plaza and landscaping, washrooms benches and drinking fountain and sidewalk and cycling improvements. The upgrades are being proposed so the CRD can continue using the facility until the decision is made on the larger question of sewage treatment. He would request that Council give first and second reading and forward the application to public hearing.

UNFINISHED BUSINESS

2. **Clover Point Pump Station – Status Update re: Rezoning Conditions/Additional Information from Capital Regional District**  
Council received a report dated April 30, 2014 from the Engineering and Public Works Department providing an update on items raised at the Planning and Land Use Committee meeting on February 6, 2014, including length of agreement term, public realm improvements associated with the pump station and with the conveyance pipe, and the status of the alignment of the cycle track and associated public engagement.

**Motion – Lift from the Table:**

It was moved by Councillor Young, seconded by Councillor Isitt, that Council:  
Lift *Zoning Regulation Bylaw, Amendment Bylaw (No. 991) – No. 14-033* from the table.

Carried Unanimously

**John Sturdy Assistant Director of Underground and Facilities:** Advised Council that the Licence of Occupation Agreement for the pump station is moving forward and close to being finalized. The agreement would be for a term of 99 years. The improvements associated with the pump station include:

- a public viewing plaza;
- a bike-pedestrian node to transition from the pedestrian path to the viewing plaza;
- benches;
- bike racks and maintenance stand;
- drinking fountain;
- public washrooms;
- intersection improvements; and,
- pedestrian paths.

The licence includes an allowance of \$75,000 for five years of operating and maintenance costs for the public realm improvements.

The Licence of Occupation for the conveyance pipe is also moving forward, again the term will be for 99 years and is related to the force main that is proposed from Clover Point to the proposed treatment plant. A cycle track is the prime public realm improvement associated with this. The final alignment of the cycle track is still being finalized and the force main will follow this track once it has been determined.

*Mayor Fortin said the First Nations reburial is missing as it was tied to the conveyance pipe*

construction and if the CRD is not willing to go along with this, then they must commit to follow the City's protocol in relation to First Nations reburials.

Stephen Henderson (CRD): The CRD has Board approval for the funding for reburial process at Beacon Hill Park and a MOU is being worked on with City staff.

*Councillor Isitt said that funds have been committed prior to this rezoning and the City has approved the site, it would take a motion to rescind funds at the CRD to take the funds away. The status quo is not acceptable and this is a reasonable proposal. This is an appropriate use for the land and looks forward to the public hearing.*

*Councillor Helps asked:*

- *If the rezoning goes ahead and there is no sewage treatment plant at McLoughlin Point, do the amenities still happen?*
- *Where is the \$75,000 in on-going maintenance coming from?*
- *Is the first Licence of Occupation tied to the rezoning?*
- *What about the conveyance pipe Licence of Occupation?*
- *She is prepared to support the upgrade to the plant, but not the conveyance pipe; can they be separated?*

John Sturdy:

- The Licence of Occupation includes the requirements for the public realm improvements and funding which is tied to the rezoning and moving ahead with upgrades to Clover Point Pump Station;
- Yes, the first Licence is tied to the rezoning;
- The conveyance pipe is separate and would move ahead when the force main moves ahead; if this does not occur then the Licence would not be enacted;
- Currently the Licence for the conveyance pipe is included with the work that will occur with the upgrade, but the terms of the licence would not be enacted until the conveyance pipe work proceeds.

*Mayor Fortin said the current application includes the Licence of Occupation for the conveyance pipe, but the conveyance pipe will not be built unless there is a sewage treatment plant built to send effluent to.*

*Councillor Helps asked why we would sign a licence for a pipe that may or may not be built?*

John Sturdy: By signing the licence now, it binds the applicant to providing the amenities at the time work occurs; without the licence in place, it would have to be finalized when the pipes proceed.

*Councillor Helps requested that this be made clear to the public when it goes to public hearing.*

*Mayor Fortin said that the applicant is the CRD not the City and they are the ones to provide the public information.*

*Councillor Madoff said one of the issues is:*

- *What upgrades to the Clover Point Pump Station be required in isolation of McLoughlin?*
- *She had hoped they would be separate and uncomfortable that they are tied together.*

Deb Day (Director, Sustainable Planning and Community Development): The rezoning can proceed and not impinge on this issue; they are not linked.

*Mayor Fortin asked if granting this rezoning and amenities would prevent, in the future, this being the location for the City's distributed sewage treatment plant?*

Dwayne Kalynchuk (Director of Engineering and Public Works: That is complicated; he would side on the latter; it does not prohibit the City from doing other works on the site. Do not see by upgrading this pump station that it would prohibit future works if that was final direction.

*Councillor Isitt read the following from the staff report:*

- *"The conveyance pipe will not be installed until the final alignment of the cycle track has been approved by the City" and*
- *"Should the rezoning be approved, staff would move forward with the final stage of public engagement and bring a final report to Council"*
- *Council is the arbiter for the alignment of the pipe, so without Council approval there would be no pipe or cycle track.*

Deb Day: The zoning part of the question, the use that is identified in the zone that is being proposed is only a wastewater pump station, so to build a more comprehensive sewage treatment facility, a rezoning would be required.

*Councillor Young said:*

- *He supports this and the works required;*
- *He cannot assure that this project will proceed in the envisioned form;*
- *The province has ordered the project and provided funding and the federal government is also providing funding;*
- *Having a Board appointed to have direct management of the project;*
- *The board has been instructed to move the project and that is what is happening.*

*Councillor Gudgeon said that she is satisfied by the staff comments and that the upgrades being done should not be put off and they are needed and long overdue.*

*Mayor Fortin asked about the operating expenses of washrooms.*

Dwayne Kalynchuk: \$75,000 for maintenance for the public realm amenities for five years.

*Councillor Helps asked why would Council engage in public engagement on the conveyance pipe on a cycle track that may or may not be built over a pipe that may or may not be built.*

Dwayne Kalynchuk: Staff would meet with the Seaterra staff to get an understanding of the project and update Council prior to any public consultation.

**Bylaw Motion – First Reading:**

It was moved by Councillor Young, seconded by Councillor Isitt, that the following bylaw be given first reading:

Zoning Regulation Bylaw, Amendment Bylaw (No. 991)	14-033	<u>Carried</u>
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**For:**

*Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Isitt, Thornton-Joe and Young*

**Against:**

*Councillors Helps and Madoff*

**Bylaw Motion – Second Reading:**

It was moved by Councillor Isitt, seconded by Councillor Young, that the following bylaw be given second reading:

Zoning Regulation Bylaw, Amendment Bylaw (No. 991)	14-033	<u>Carried</u>
--	--------	----------------

**For:**

***Mayor Fortin, Councillors Alto, Coleman,  
Gudgeon, Isitt, Thornton-Joe and Young***

**Against:**

***Councillors Helps and Madoff***

**Bylaw Motion – Forward to Public Hearing**

It was moved by Councillor Young, seconded by Councillor Isitt, that Council forward the following  
bylaw to public hearing:

Zoning Regulation Bylaw, Amendment Bylaw (No. 991)

14-033

Carried

**For:**

***Mayor Fortin, Councillors Alto, Coleman,  
Gudgeon, Isitt, Thornton-Joe and Young***

**Against:**

***Councillors Helps and Madoff***

Council meeting  
May 8, 2014

**OPEN MEETING AT 11:13 P.M.**

*Mayor Fortin advised that Council made a motion in the closed meeting to extend the meeting past 11:00 p.m.*

**Notice of Public Hearing to be held on Thursday, June 12, 2014**

It was moved by Councillor Young, seconded by Councillor Isitt, that the following Public Hearing be held in Council Chambers, City Hall, on **THURSDAY, JUNE 12, 2014, at 7:00 p.m.:**

3. Rezoning Application No. 00430 for property known as 1303 Dallas Road

*Councillor Helps said that she does not support this application moving to Public Hearing.*

*Councillor Isitt noted that upgrades are required to the system and they need to act on regulations imposed upon them by senior levels of government. The City can show leadership and allow the public to weigh in at a Public Hearing and he also spoke about the public amenities that will be reviewed by Council prior to a licence being granted for this land.*

*Councillor Madoff spoke about the upgrades that need to be considered regardless of the sewer project moving forward.*

*Councillor Young said he supports this and they have seen the sketches of the main facilities at this site would be like and they know, as owners of the site, they retain control of the design.*

Carried

**For:** Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Isitt, Thornton-Joe and Young

**Against:** Councillor Helps

**Robert Woodland:** He advised that execution of a licence agreement was a pre-condition to this application moving to Public Hearing. Council should consider amending the motion passed on February 13, 2014, respecting Rezoning Application No. 00430 for the property known as 1303 Dallas Road, to remove this condition.

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Young, that Council amend the recommendation passed on February 13, 2014, as follows:

**1. Rezoning Application # 00430 for 1303 Dallas Road (CRD Wastewater Pump Station at Clover Point)**

It was moved by Councillor Alto, seconded by Councillor Coleman, Clover Point Pump Station

1. That Council:

- a. Approve the City entering into a License of Occupation to permit the CRD to occupy and expand the existing Clover Point Pump Station, which agreements shall:
  - i. Provide for an indefinite term,
  - ii. Secure the agreement of the CRD to construct the public realm improvements within the zoned area, including public washroom facilities,
  - iii. Be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture,
  - iv. Provide that the obligations of the City under the agreements are subject to the City adopting a *Zoning Regulation Bylaw* amendment for Rezoning Application # 00430 in accordance with the requirements of the *Local Government Act*;
- b. Authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Clover Point Pump Station and all documents

associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter*, and Council's approval of the design of the public plaza and washrooms.

2. Direct Rezoning Application # 00430 proceed for consideration at a Public Hearing, subject to:
  - a. Preparation of a *Zoning Regulation Bylaw* amendment.
  - b. ~~The City and the CRD entering into the necessary legal agreements.~~

Conveyance Pipe

3. That Council:
  - a. Approve the City entering into a License of Occupation to permit the CRD to construct a conveyance pipe from Dallas Road, which agreements shall:
    - i. Provide for an indefinite term,
    - ii. Secure the agreement of the CRD to construct public realm improvements, including the new cycle track along Dallas Road from Clover Point to Ogden Point,
    - iii. To be to the satisfaction of the City Solicitor and the Directors of Sustainable Planning and Community Development, Engineering and Public Works, and Parks, Recreation and Culture.
  - b. That Council authorize the Mayor and Corporate Administrator to execute the License of Occupation Agreement for the Dallas Road conveyance pipe and all documents associated with this transaction, subject to the publication of the statutory notices required by the *Community Charter* and Council's approval of the final alignment of the cycle track.

Carried Unanimously

Council meeting  
May 22, 2014



**PART 7.55 – S-10-CP ZONE, SERVICES CLOVER POINT DISTRICT****7.55.1 Definitions**

In this Part 7.55,

“**open space**” means that portion of the zoned area which is landscaped and not occupied or obstructed by any building or portion of building, driveway or parking lot.

“**wastewater pump station**” means a building or structure used to collect and pump wastewater effluent.

“**zoned area**” means all Public Right-of-Way shown on the map attached as Appendix A.

**7.55.2 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Wastewater pump station
- b. Public building subject to the regulations in Part 1.2
- c. Accessory buildings subject to the regulations in Schedule “F”

**7.55.3 Floor Area, Floor Space Ratio**

Floor area of a wastewater pump station (maximum)	1800m <sup>2</sup>
---	--------------------

**7.55.4 Height, Storeys**

- |                                     |                       |
|-------------------------------------|-----------------------|
| a. <u>Building height</u> (maximum) | 12.75m above Geodetic |
| b. <u>Storeys</u> (maximum)         | 0                     |

**7.55.5 Setbacks**

Setback of <u>building</u> from the High Water Mark (minimum)	4m
---	----

**7.55.6 Zoned Area Open Space**

Open space (minimum)	60%
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**PART 7.55 – S-10-CP ZONE, SERVICES CLOVER POINT DISTRICT****7.55.7 Vehicle and Bicycle Parking**

a. Vehicle parking (minimum)

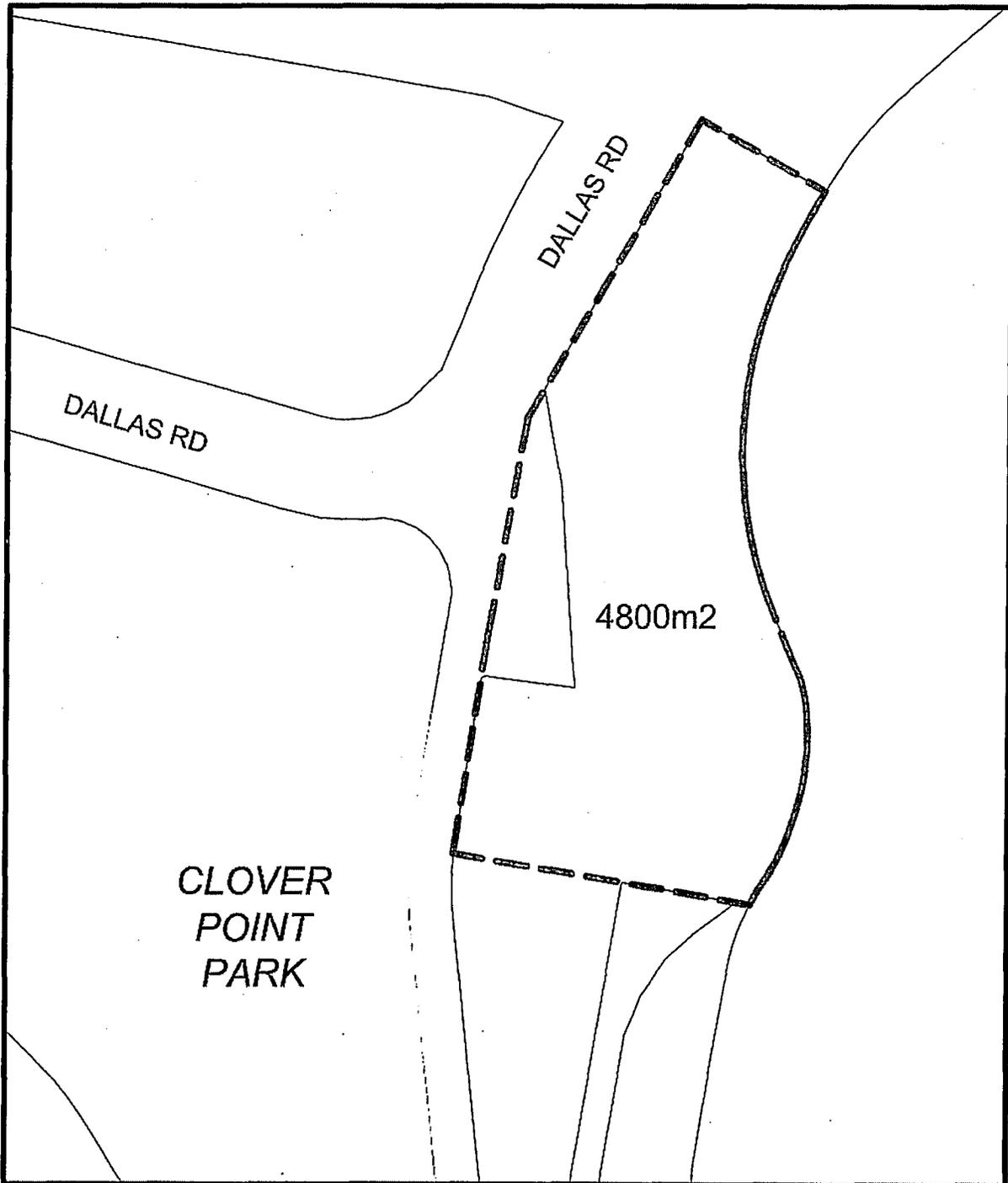
Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part

b. Wastewater pump station (minimum)

Nil

PART 7.55 – S-10-CP ZONE, SERVICES CLOVER POINT DISTRICT

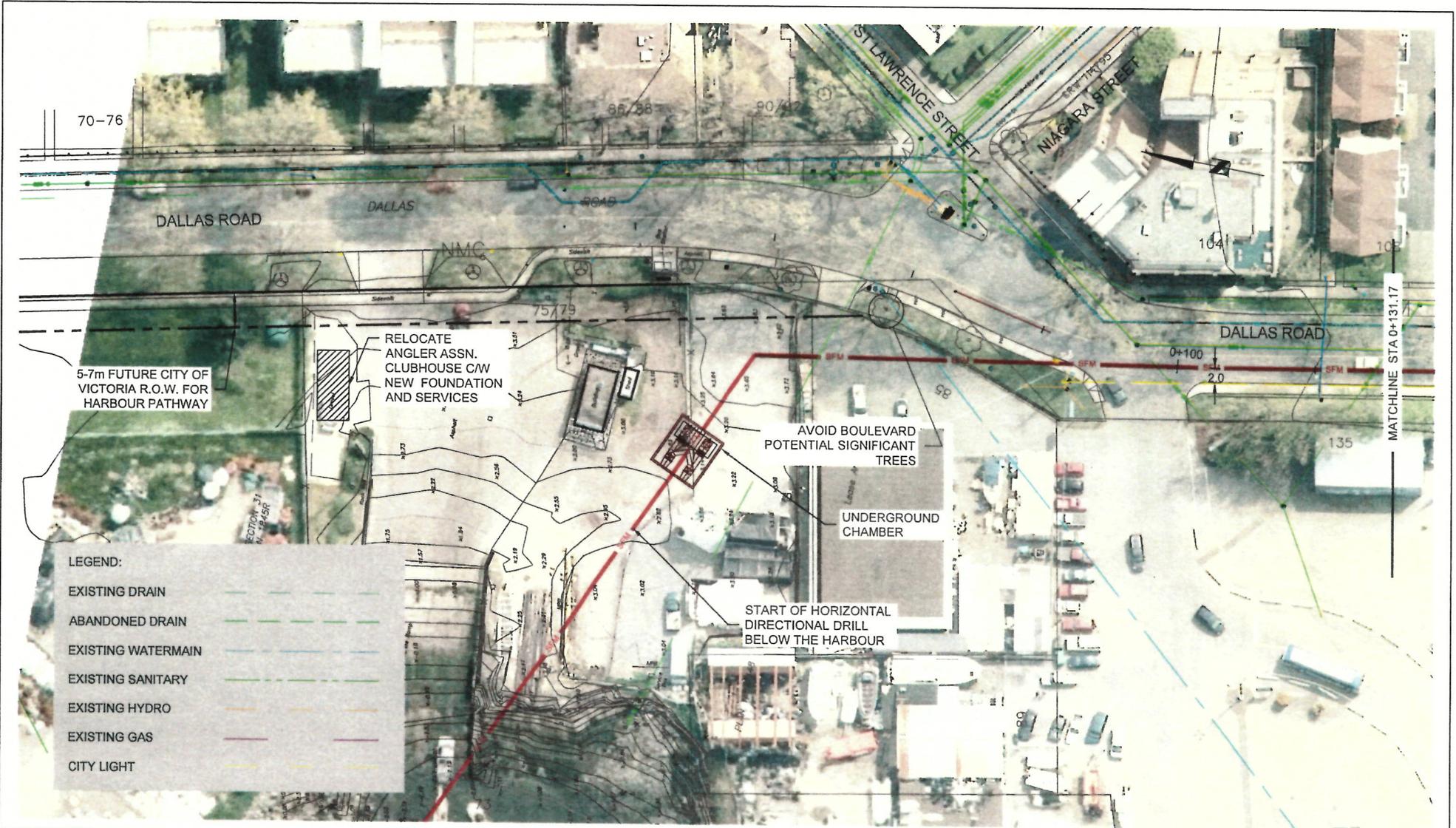
Appendix A



Appendix A  
Zoned Area  
Service Clover Point



Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw



LEGEND:

- EXISTING DRAIN
- ABANDONED DRAIN
- EXISTING WATERMAIN
- EXISTING SANITARY
- EXISTING HYDRO
- EXISTING GAS
- CITY LIGHT

DRAWING NAME: \\S:\Projects\Design\Projects\Recovery Centre Concept Design\01\_infrastructure\general\_etc.dwg  
 MODIFIED: Jun 16, 2017 12:00pm

ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED

PROPOSED	EXISTING	SYMBOL	DESCRIPTION
—	—	—	WAVE
—	—	—	AIR VALVE
—	—	—	HYDRANT
—	—	—	REDUCER
—	—	—	CAP
—	—	—	METER BOX
—	—	—	WATER
—	—	—	STAND PIPE
—	—	—	CATHODIC PROT.
—	—	—	POLE
—	—	—	GLY WIRE
—	—	—	LAMP STAND
—	—	—	SMH
—	—	—	STEEL BURN
—	—	—	GAS
—	—	—	SEWER
—	—	—	DRAIN
—	—	—	HYDRO
—	—	—	TEL
—	—	—	CABLE
—	—	—	MANHOLE
—	—	—	LEAD PILE
—	—	—	SEWER MH
—	—	—	DRAIN MH
—	—	—	HYDRO MH
—	—	—	TEL MH
—	—	—	CABLE MH
—	—	—	IRON PN
—	—	—	LEAD PILE
—	—	—	MONUMENT
—	—	—	TRANSVERSE MARK
—	—	—	TEST PIT
—	—	—	RIGHT OF WAY
—	—	—	PROPERTY LINE
—	—	—	ASPHALT
—	—	—	BANK
—	—	—	BUSH LINE
—	—	—	TREE
—	—	—	BLUSH
—	—	—	STAMP
—	—	—	FENCE

BAR IS 20mm LONG ON ORIGINAL DRAWING.

IF NOT 20mm ON THIS SHEET, GIVE SCALES ACCORDINGLY.

THIS DRAWING IS OF A CONFIDENTIAL NATURE AND SHALL NOT BE REPRODUCED IN ANY MANNER, FOR USE FOR ANY PURPOSE WHATSOEVER EXCEPT BY WRITTEN PERMISSION OF THE CAPITAL REGIONAL DISTRICT.

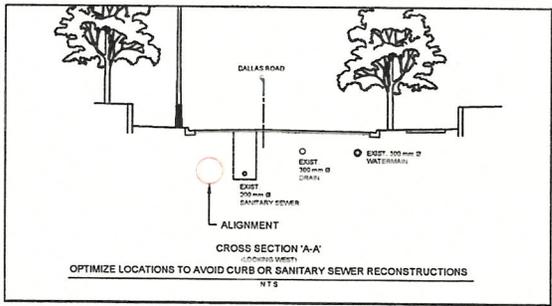
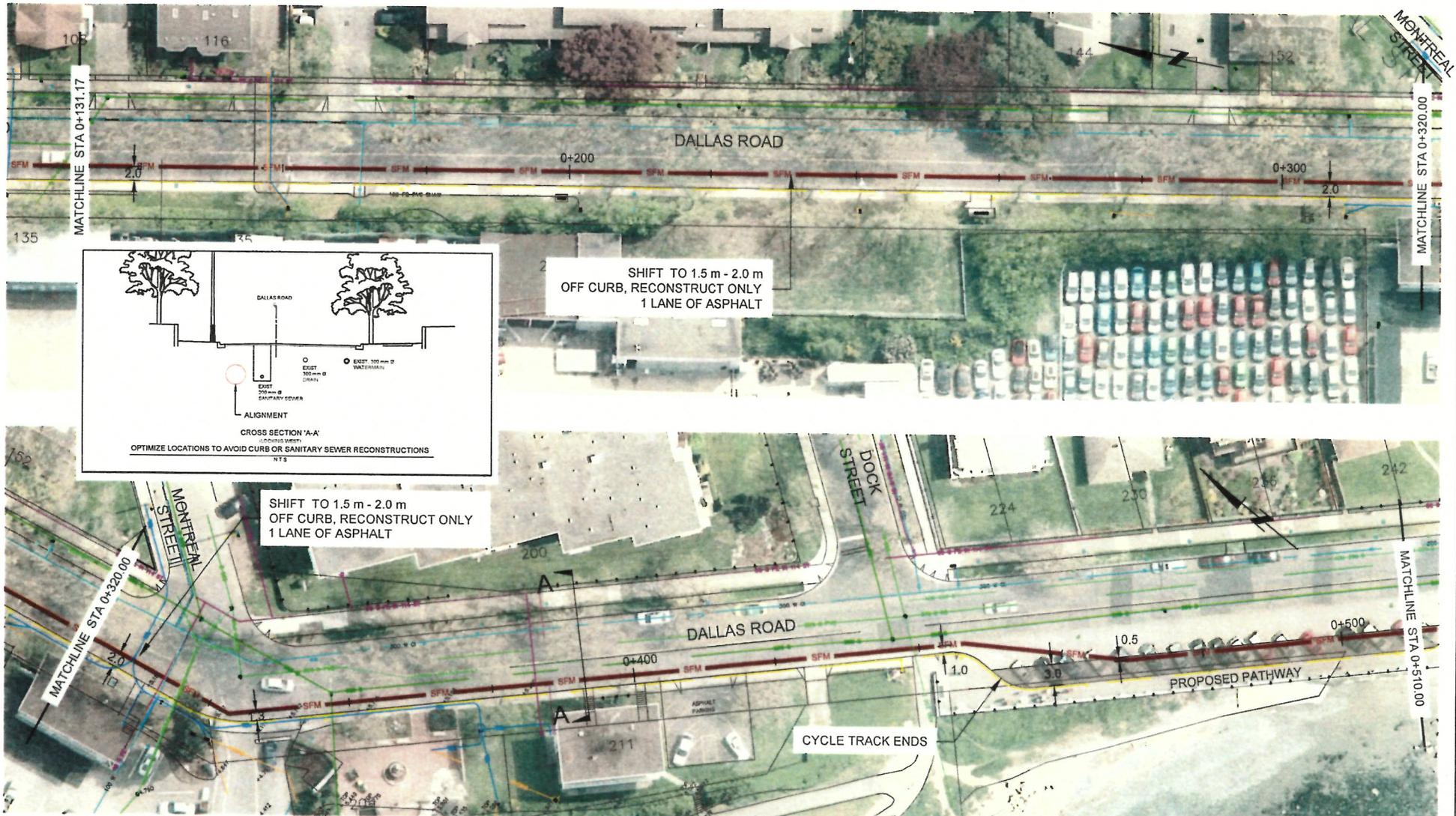
ALL UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHOULD BE CONFIRMED BY MANUAL, DIGGING, CAPITAL REGIONAL DISTRICT DOES NOT ACCEPT RESPONSIBILITY FOR ERRORS OR OMISSIONS IN THE INFORMATION SHOWN ON THIS DRAWING.

no.	date	revision	chk.	by

**CRD**  
Making a Difference Together

date: 2013.05.28  
 designed: IS  
 approved: —  
 folder: —  
 file no: —  
 drawing no: —

sheet: AS SHOWN  
 disk: BMS  
 checked: IS  
 acoc: —  
 map no: —  
 status: —



SHIFT TO 1.5 m - 2.0 m OFF CURB, RECONSTRUCT ONLY 1 LANE OF ASPHALT

SHIFT TO 1.5 m - 2.0 m OFF CURB, RECONSTRUCT ONLY 1 LANE OF ASPHALT

CYCLE TRACK ENDS

DRAWING NAME: U:\WITTOUCH\Projects\Resource Recovery Centre Concept Design\01\_information\General\_01.dwg  
DATE: 04/12/2017 12:00:00  
ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED

PROPOSED	EXISTING	VALVE	SEWER PIPE	ELECT. BOX	MANHOLE	IRON PIN	ASPHALT



THIS DRAWING IS OF A CONFIDENTIAL NATURE AND SHALL NOT BE REPRODUCED IN ANY MANNER, NOR USED FOR ANY PURPOSE WHATSOEVER EXCEPT BY WRITTEN PERMISSION OF THE CAPITAL REGIONAL DISTRICT.

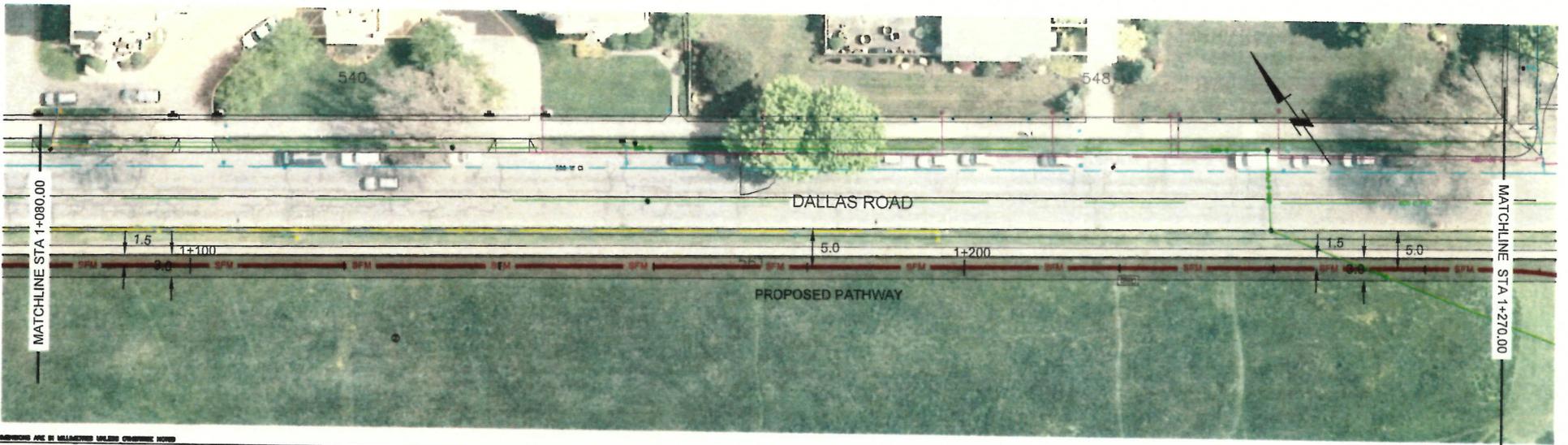
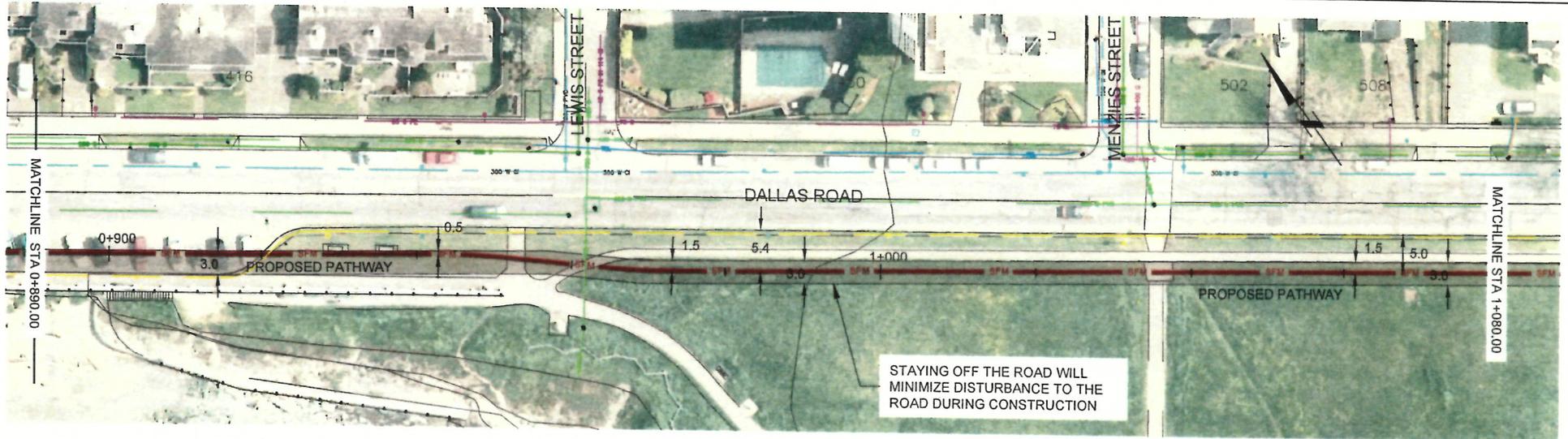
ALL UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHOULD BE CONFIRMED BY MANUAL DIGGING. CAPITAL REGIONAL DISTRICT DOES NOT ACCEPT RESPONSIBILITY FOR DAMAGES OR OMISSIONS IN THE INFORMATION SHOWN ON THIS DRAWING.

no	date	revision	chk	by

DATE: 2013.05.28  
 DESIGNED BY: IS  
 APPROVED BY: IS  
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 DRAWING NO: 10-10-10-10

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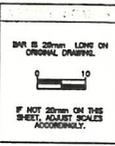




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ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED

Proposed	Existing	SYMBOLS	
VALVE	SEWED PIPE	ELECT. BOX	MANHOLE
AIR VALVE	CATHODIC PROT.	GAS	FLUSH MH
HYDRANT	POLE	SEWER	SEWER MH
REDUCER	6KV WIRE	DRAIN	DRAIN MH
CAP	LAMP STAND	HYDRO	HYDRO MH
METER BOX	SIEM	TEL	TEL MH
WATER	CHOCK BUSH	CABLE	CABLE MH
		IRON PK	IRON PK
		LEAD PLUG	LEAD PLUG
		MOVEMENT	MOVEMENT
		TEST PIT	TEST PIT
		RIGHT OF WAY	RIGHT OF WAY
		PROPERTY LINE	PROPERTY LINE
		ASPHALT	ASPHALT
		BANK	BANK
		BRUSH LINE	BRUSH LINE
		TREE	TREE
		BUSH	BUSH
		STUMP	STUMP
		FENCE	FENCE



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ALL UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHOULD BE CONFIRMED BY MANUAL GROUND CHURNS. REGIONAL DISTRICT DOES NOT ACCEPT RESPONSIBILITY FOR ERRORS OR OMISSIONS IN THE INFORMATION SHOWN ON THIS DRAWING.

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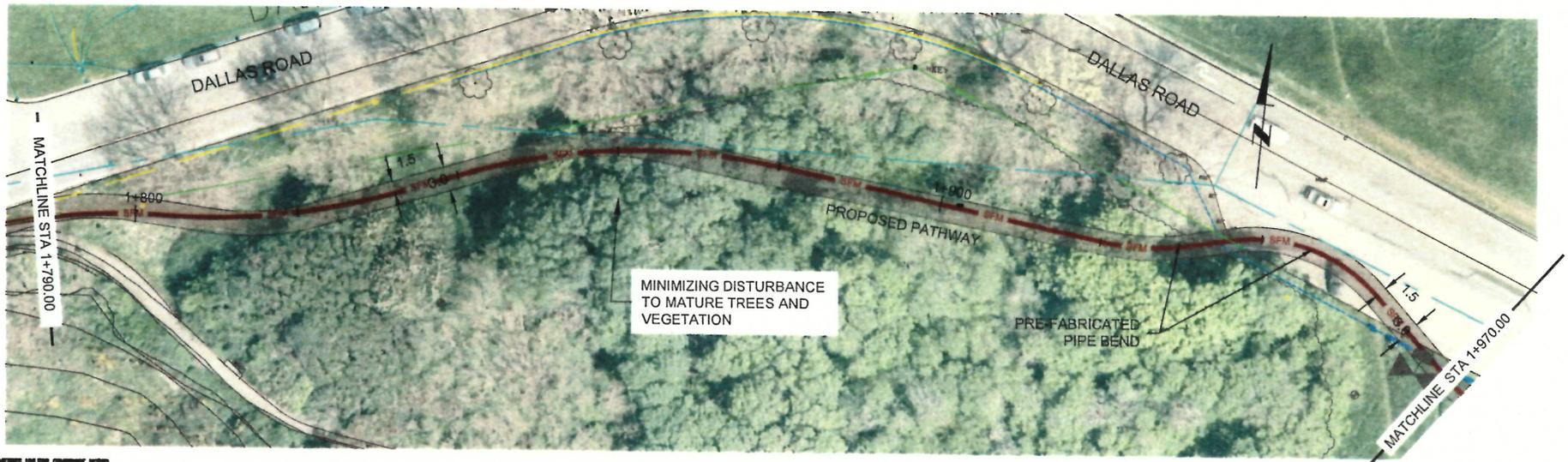
**CRD**  
Making a Difference Together

2013.05.28  
AS SHOWN

DESIGNED BY: IS  
CHECKED BY: IS

FILE NO:      MOD NO:      SHEET NO: 1554





DRAWING NAME: \\VIT70043\Drawings\Measure Recovery\Center Concept Design\VI\_references\formal\_at02.dwg

ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	STONE PIPE		ELECT. BOX		MANHOLE		IRON PIN
	AIR VALVE		SEWER		FLUSH MH		LEAD PLUG
	HYDRANT		SEWER MH		MANHOLE		MONUMENT
	REDUCER		DRAIN MH		TRAVERSE MARK		TREE
	CAP		HYDRO MH		TEST PIT		BUSH
	METER BOX		TEL MH		RIGHT OF WAY		STUMP
	WATER		CABLE MH		PROPERTY LINE		FENCE

SCALE IS 20mm LONG ON ORIGINAL DRAWING

IF NOT SHOWN ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

THIS DRAWING IS OF A CONFIDENTIAL NATURE AND SHALL NOT BE REPRODUCED IN ANY MANNER, NOR USED FOR ANY PURPOSE WHATSOEVER EXCEPT BY WRITTEN PERMISSION OF THE CAPITAL REGIONAL DISTRICT.

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NO.	DATE	REVISION	CHK.	BY

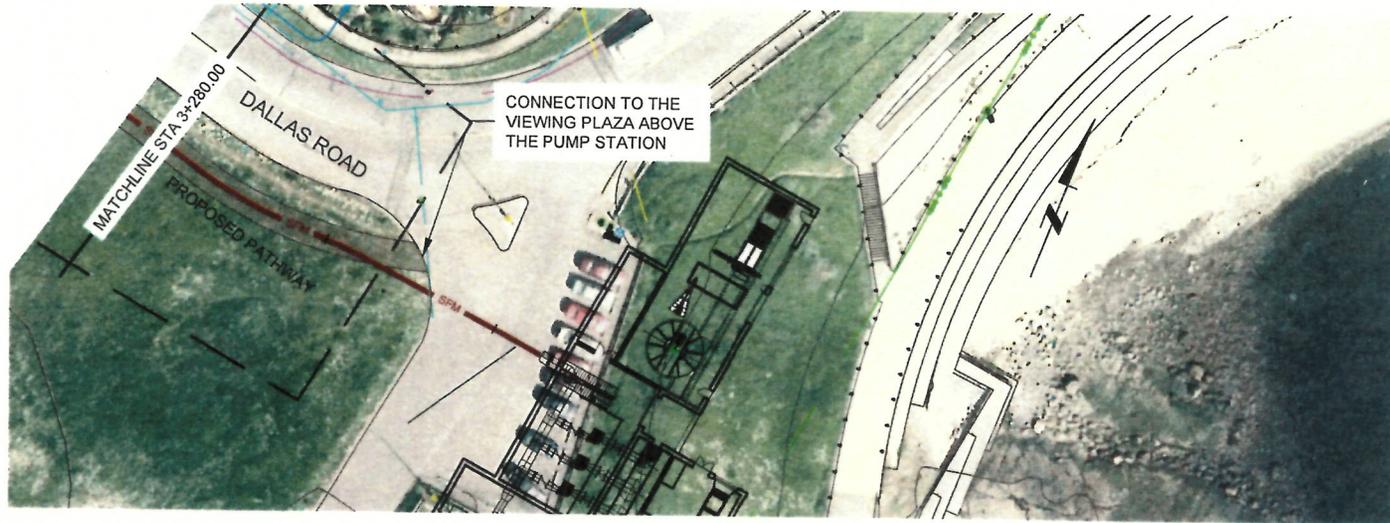


DATE	2013.05.28	SCALE	AS SHOWN
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APPROVED		CHECKED	
FOLDER		ACC2 FILE	
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DRAWING NO.		ISSUE	









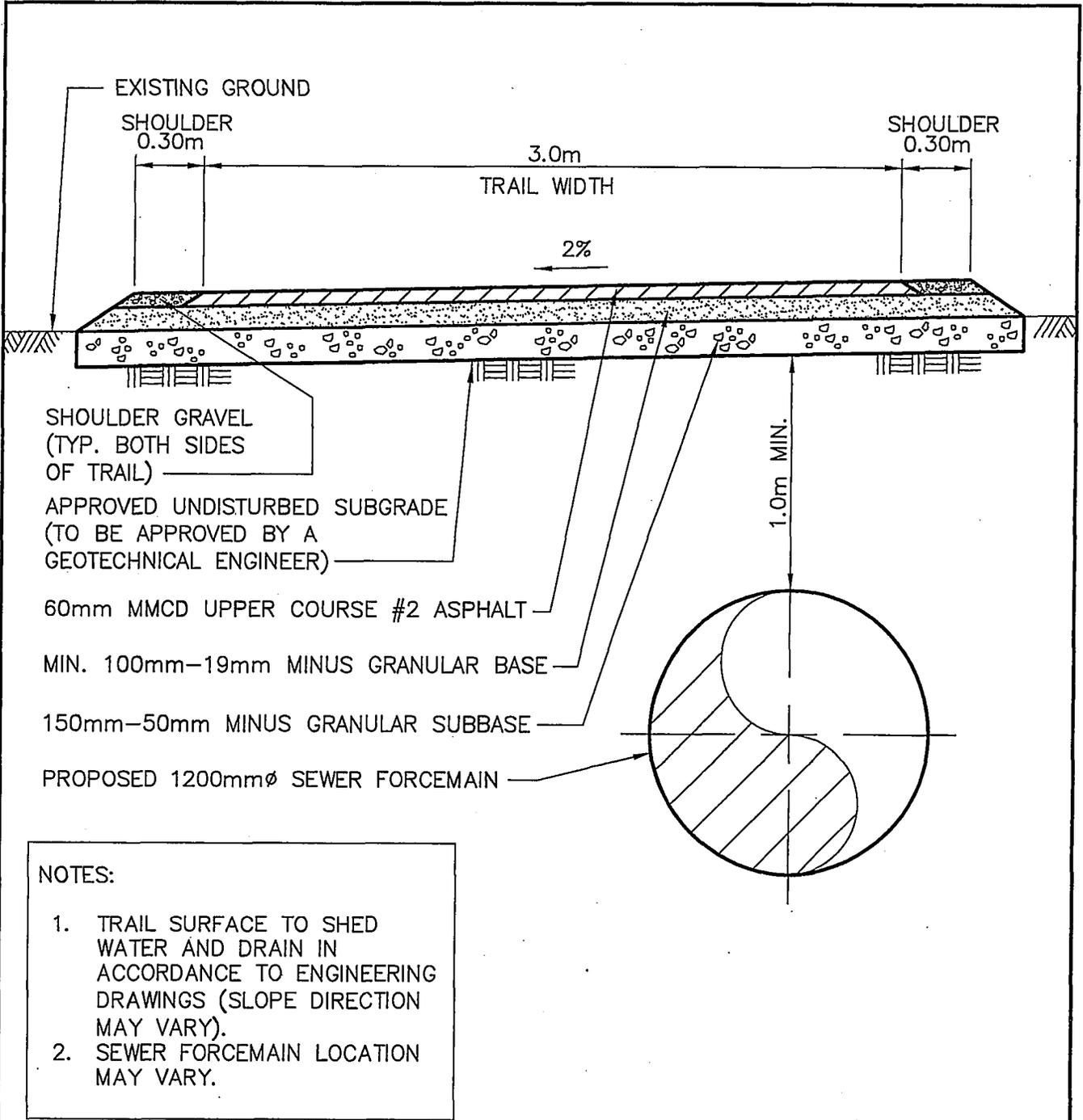
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 MODIFIED: Jun 18, 2013 12:00pm

PROPOSED	EXISTING	SYMBOL	DESCRIPTION
		SPIND PIPE	
		WAVE	
		AIR VALVE	
		HYDRANT	
		REDUCER	
		CAP	
		METER BOX	
		WATER	
		STEEL PIPE	
		CERAMIC PIPET	
		POLE	
		GLY BRK	
		LAMP SOUND	
		SRK	
		GRCH SRK	
		GAS	
		SEWER	
		DRNH	
		HYDR	
		TEL	
		CABLE	
		MARKOLE	
		FLUSH MH	
		SEWER MH	
		DRNH MH	
		HYDR MH	
		TEL MH	
		CABLE MH	
		IRON PIN	
		LEAD PLUG	
		MONUMENT	
		TRANSFER HUB	
		TEST PIT	
		RIGHT OF WAY	
		PROPERTY LINE	
		ASPHALT	
		BANK	
		BUSH LINE	
		TREE	
		BUSH	
		STAMP	
		FENCE	

<p>THIS DRAWING IS OF A CONFIDENTIAL NATURE AND SHALL NOT BE REPRODUCED IN ANY MANNER, NOR USED FOR ANY PURPOSE WHATSOEVER, EXCEPT BY WRITTEN PERMISSION OF THE CAPITAL REGIONAL DISTRICT.</p> <p>ALL UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHOULD BE CONFIRMED BY MANUAL EXCAVATION. CAPITAL REGIONAL DISTRICT DOES NOT ACCEPT RESPONSIBILITY FOR ERRORS OR OMISSIONS IN THE INFORMATION SHOWN ON THIS DRAWING.</p>	<p>BAR IS 20mm LONG ON ORIGINAL DRAWING.</p> <p>0 10</p> <p>IF NOT SHOWN ON THIS SHEET, ADJUST SCALES ACCORDINGLY.</p>	<p>DATE: 2013.05.28</p> <p>SCALE: AS SHOWN</p> <p>DESIGNED: ES</p> <p>DESIGNED: RM3</p> <p>APPROVED: ES</p> <p>APPROVED: ES</p> <p>FOLDER: [blank]</p> <p>ECO FILE: [blank]</p> <p>FILE NO: [blank]</p> <p>MAP NO: [blank]</p> <p>DRAWING NO: [blank]</p> <p>ISSUE: [blank]</p>
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Capital Regional District | Parks & Environmental Services



- NOTES:
1. TRAIL SURFACE TO SHED WATER AND DRAIN IN ACCORDANCE TO ENGINEERING DRAWINGS (SLOPE DIRECTION MAY VARY).
  2. SEWER FORCEMAIN LOCATION MAY VARY.

ELEVATION

TYPICAL TRAIL SECTION  
1:25

 Making a difference...together		DALLAS ROAD FORCEMAIN					TYPICAL TRAIL SECTION DETAIL		
		DESIGNED M.C.	DRAWN L.B.	SCALE AS SHOWN	CHECKED M.C.	APPROVED M.C.	DATE 02/05/14	DWG. NO. 5-M110-1	REV.
						1	1	1	

## Design Guidelines and Specifications for the Cycle Track

### **Cycle Track Connectivity**

- The cycle track will extend from Dock Street at the Ogden Point breakwater to Clover Point.
- A gathering/dismount area for the cycle track will be incorporated on the west side of Clover Point Road at Dallas Road as part of the Public Realm improvements.

### **Pathway Design Specifications**

- The 3m wide cycle track will be constructed to the attached Typical Trail Section Detail.
- The cycle track must respond to public safety considerations and consider CPTED principles, including the need for lighting.
- The cycle track design must comply with Transportation Association of Canada geometric design standards for bikeways.
- The cycle track design will need to consider safety improvements for pedestrian crossings, linkages to existing crosswalks and connections to the Dallas Road waterfront pathway.

### **Site Furnishings**

- All existing in-ground garbage cans located adjacent to Dallas Road must be reinstated as part of the project. Final locations will be determined in consultation with City of Victoria Parks staff.
- Cycle track design will consider locations for a bike rack and a bench at key intersections. (minimum 6 locations)
- All site furnishings will be consistent in design, style and quality as the City's current Park's standard.
- Barrier-fencing will be located between the dog off-leash area and the cycle track in areas of constraint east of Cook Street. Locations to be determined during detailed design.
- Wayfinding signs will be installed at key intersections and amenities (i.e. washroom facilities). (minimum 10 signs)

### **Construction Specifications**

- Intersection improvements, roadways, sidewalks, landscaping and any other works or services must be designed and constructed in accordance with the requirements and specifications contained in the Victoria Subdivision and Development Servicing Bylaw No. 12-042.

## Design Guidelines and Specifications for the Public Realm Improvements

### Context

#### City of Victoria's vision is that:

Clover Point Park should be reimagined as a "special place" of arrival and gathering and should acknowledge and reflect that the location is:

- the proposed beginning/terminus of the Trans Canada Trail and will form part of a future network of nationally significant "special places"
- a part of the Salish Sea Marine Trail
- a part of the federal Victoria Harbour Migratory Bird Sanctuary.

### Public Realm Improvements

The public realm improvements will complement the City's vision by:

- functioning as a regional destination for multiple users to enjoy waterfront views, with a "rest area" linking to the proposed bikeway ("Cycle Track") and Ross Bay Greenway.
- encouraging architectural elements that contribute to creating a visual identity for the site, and include distinctive features, such as seating, or lighting.
- considering low cost of maintenance and weather resistance as important factors.

### **Site Furnishings and Amenities**

- Pavement will be concrete, brick or pavers.
- All landscaping will be low maintenance, with no or low long term irrigation requirements.
- The design of the public realm improvements will include at minimum:
  - 4 benches
  - 2 garbage cans (in-ground cans to be installed where feasible)
  - 1 interpretive sign
  - 2 bicycle racks
  - 1 bicycle kitchen (i.e. a maintenance stand similar to those along Capital Regional District's Regional Trails)
  - 1 water fountain
- All site furnishings should be consistent in design, style and quality as the City's current Park's standard.

### **Bikeway and Pathway Connectivity**

- The location is a key connecting point to bikeways and pathways, including the pathway along Clover Point Park towards Beacon Hill Park, and Ross Bay Greenway (combined bikeway and pathway).
- The final design will link these existing bikeways and pathways with the Cycle Track along Dallas Road, maintain pedestrian and cycling flows along Clover Point Road, and, minimize conflicts between existing park users and users of the Cycle Track and public realm improvements.
- A gathering/dismount area for the Cycle Track will be incorporated on the west side of Clover Point Road at Dallas Road.

- Bike amenities will be included on the east side of Clover Point Road, near the new washroom, and upgraded pump station facility.

### **Public Washroom**

- The washroom facility will contain two gender neutral, universally accessible single use washrooms, each with a sink, toilet, urinal and electric hand dryer and a mechanical/janitors room. The total building will have an approximate footprint size of 3.5m x 8.5 m.
- In determining washroom location, existing view sheds will be a consideration. Building form and massing need to minimize impacts to the views from public vantage points along Dallas Road, Clover Point Road, and from the water.
- The washroom must be distinctive in appearance, yet the function is integrated into the site's topography and overall landscape design.
- Proposed location and building design must respond to public safety considerations and consider CPTED principles and the need for lighting.
- High-quality materials will be used for the exterior design, and interior finishes.
- Building will be constructed to LEED Silver at minimum and should strive for LEED Gold.

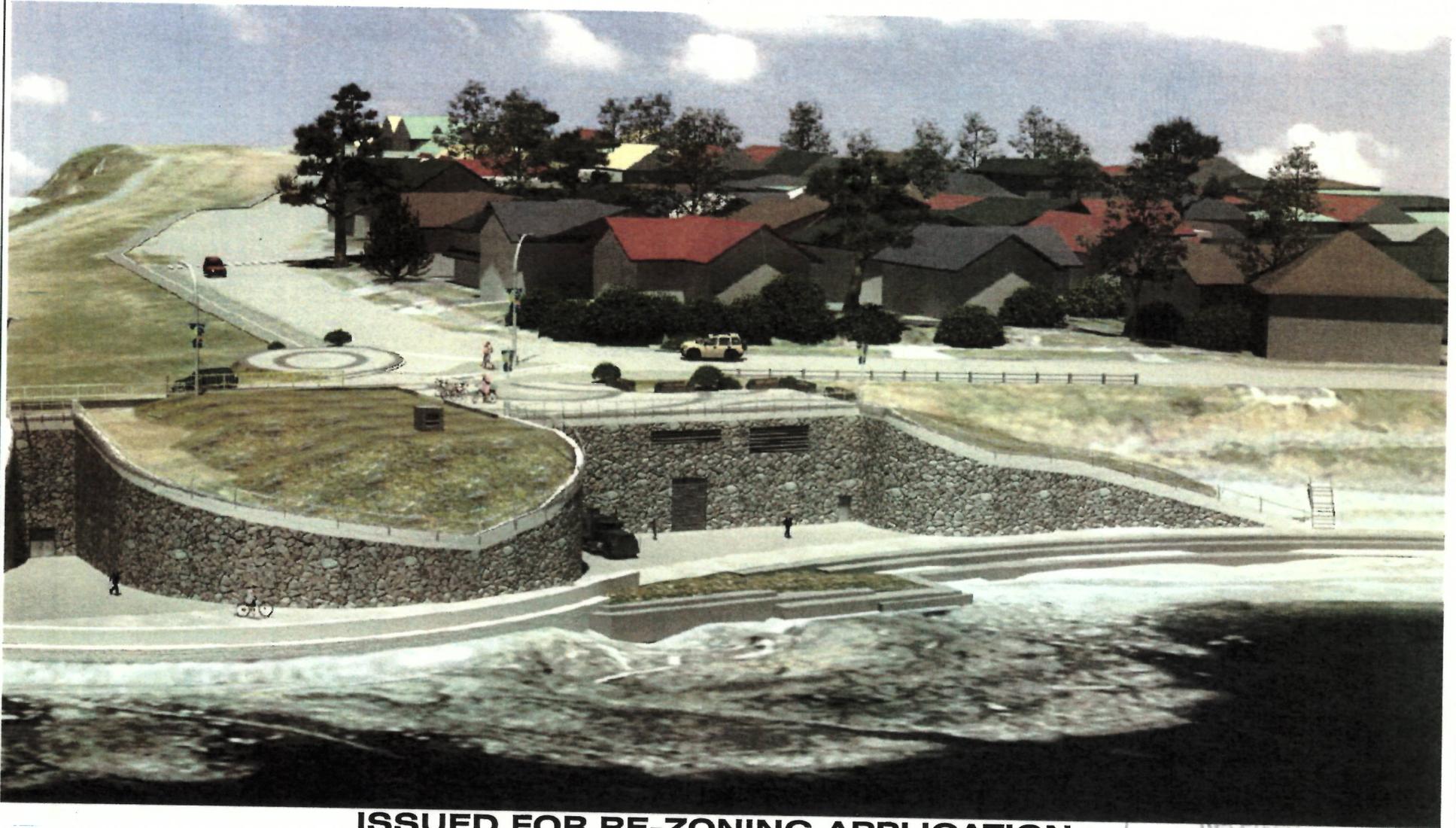
### **Universal Access**

- Universal access (i.e. wheelchair access) will be provided to all plazas and washrooms.
- Pathways will be universally accessible wherever possible to City standards.

### **Construction Specifications**

- To provide pedestrian priority over vehicle movements and reduce vehicle speeds, the intersections improvements at Dallas and Clover Point Road is to be constructed as a standard driveway crossing, consistent with the Victoria Subdivision and Development Servicing Bylaw No. 12-042.
- Intersection improvements, roadways, sidewalks, landscaping and any other works or services must be designed and constructed in accordance with the requirements and specifications in the Victoria Subdivision and Development Servicing Bylaw No. 12-042.

# CORE AREA WASTE WATER TREATMENT PROGRAM CLOVER PUMP STATION



**ISSUED FOR RE-ZONING APPLICATION**

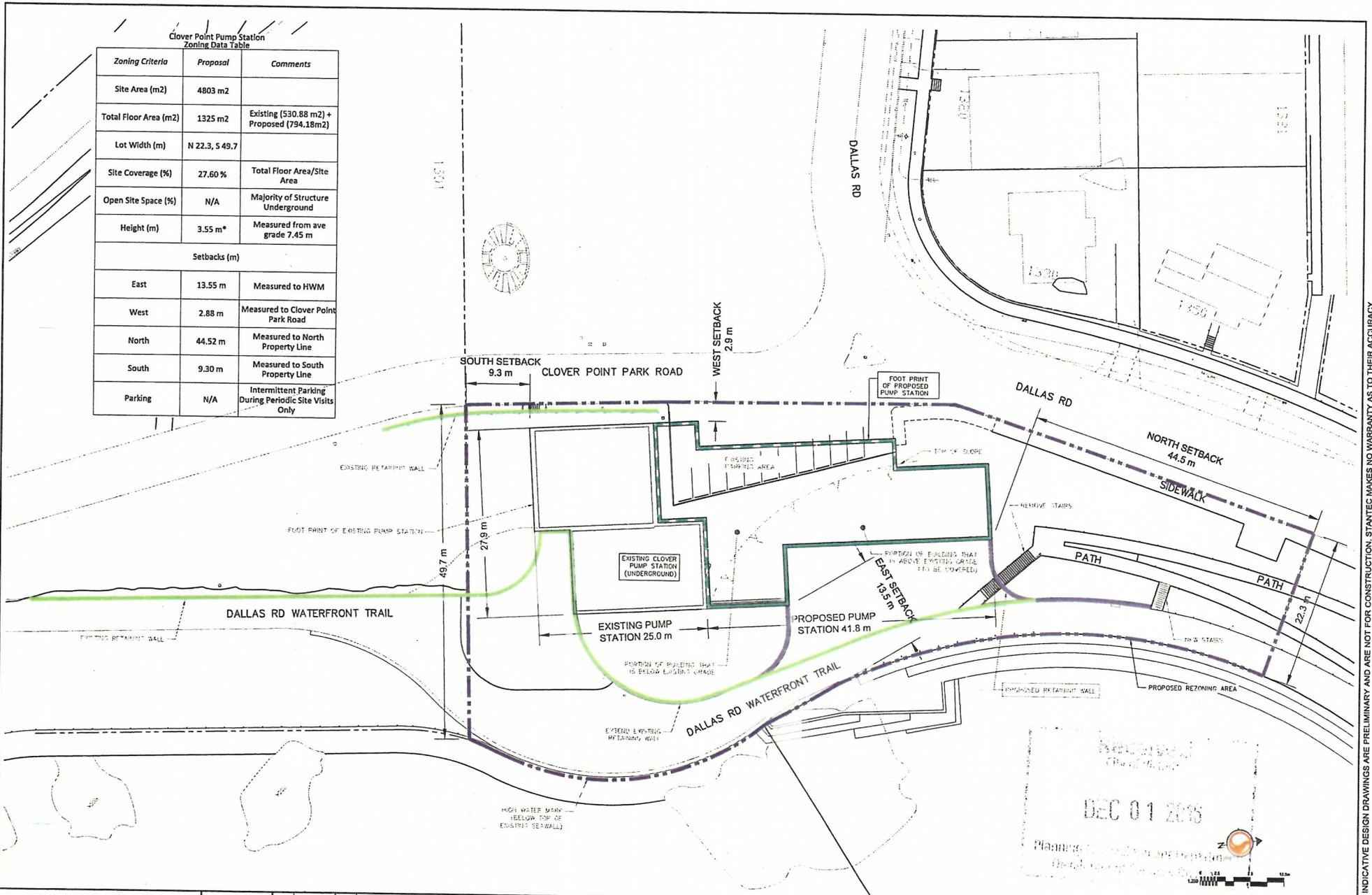
DATE: 11/11/2014 11:23:00 AM  
PROJECT: CORE AREA WASTE WATER TREATMENT PROGRAM  
DRAWING: CLOVER PUMP STATION  
SCALE: 1/8" = 1'-0"

City of Wake  
CRD  
Planning & Development  
Infrastructure Department

DISCLAIMER: THESE INDICATIVE DESIGN DRAWINGS ARE PRELIMINARY AND ARE NOT FOR CONSTRUCTION. STATEC MAKES NO WARRANTY AS TO THEIR ACCURACY.

**Clover Point Pump Station Zoning Data Table**

Zoning Criteria	Proposal	Comments
Site Area (m <sup>2</sup> )	4803 m <sup>2</sup>	
Total Floor Area (m <sup>2</sup> )	1325 m <sup>2</sup>	Existing (530.88 m <sup>2</sup> ) + Proposed (794.18m <sup>2</sup> )
Lot Width (m)	N 22.3, S 49.7	
Site Coverage (%)	27.60 %	Total Floor Area/Site Area
Open Site Space (%)	N/A	Majority of Structure Underground
Height (m)	3.55 m*	Measured from ave grade 7.45 m
Setbacks (m)		
East	13.55 m	Measured to HWM
West	2.88 m	Measured to Clover Point Park Road
North	44.52 m	Measured to North Property Line
South	9.30 m	Measured to South Property Line
Parking	N/A	Intermittent Parking During Periodic Site Visits Only



Received  
City of Dallas  
DEC 01 2016  
Planning and Zoning Department  
Development Services Division

DATE: 11/15/16 11:00 AM Project Path: \\saw\1129 Issue 01\DWG\01-01-02.dwg



REV.	BY	DATE	NO.	REVISION	ENR. NO.	DATE	ISSUE
1		11 29 16		ISSUED FOR RE-ZONING APPLICATION			



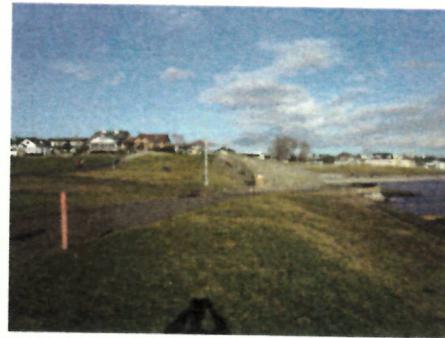
Capital Regional District	Core Area Wastewater Treatment Program	CORE AREA WASTEWATER TREATMENT PROGRAM
DESIGNED	SURVEYED	
DRAWN RCF	DATE 01/04/13	CLOVER PUMP STATION SITE PLAN
SCALE HORIZONTAL 1:250	CHECKED SC	
SCALE VERTICAL	APPROVED RAF	
	CONTRACT NUMBER CPS-100	DRAWING NUMBER CL-CO-G-002
	SHEET 1	TOTAL SHEETS 02

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ORTHOPHOTO OF EXISTING SITE  
NTS



EXISTING VIEW FROM CLOVER SEAWALK LOOKING NORTH  
NTS



EXISTING VIEW FROM DALLAS ROAD LOOKING EAST  
NTS



EXISTING VIEW FROM CLOVER SEAWALK LOOKING SOUTHWEST  
NTS



EXISTING VIEW FROM DALLAS ROAD LOOKING SOUTH  
NTS

DRAWN BY: SY, 11/19/13  
 CHECKED BY: MC, 11/19/13  
 APPROVED BY: [Signature], 11/19/13  
 PROJECT: CORE AREA WASTEWATER TREATMENT PROGRAM  
 SHEET NO. CL-CO-C-004 OF 122



REV.	DATE	BY	REVISION	ISSUED FOR RE-ZONING APPLICATION
1	11.29.16			ISSUED FOR RE-ZONING APPLICATION



DESIGNED	SURVEYED	DATE 12/19/13	CHECKED MC	APPROVED
DRAWN SY	DATE 12/19/13	CHECKED MC	APPROVED	
SCALE HORIZONTAL				
SCALE VERTICAL				
CONTRACT/CPS-100		DRAWING NUMBER CL-CO-C-004	ISSUE 1	REV. NO. OF

DEC 01 2013  
 PLANNING DEPARTMENT  
 1000 W. 12TH ST. SUITE 100  
 DENVER, CO 80202

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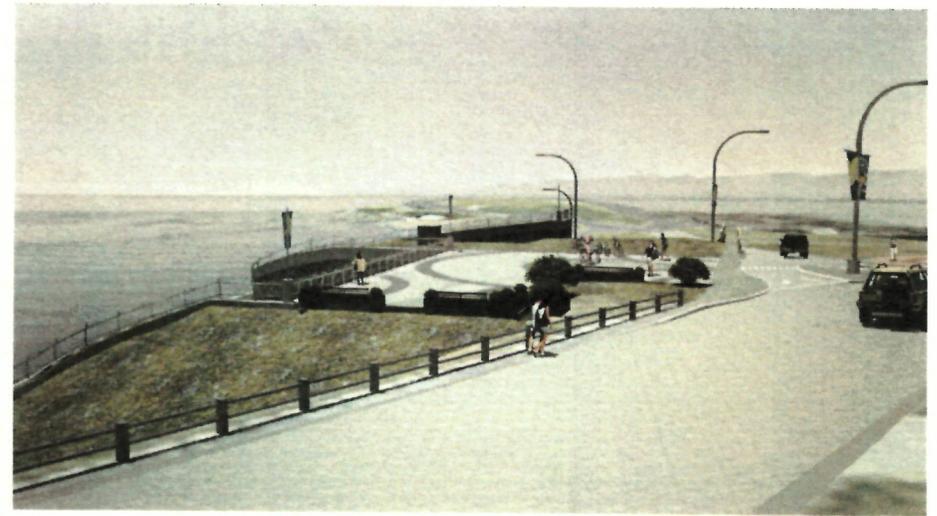
 AERIAL PERSPECTIVE  
NTS



 VIEW FROM DALLAS ROAD LOOKING EAST  
NTS



 VIEW FROM EAST  
NTS



 VIEW FROM DALLAS ROAD LOOKING SOUTH  
NTS



NO.	BY	DATE	REVISION	ENL. NO.	DATE	ISSUED FOR RE-ZONING APPLICATION
1		11.29.16				ISSUED FOR RE-ZONING APPLICATION



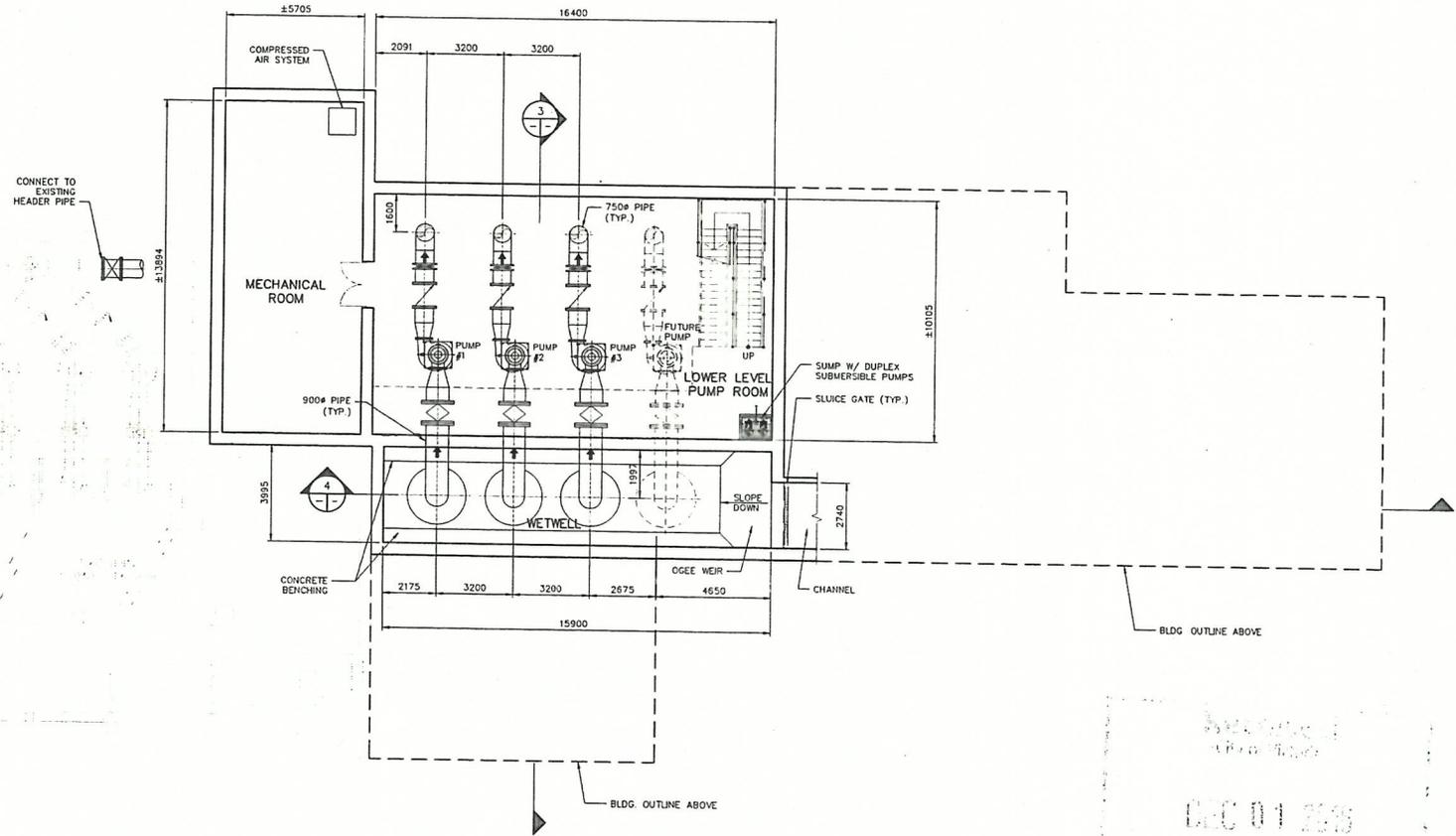
Capital Regional District   Core Area Wastewater Treatment Program	
DESIGNED SC	SURVEYED -
DRAWN CRT	DATE 04/18/13
SCALE HORIZONTAL NTS	CHECKED ESD
SCALE VERTICAL -	APPROVED -

CORE AREA WASTEWATER TREATMENT PROGRAM			
CLOVER POINT HEAD WORKS & PUMP STATION RENDERINGS			
CONTRACT NUMBER	CPS-100	DRAWING NUMBER	CL-C0-G-005
SHEET	1	TOTAL SHEETS	1

DATE: 11/29/16  
 DRAWN BY: CRT  
 CHECKED BY: ESD  
 APPROVED BY: [Signature]  
 PROJECT: CORE AREA WASTEWATER TREATMENT PROGRAM

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LOWER FLOOR PLAN  
SCALE 1:100

NOTE: ALL DIMENSIONS AND ELEVATIONS ARE PRELIMINARY



APPROVED FOR CONSTRUCTION  
DATE: 04/04/13  
PROJECT: CORE AREA WASTEWATER TREATMENT PROGRAM  
DRAWING NUMBER: CL-C0-G-007



REV.	DATE	BY	REVISION
1	11.29.16		ISSUED FOR RE-ZONING APPLICATION

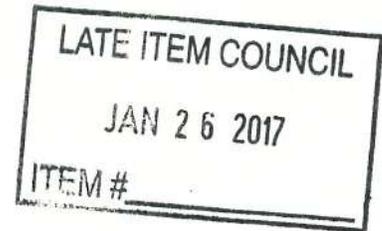


DESIGNED	Capital Regional District	Core Area Wastewater Treatment Program	DESIGNED	Capital Regional District	Core Area Wastewater Treatment Program
DRAWN	RCF	DATE 04/04/13	SURVEYED	-	
SCALE HORIZONTAL	1:100	CHECKED	ESD		
SCALE VERTICAL	-	APPROVED	RAF		
CONTRACT NUMBER		CPS-100	DRAWING NUMBER	CL-C0-G-007	SHEET NO. 7 OF 8

CAPITAL REGIONAL DISTRICT, 1000 UNIVERSITY AVENUE, WINDSOR, ONTARIO N9A 6K5  
 PHONE: 519-253-1234 FAX: 519-253-1235  
 WWW.CRD.ONTARIO.GOV

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**Council Report**  
For the Meeting of January 26, 2017

---

**To:** Council **Date:** January 26, 2017  
**From:** Tom Zworski, City Solicitor  
**Subject:** Rezoning Application No. 00430 for 1303 Dallas Road – Clover Point Pump Station

---

**RECOMMENDATION**

That Council approve the revised Design Guidelines in relation to the Dallas Road Cycle Track.

**EXECUTIVE SUMMARY**

At this morning's meeting, the Committee of the Whole adopted a recommendation that Council approve Design Guidelines and Specifications for Public Realm Improvements and Cycle Track as attached to the staff report. However, upon careful consideration of the discussion during the Committee of the Whole meeting, staff believe that certain modifications to the Design Guidelines in relation to the Cycle Track are required to better reflect the City's intentions.

The proposed changes to the Design Guidelines are intended to address the concerns in relation to sufficient physical separation of the Cycle Track from Dallas Road and minimising loss of existing parking spaces along Dallas Road. The updated Design Guidelines are attached as Appendix A to this report.

Inclusion of this additional language in the Design Guidelines does not reduce any of the design flexibility as the details of the design are still left to be determined in the future. However, the proposed changes clarify the importance of these points and the need for the final design to address them.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tom Zworski".

Tom Zworski  
City Solicitor

Report accepted and recommended by the City Manager:

A handwritten signature in cursive script, appearing to read "Jocelyn Jenkins".

Date: Jan 26, 2017

## APPENDIX A

### The Design Guidelines

#### Cycle Track Connectivity

- The Cycle Track will extend from Dock Street at the Ogden Point breakwater to Clover Point.
- A gathering/dismount area for the Cycle Track will be incorporated on the west side of Clover Point Road at Dallas Road as part of the Public Realm Improvements to be constructed under the Licence of Occupation for the Clover Point Pump Station.

#### Pathway Design Specifications

- The Cycle Track must be:
  - three (3) metres wide;
  - physically separated from Dallas Road;
  - constructed in accordance with the attached Typical Trail Section Detail;
  - designed to mitigate public safety concerns and incorporate Crime Prevention through Environmental Design (CPTED) principles, including lighting;
  - in compliance with Transportation Association of Canada geometric design standards for bikeways;
  - designed to incorporate safety improvements for pedestrian crossings, linkages to existing crosswalks and connections to the Dallas Road waterfront pathway; and
  - constructed in a manner that minimizes loss of parking spaces.

#### Site Furnishings

- All existing in-ground garbage cans located adjacent to Dallas Road must be replaced as part of the Project. Final locations will be determined in consultation with City of Victoria Parks staff.
- The Cycle Track must incorporate a bike rack and a bench at a minimum of six locations at key intersections.
- All site furnishings will be consistent in design, style and quality as the City's current Park's standard.
- Barrier-fencing will be located between the dog off-leash area and the Cycle Track east of Cook Street. The specific locations for fencing shall be determined in consultation with the City's Director of Parks and Director of Engineering during the detailed design process.
- A minimum of ten (10) wayfinding signs will be installed at key intersections and amenities, including washroom facilities.

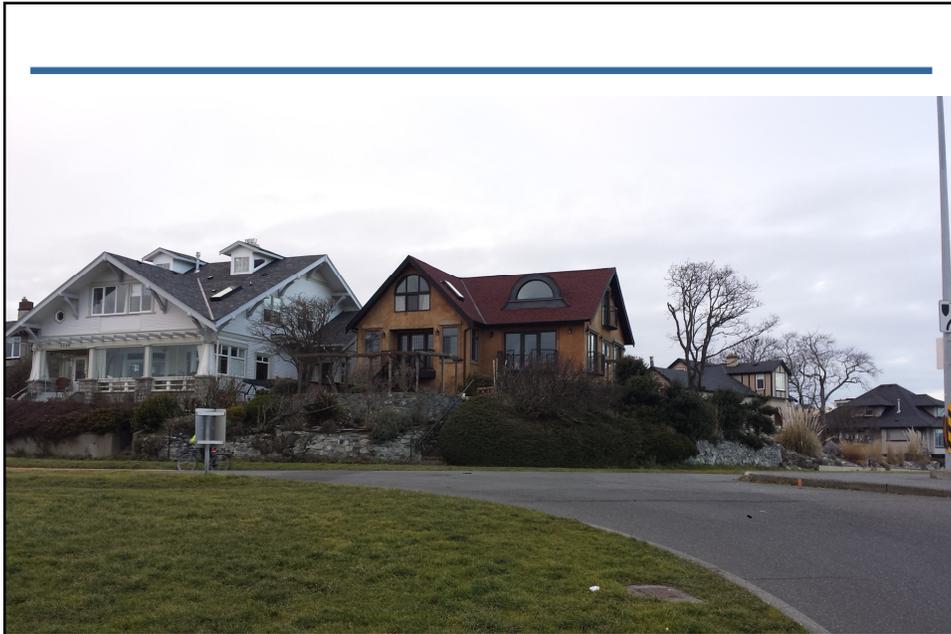
**Construction Specifications**

- Intersection improvements, roadways, sidewalks, landscaping and any other works or services must be designed and constructed in accordance with the requirements and specifications contained in the City of Victoria's Subdivision and Development Servicing Bylaw No. 12-042.

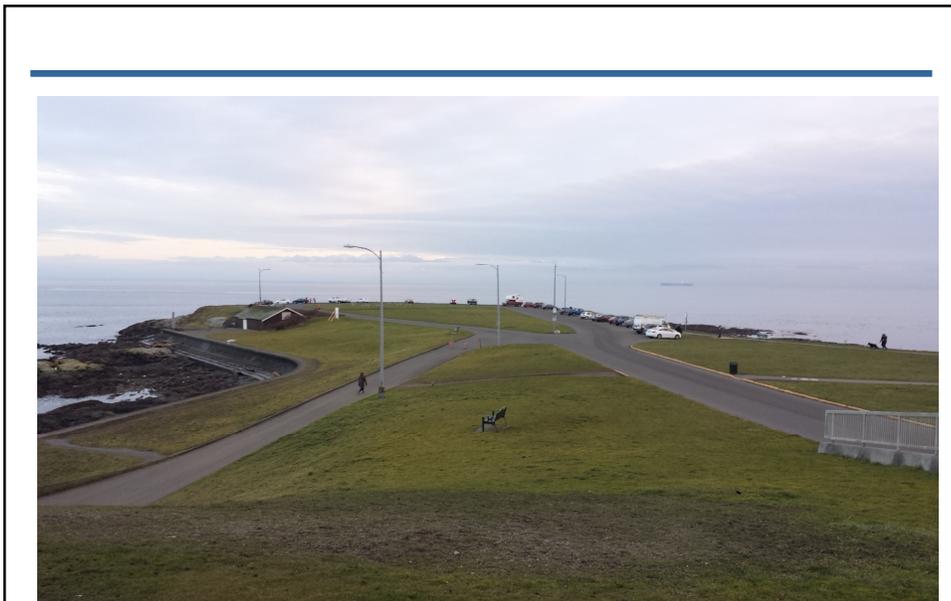
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# Rezoning Application for 1303 Dallas Road (Clover Point)





Single Family Dwellings to the north



Clower Point to the south



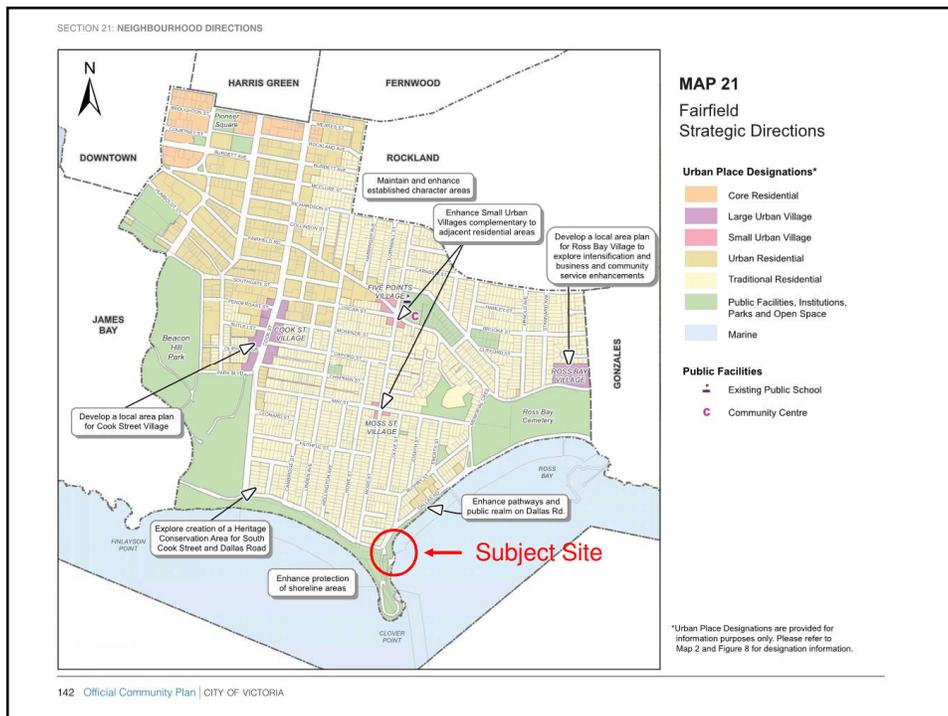


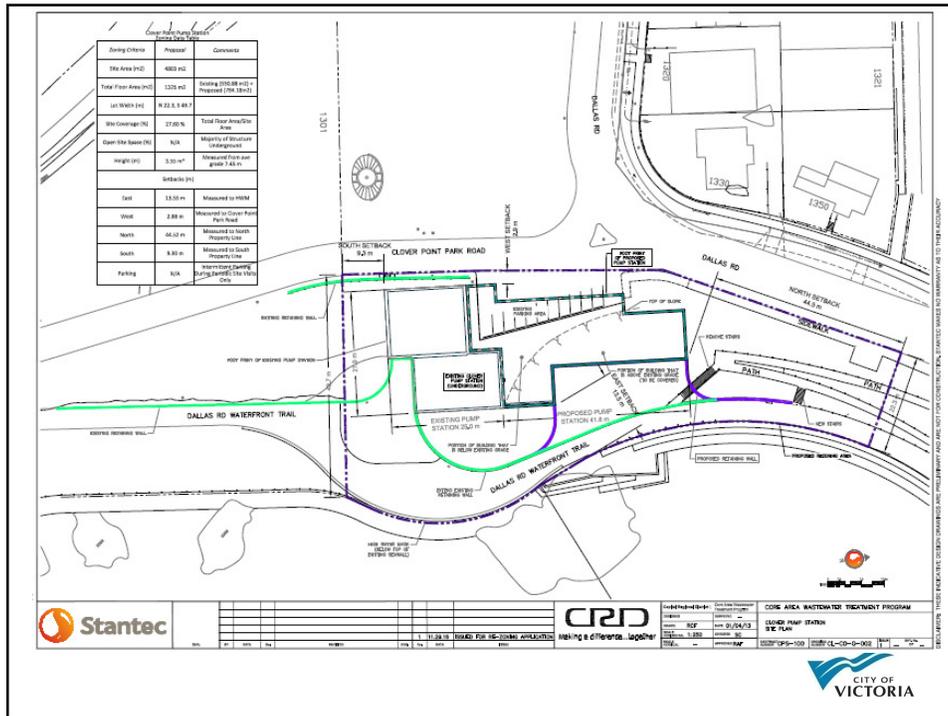
Ross Bay walkway and beach to the east



Clover Point Park











VIEW FROM NORTH

VIEW FROM DALLAS ROAD LOOKING EAST

VIEW FROM EAST

VIEW FROM DALLAS ROAD LOOKING SOUTH

Stantec

NO.	DATE	BY	REVISION
1	11/28/13	STANTEC	ISSUED FOR PERMIT APPLICATION

CRD

Working a difference. together

CRD AREA WASTEWATER TREATMENT PROGRAM  
 CLONK POINT HEAD WORKS & PUMP STATION  
 CONCEPT

DATE: 11/28/13  
 DRAWN: JTS  
 CHECKED: JTS  
 PROJECT NO: 2013-01-001

CITY OF VICTORIA

RENDERINGS: THESE RENDERINGS SHOW CONCEPTS AND ARE NOT FOR CONSTRUCTION. STANTEC MAKES NO WARRANTY AS TO THEIR ACCURACY.

## Proposed Conveyance Pipe and Cycle Track Alignment



