

12 June, 2013

Bill Brown
Director of Planning
Township of Esquimalt
1229 Esquimalt Road
Esquimalt BC V9A 3P1

Re: McLoughlin Point Rezoning Application – Liquid Waste Treatment Facility

On behalf of the applicant, the Capital Regional District (CRD), we would like to clarify the rationale for submitting the rezoning application and outline mitigation measures that may be provided as part of the rezoning approvals process, in recognition of the greater impacts that the treatment plant will have on the Township of Esquimalt in relation to the region the facility will serve.

The CRD's Core Area Liquid Waste Treatment Program is in response to direction from the Minister of Environment in accordance with the approved Core Area Liquid Waste Management Plan (CALWMP), which has been approved by the Minister of Environment. The CALWP, Amendment 8, approved by the Minister of Environment on August 25, 2010 identified McLoughlin Point as the location for the sewage treatment plant as part of the commitment by the CRD and participating municipalities to provide a wastewater management system. To ensure respectful cooperation between itself and its member municipalities, the CRD has requested and is pursuing amendments to the Township of Esquimalt Official Community Plan and Zoning Bylaws. However, notwithstanding the municipal bylaws and permit requirements currently in place, and the bylaw amendment process that is underway, it is the CRD's position that the *Environmental Management Act* and approved Liquid Waste Management Plan provide the CRD with sufficient authority to implement the Core Area Liquid Waste Treatment Program, as required by the Province of British Columbia.

Under the *Local Government Act* and Community Charter, Regional Districts are also restricted in terms of what and how they can compensate for in relation to the impacts resulting from major capital works carried out on behalf of the region. They cannot make unrestricted cash contributions. Rather, they can only respond to making improvements and/or contributions to the local community directly as a result the works or services that are being constructed and where some form of accommodation is warranted.

We understand that the Township does not have a Development Cost Charges Bylaw. However, rezoning the site would enable the Township and the Regional District to work together on reasonable mitigation for extraordinary impacts to the Township. The Capital Regional District, through the rezoning and construction process for the McLoughlin Point Treatment Centre, proposes to provide a series of significant improvements and mitigation measures. The package of mitigation measures are outlined below and can be categorized into four general headings.

**CitySpaces
Consulting Ltd.**

5th Floor
844 Courtney St.
Victoria BC
V8W 1C4
250.383.0304 Tel
866.383.0304 Toll-free
250.383.7273 Fax
www.cityspaces.ca



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1. RFP Qualifications

There are a number of specifications that will be imposed in the design-build RFP evaluation process that will have direct positive benefits to the Township.

- a. **Design Guidelines:** The proponents will be required to meet the design criteria established in the design guidelines. In response to the public expressions regarding the significance of the site, a design review process of the three finalist RFP proponents will be established that will include outside design experts, involved in the earlier design ideas workshop, who will assist in the evaluation process, placing higher rating on the best design solution. It is estimated that the additional design considerations will add between 2 and 5% to the treatment plant budget.
- b. **Upgrades to Water / Firefighting Protection:** The RFP will specify that the works included in the design build budget include upgrade to local area water lines for public fire protection purposes. While the upgrades are needed for the treatment facility, the improvements will likely also elevate the fire underwriters classification for the broader community. The CRD will work with the Township and the contractor to ensure that, where new lines are installed, appropriate upgrades to fire hydrants and support equipment parts are also installed. The financial benefits include infrastructure upgrades that may otherwise have to be provided by the Township, and, potentially fire underwriter policy premium reductions.
- c. **Hydro Power Grid System:** The contractor will be required to bring new, additional power from the Viewfield Road substation to McLoughlin Point. The upgraded power lines and transformer system will improve service along an expanded grid, that includes areas within the Township's OCP that are slated for higher density development that will benefit from electrical infrastructure upgrades. The financial benefit has not been quantified but it is estimated to be in the many hundreds of thousands of dollars.
- d. **Traffic Management:** During the construction period, traffic will increase along the designated collector roads impacting local neighbourhoods; most significantly the Lyall Street/West Bay neighbourhoods. It will be a requirement of the successful proponent to prepare and have approved, a Traffic Management Plan prescribing mitigation measures during the full length of the construction process. In the preparation of the traffic plan, the contractor will be required to consult with the Township and representatives of the Lyall Street and West Bay Neighbourhood Associations, and the McCauley School administration and PAC. In addition to specific mitigation measures, the contractor will be required to strike a liaison committee to be active throughout the entire construction period. The contractor will be required to pay for all necessary initiatives to maintain sound traffic management and ensure public safety.

2. Road Upgrades

- a. Where any roadworks, including paved areas, sidewalks, boulevards etc., are impacted by excavation for sewer conveyance lines, or other works, service connections, or damages caused during installation, the affected improvements will be reinstated to a standard that is equal to or better than what previously existed. The CRD will work with Township staff to ensure co-ordination and that upgrades meet local road network planning.
- b. The CRD, as a policy (not always adopted by other providers), provides ongoing maintenance of its facilities and if, sometime in the future, the reinstatement fails the CRD warrants to repair and make good.



- c. The road network improvements undertaken will extend the life of the municipal roads. The value of the improved road standards has not been quantified but will lessen the ongoing public works road maintenance costs to the Township and prolong the asset life of the infrastructure.

3. Fees and Charges

- a. The CRD commits to paying for all development fees and charges normally imposed by the Township as a development application. The fees and charges are estimated to be in the order of \$100,000.

4. Lyall Street Enhancement

- a. It is recognized that Lyall Street and surrounding residents will receive a disproportionate share of the direct impacts during construction of the project.
- b. The Official Community Plan designates Lyall Street as a “commuter, recreational cycling route” and specifically states as an objective (Section 4.3.1) “To evaluate and redesign the Lyall Street Bikeway” in recognition of the importance of this connection to the West Bay Walkway and the less than adequate condition of the current path and bikeway system. It is also recognized that active transportation alternatives is an important part of the Township’s transportation strategy.
- c. The CRD will commit to entering into an MoU with the Township, and will make a significant financial contribution toward the planning and infrastructure of an upgraded pathway and bikeway system. The MoU will address the parameters for payment to establish a cap toward the cost. Preliminary calculations place the contribution at approximately nine hundred and fifty thousand dollars (\$950,000).

Closing

We trust this letter provides some explanation of the CRD’s legal parameters that the CRD works within, and establishes a framework of mitigation measures that can be provided in recognition of the extraordinary impacts borne by the Township for this regional facility. Many of these can only be achieved through the rezoning process. The accommodation measures outlined above are not entirely quantified but will be in the millions of dollars, before any consideration is given to the general, regional economic benefits derived from the capital project.

Sincerely,



Deane Strongitharm,
CitySpaces Consulting Ltd.

Attach: McLoughlin Point Rezoning Application

CC. Alastair Bryson, Board Chair, CRD
Mayor Barbara Desjardins, Mayor, Township of Esquimalt
Ms. Denise Blackwell, Chair, Core Area Liquid Waste Management Committee
Mr. Bob Lapham, CAO, CRD
Ms. Laurie Hurst, CAO, Township of Esquimalt
Mr. Jack Hull, Interim Director, Core Area Waste Water Treatment Program

