



CRD Board  
Meeting  
February 22<sup>nd</sup>, 2017

City of Victoria  
February 23<sup>rd</sup>, 2017



### *James Bay in the CRD*

### *James Bay in the City of Victoria*

James Bay  
2011 census **11,240**  
2016 Census **11,988**  
2021 census ?

In the region:  
**13 municipalities**  
3 less than 10,000  
3 others less than 12,000  
4, others less than 20,000  
Langford 30, Saanich 110, CoV 80

*Similar in pop size to Sidney*



## *McCloughlin Point & James Bay*



JBNA focus:  
*wellbeing of  
residents  
and land-base  
of James Bay*

## Project considerations: 3+ substantive issues

CRD – JBNA/CRD project discussion – December 14, 2016

JB Community discussion - January 11, 2017

- Construction mitigation of noise/emissions
  - WHO guidelines for community noise
- Safeguarding Dallas bluffs (sea-bed routing vs land)
- JB amenities
- Zoning (subsequent issue)



## Zoning

---

- Ogden/Camel Point  
zoning: <http://www.victoria.ca/assets/Departments/Planning-Development/Development-Services/Zoning/Bylaws/7.2.pdf> M-2 Light Industrial District.
  - Sections 1 and 1 (g) state*1. The following uses are permitted, provided they are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard:*
    - (g) docks, wharves and piers . . .
    - (n) light industry, including manufacturing, processing, assembly, testing, servicing and repairing;
- 

## Process issues: loss of community input

---

- no longer 2013 – sewage swirl distracted from realities
  - Residents to carry burden of impacts not treated in same manner – JBNA notified impacts - December 14, 2016
  - Inequitable treatment (amenity between host areas)
  - Inequitable treatment of residents
    - Inequitable consultation
      - Competing municipal interests
        - Political egos
      - CoV did not consult - it informed
      - Special interests overtook resident voices
-

## City of Victoria & Esquimalt Comparison

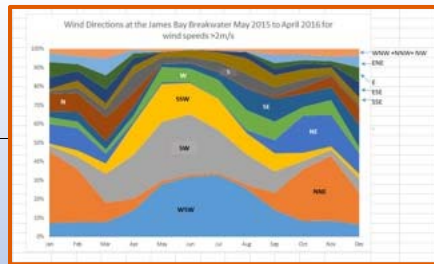
Esquimalt	item	Victoria (Fairfield)
\$17,000,000	one-time payment	\$75,000
\$55,000/yr	on-going \$ support	\$0
green roof landscaped buffer structure design underground conduits education centre	McLaughlin and Clover site improvements	plaza + furniture greenspace "bike kitchen" water fountain cycle/ped link traffic calming @ Clover/Dallas
traffic/bike lanes relocate MacAuley public works school air filtration controlled X-walks	other	cycling path (above trench cap) garbage cans +benches fence dogs-cyclists (not pedestrians)
none at McLaughlin	On-going Obligations	washroom/plaza greenspace bike surface above trench

## James Bay & Esquimalt Comparison

Esquimalt	item	James Bay
\$17,000,000	one-time payment	\$0
\$55,000/yr	on-going \$ support	\$0
<b>construction impacts of McLaughlin works</b> McLaughlin site construction impacts akin to Capital Park in James Bay (offices 1000 employees - 143 residences, library branch, grocery/retail)		
<b>trench and X-harbour tunnel</b>		
none	Dallas trench	street closures
none	noise	significant (not disclosed)
none	traffic/equipment	level not yet disclosed
<b>12 mos of tunnel drilling</b>		
200-500m from residences	noise	75-85dBA 50m from homes
5 days (weekdays)		6 days (weekdays + Saturday)
	pipe pull	1km Niagara pipe lay-over
service traffic	on-going impacts	service traffic treatment plant emissions if any loss of Dallas parking ? to where ?

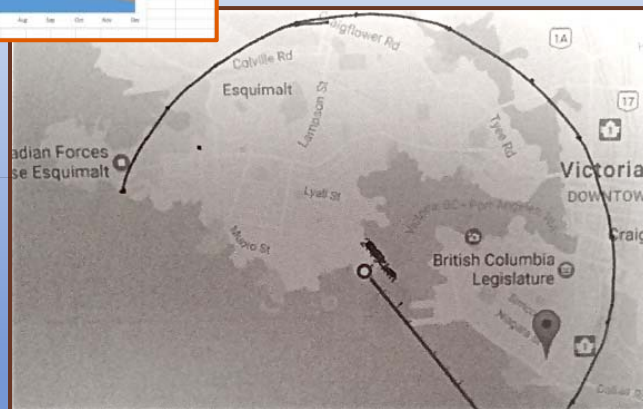
## Esquimalt Amenity boundary: 2.5km

Section	Comments
<b>Proposed Amendments to the McLoughlin Point Special Use [I-3] Zone</b>	
Intent Statement	The "Intent Statement" has been updated by removing reference to the historic bulk petroleum storage facility and establishing a clearer nexus between the proposed use of the land as a wastewater treatment plant and the proposed amenities.
Permitted Uses	"Bulk storage tanks" have been removed as a permitted use.
Definition of Nearby Community	The definition has been amended to extend the radial extent of the Community from 1.5 kilometers to 2.5 kilometers. This was done because the Extended Community definition which previously had a radial extent of 2.5 kilometers has been deleted in order to help simplify the Bylaw in conjunction with the reduction in the number of Bonus Density Levels from three (3) to one (1).



Amenity boundary:  
community of 2.5km

Winds, noise,  
odours,  
do not respect  
municipal  
boundaries



## Odour: 5 OU not current best practice

### Upgrading of the Macaulay Point Pump Station - Odour Control

This section has been amended to remove the requirement that odour is not detectable by humans outside of the building. Instead, the sole provision is that, "odour mitigation measures to be installed in Macaulay Pump station, and Lang Cove Pump station, providing for an odour detection level no greater than five (5) odour units measured at the property lines (or fence lines where applicable)."

Calgary moved from 5 OU to 3 OU

Saskatchewan Air Modelling and Odour Guidelines, 2014

~ urban residential = 1 OU/m<sup>3</sup> on 1-hr average, 99.5 % compliance

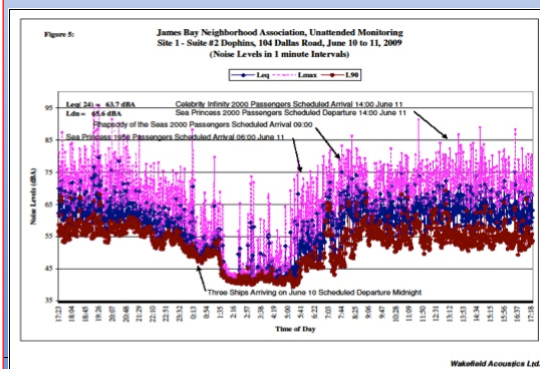
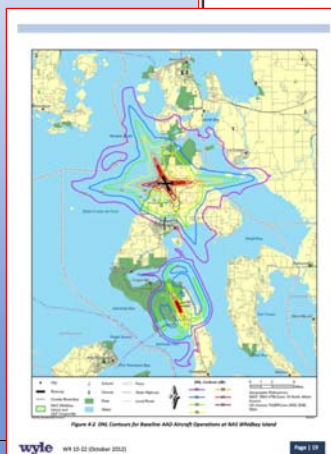
~ urban commercial, or mixed commercial/residential, 2 OU/m<sup>3</sup>

60 dBA  
too high

## Noise:

### Odour and Noise Mitigation

The requirement for, "meeting noise and odour within the top 10 percentile of comparable facilities developed in previous five (5) years in North America and Europe", has been removed as it was deemed unnecessary to obtain the desired outcome. However, the requirement that odour detection remain under (5) odour units remains. In addition, a requirement that the noise level from the waste water treatment plant not exceed 60 dBA at the property lines has been added.





## Response to on-going impacts

Annual Contribution of \$55,000	The amenity provision for an annual contribution of \$55,000 has been enhanced by requiring that the amount be adjusted annually for any increase in Consumer Price Index for Victoria.
---------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

### Esquimalt Community Impact and Operating Agreement:

- identifies demands on municipal services
  - responding to Victoria residents (Noise ? Odours ?)
- should not Victoria, or JBNA, need additional resources?

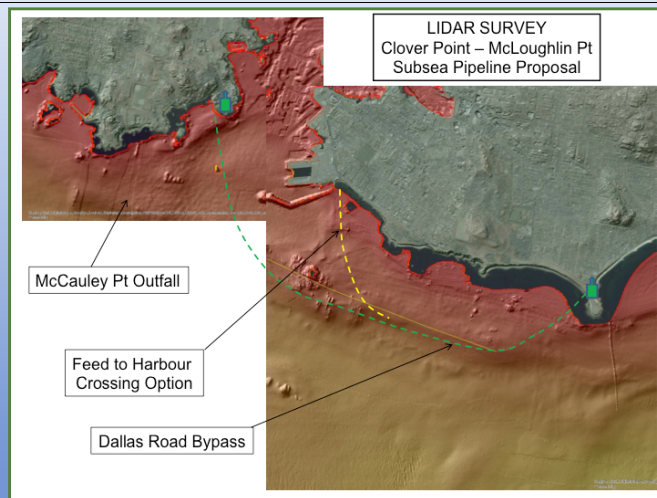
Where is Victoria's impact agreement?

## Dallas bluffs:

trenching – slumping - undermining



## Dallas bluffs: laying conveyance on the bench



## Summary: James Bay

- technical (**Dallas bluffs**) problem not resolved
- residents of JB not being respected
  - **noise, emissions, amenity**
- OP zoning restrictions and limitations may not be respected
- JB needs: park pathway, 5-6 controlled X-walks, traffic calming, sidewalks, street alignment, plaza, parking, . . .
- fiefdoms based politics prevail over community needs
- getting the short shrift
  - Consultation and collaboration



## Christine Havelka

---

**Subject:** FW: Impacts of proposed wastewater treatment facility at McLoughlin Point on James Bay  
**Attachments:** James\_Bay\_Noise\_Report\_2010 (dragged).pdf; ATT00001.htm

**From:** "Marg Gardiner, JBNA" <

**Date:** February 22, 2017 at 2:07:10 PM PST

**To:** Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>

**Cc:** Chris Coates <[ccoates@victoria.ca](mailto:ccoates@victoria.ca)>

**Subject:** Impacts of proposed wastewater treatment facility at McLoughlin Point on James Bay

To: Mayor and Council  
City of Victoria

Fr:  
Marg Gardiner  
President, JBNA

Re:  
**Impacts of proposed wastewater treatment facility at McLoughlin Point on James Bay**

The JBNA requests that the City not grant the Licence of Occupation until the following two changes are made to the standards currently set for the wastewater treatment facility to be located at McLoughlin Point:

- 1) The McLoughlin Point plant noise operations level be lowered to 45-50dBA from the Esquimalt Agreement stated level of 60dBA.**
- 2) The McLoughlin Point plant odour level be lowered to 1 OU (from the Esquimalt agreement level of 5 OU).**

These requests reflect leading requirements, rather than the levels implemented 10-20 years ago.

(See Link and excerpt below re *Future directions in Western Canada odour regulations* and WHO Community Noise guideline response table attached.)

Due to the short time period of two weeks since JBNA learned about the impacts, JBNA has not had the opportunity to inform residents who are most likely to feel the affect of the proposed on-going noise and odour impacts. During discussions over the past months/years, **neither the City nor the CRD consulted with JBNA or even informed JBNA of these intended impacts.**

Regarding noise, and the impacts on James Bay residents, we are reminded of the three Mayors who expressed concern about noise created by the US Navy “growlers” aircraft. The noise reaches the peninsula, travelling kilometers along the water – the level received would perhaps be about 45-dBA, most noticeable at night, when background noise is low. If a 45 dBA noise, bouncing along the water from a several km distance, disturbs the Mayors, imagine how disturbing a 60 dBA noise coming across the harbour will be to residents of James Bay – every night.

Further, when the CRD Project Team met with JBNA on December 14 and with the community on January 11, **neither of the on-going impacts was disclosed.** The discussion was focussed on construction. When a resident asked about odours, she was told there would be no odour. Yet, on February 8, in a report to the CRD Management Committee, the Team discussed the 5 OU level.

Regarding what appears to be a missing consideration regarding the use of the sea-bed, rather than the chosen potentially destructive and most disruptive land route, one must really question why geo-scientists or ocean specialist were not consulted over the past several years.

**We suggest that the City of Victoria has grievously erred in its consideration of the CRD Wastewater Treatment project.** It has defined the project discussions/considerations/impacts as a rezoning of Clover Point and the need to grant a Licence of Occupation. In reality, the Wastewater Treatment project should not have been treated as though it were a "development project" confined to the building of a structure and the area of the Licence of Occupation. **This was short-sighted and a denial of the full project, and a denial of the impacts on residents of James Bay.**

CRD Management committee directors spoke about communities, and neighbourhoods, yet the discussion and representation has not focused on neighbourhoods and communities – it has been municipality based. The impacts, needs, and expectations of residents of James Bay have not been addressed as they have been for residents of Esquimalt and Fairfield.

Construction impacts along Dallas Road, the erosion of the Dallas Road bluffs, continuous loud noise at the drilling site next to Ogden Point, and pipe assembly along Niagara Street, and potential loss of parking are all James Bay issues which have not been addressed.

Respectfully submitted,

Marg Gardiner  
President, JBNA

cc:  
JBNA Board

---

<http://www.canadianconsultingengineer.com/features/controlling-odours-wastewater-treatment-plants/>

#### **Future directions in western Canada odour regulations**

As mentioned above, Saskatchewan recently developed odour control criteria and is working toward establishing regulations that set reasonable odour limits at wastewater treatment plant boundaries, while being economically achievable.

Recently, it was suggested by a provincial task force (I Maqsood, Saskatchewan's Air Modelling and Odour Guidelines, 2014), that the guideline for urban residential areas should be 1 OU/m<sup>3</sup>, based on a one hour averaging time and 99.5 per cent level of compliance. For urban commercial zones, or mixed commercial/residential zones, 2 OU/m<sup>3</sup> was suggested, and for industrial or

restricted business zones and rural zones with mixed utilization, 4 OU/m<sup>3</sup> was advanced as the guideline.

These stringent guidelines would be difficult for many existing wastewater treatment plants to achieve without additional odour containment and treatment processes. Before these criteria evolve into hard and fast standards in Saskatchewan and the rest of western Canada, it is expected that their economic feasibility will be tested along with the resultant benefits to the community.

---

---

## Appendix C

### World Health Organization: Community Noise

General 21 page document:

<http://www.ruidos.org/Noise/Comnoise-1.pdf>

Same study/guidelines but fleshed out more:

<http://www.who.int/docstore/peh/noise/guidelines2.html>

The following table is from this link:

<http://www.who.int/mediacentre/factsheets/fs258/en/>

#### WHO RESPONSE

WHO has responded in two main ways: by developing and promoting the concept of noise management, and by drawing up community noise guidelines. The field is marked by a scarcity of literature, especially for developing countries. Some 20 years after its last publication on noise, WHO has issued Guidelines for Community Noise. This publication, the outcome of a WHO expert task force meeting in London in March 1999, includes guideline values for community noise (listing also critical health effects ranging from annoyance to hearing impairment), for example: (ref Guidelines p. XVIII)

Environment	Critical health effect	Sound level dB(A)*	Time hours
Outdoor living areas	Annoyance	50 - 55	16
Indoor dwellings	Speech intelligibility	35	16
Bedrooms	Sleep disturbance	30	8
School classrooms	Disturbance of communication	35	During class
Industrial, commercial and traffic areas	Hearing impairment	70	24
Music through earphones	Hearing impairment	85	1
Ceremonies and entertainment	Hearing impairment	100	4

\*The ear has different sensitivities to different frequencies, being least sensitive to extremely high and extremely low frequencies. (ref Fundamentals of Acoustics p. 19) Because of this varied sensitivity, the term "A weighting" is used: all the different frequencies, that make up the sound, are assessed to give a sound pressure level. The sound pressure level measured in dB is referred to as "A-weighted" and expressed as dB(A). (ref Guidelines p.IX and X).

The guidelines also offer recommendations to governments for implementation, such as extending (and enforcing) existing legislation and including community noise in environmental impact assessments. The role of WHO is to provide leadership and technical support.