

Alicia Ferguson

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

From: Marg Gardiner, JBNA

Sent: Wednesday, February 22, 2017 2:07 PM

To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Cc: Chris Coates <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/m³, 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/m³ was suggested, and for industrial or restricted business zones and rural zones with mixed utilization, 4 OU/m³ 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.

Alicia Ferguson

Subject: RE: Clover Point rezoning Feb.9

From: DARREL WOODS

Sent: Thursday, February 09, 2017 12:46 PM

To: Lisa Helps (Mayor) <mayor@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>

Subject: Clover Point rezoning Feb.9

Dear Mayor Helps and Councillors

1. with the rezoning proceeding, should the City also have a *Community Impact Mitigation & Operating Agreement* with the CRD relating to operation of the McLoughlin Point, as part of the rezoning, similar to that of Esquimalt? I am not suggesting amenities, rather some ongoing input into limits on & remediation of odour and noise as per Esquimalt's agreement.

2. I attended the Core Area Waste Management Committee meeting yesterday. With the tightened deadlines for completion, are best current technologies being considered? John Gunton's suggestion for a pipeline on the seabed seemed to be worth consideration. Everyone wants the project completed, however is it better to have some delay to achieve best practices and least cost?

The Project Team stated, in response to my questions about accountability, that the CRD maintains responsibility for any changes that affect scope, schedule and budget.

thank you
regards
Darrel Woods

Alicia Ferguson

Subject: RE: Proposed development on Montreal Street

-----Original Message-----

From: Vinayak Vatsal
Sent: Thursday, February 23, 2017 9:27 AM
To: Lisa Helps (Mayor) <mayor@victoria.ca>
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: Proposed development on Montreal Street

Dear Mayor Helps,

I am writing again on the day of the public hearing regarding the McLaughlin Point sewage treatment facility.

I remain deeply concerned that insufficient attention (or perhaps none?) has been paid to the impacts of the sewage treatment proposal on the community and neighbourhood in James Bay.

I have already addressed the issues regarding construction; I would also bring to your attention the remarkable lack of information and convincing science and engineering data to support the safety of the routing of the pipeline along the Dallas Road Bluffs and undersea to McLaughlin Point. Neither is there any convincing data regarding the noise and odour impacts of the plant once it becomes operational.

The edge of James Bay is shown the District maps as being in the inundation zone of a tsunami, and it is well-known to be vulnerable to earthquake damage. I have little faith that the pipeline will remain intact in the event of an earthquake or tsunami, and the possibility of a rupture would simply add to the devastation.

At this time, it is hard for the residents of James Bay to have much confidence that the interests of their community are being safeguarded. Equally, it is hard for me not to come to the conclusion that James Bay has become a dumping ground for the infrastructure that services the city which nobody else is willing to accept.

In this regard, I notice that there has been no effort to offer James Bay any kind of amenities to offset the effects of the pipeline routing. It is telling that the hearing tonight seems to be directed towards Equimault residents and not to residents of James Bay.

James Bay is also the part of our city which welcomes the hundreds of thousands of tourists upon whom many residents depend for their livelihood. I urge you to do everything in your power to keep the neighbourhood unspoiled.

Thank you for your attention to this matter.

Dr Vinayak Vatsal
James Bay

> On Feb 12, 2017, at 10:28 AM, Lisa Helps (Mayor) <mayor@victoria.ca> wrote:

>

> Thanks very much. I will have the project board and our staff address your questions and ideas. I appreciate you sending them.

>

>

> --

> Lisa Helps, Victoria Mayor

> www.lisahelpsvictoria.ca<<http://www.lisahelpsvictoria.ca>>

> 250-661-2708

> @lisahelps

>

> "When in doubt do the kindest thing possible." - Unknown

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>
> On Feb 6, 2017, at 5:45 PM, Vinayak Vatsal wrote:
>
> Hi again,
>
> Here is a lightly edited revision of the letter I sent earlier today. It's merely been edited for clarity and to fix some typos, in case you wish to share it with others. (The original was written rather quickly.)
>
> Once again, thanks for your attention to this matter.
>
> Dr Vinayak Vatsal
>
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>
> Here are some concrete suggestions that might help.
>
> There are two separate issues here, one being mitigation of the sewer construction, and the second being long-term planning for the neighbourhood. I deal with them separately.
>
> For the sewer construction, I would suggest the following
>
> 1. No horse carts/other tourist vehicles like pedicabs, rickshaws on Dallas, Montreal, Niagara, Superior for the duration of the sewage construction
>
> 2. Work with the port to change the staging place for tour bus pickups/dropoffs to somewhere like Clover Point or Beacon Hill. There are hundreds of buses coming through when there is a cruise ship in port, and it's hard to imagine how they could coexist with construction on Dallas Road.
>
> 3. Ban back-up beepers for city buses and trucks, as has been done at the Port and UVic, and replace with much more friendly white noise beepers.
>
> 4. Restrict work hours to 8:30-4:30 Mon-Fri, with no weekend hours. There are many retirees who are at home doing the day, and also quite a few people who work from home. The presently proposed hours of 7am-7pm on weekdays, and 9-5 on Saturday will make staying home impossible.
>
> For longer term planning in the Ogden Point neighbourhood, I would suggest:
>
> 1. Preserve the single family/duplex zoning where it exists in the area bounded by Dallas Road, Government St, and Superior St, and refuse commercial developments such as the proposed daycare within residential streets in that area. There just aren't enough wide streets to accommodate the additional traffic, especially with the kind of double parking and idling that's inevitable with schools/daycares. Commercial development on the residential streets will lead to traffic jams and extremely difficult residential access for residents of Ladysmith, St. Lawrence, Niagara, Simcoe, etc.
>
> 2. Develop a comprehensive plan for dealing with the noise and air pollution coming from the port and helijet terminal. The air quality is pretty bad — the smell of aviation fuel is everywhere, and it's way worse when tour buses are idling or cruise ships are running engines.
>
> 3. Develop a traffic management strategy for the inevitable increases of traffic on Dallas Road, Montreal St, and Oswego St.
>
> 4. Think very carefully before authorizing the proposed expansion and development of Ogden Point by the Port Authority. Their plans are extremely ambitious, but there is no accompanying strategy to mitigate the impact on the community or the environment. The port has not really thought about the infrastructure and traffic implications of what they propose. Even a brief glance at their proposed development shows that they have not given any consideration to whether or not their development is sustainable.
>
> In the end, the Ogden Point and James Bay neighbourhood has always been a neighbourhood of older family oriented dwellings, which is the source of much of its charm, and the reason it is popular with tourists and locals alike. It is located

on a peninsula, which makes it geographically somewhat isolated, and renders access rather difficult. So it doesn't seem reasonable to me to try to force it to be the location of a major port, a helijet terminal, large multifamily structures, as well as commercial developments. It seems more sensible to me to try to preserve it as a remnant of historic Victoria, and as a testament to a simpler kind of existence. If it were done with some care, it could become a valuable part of Victoria's heritage.

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> On Feb 6, 2017, at 8:41 AM, Lisa Helps (Mayor) <mayor@victoria.ca<mailto:mayor@victoria.ca>> wrote:

>

> Thanks. What are some ideas you have to mitigate the impact of the sewage construction? I agree it's going to be hard on everyone involved.

>

>

> --

> Lisa Helps, Victoria Mayor

> www.lisahelpsvictoria.ca<<http://www.lisahelpsvictoria.ca>><<http://www.lisahelpsvictoria.ca>>

> 250-661-2708

> @lisahelps

>

> "When in doubt do the kindest thing possible." - Unknown

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> On Feb 6, 2017, at 8:18 AM, Vinayak Vatsal wrote:

>

> Thanks for the swift response.

>

> I will forward the email to the mayors and councillors address, as requested in your previous message.

>

> In general, I am quite concerned with the number and scale of developments around Ogden Point. It's a small neighbourhood consisting mostly of single family and smaller multiplex units, but with major projects such as the sewer line, the port expansion, and developments such as the one in question all coming up soon, one does wonder what sort of plans the city has to mitigate the effect on the community and to preserve the character and quality of the neighbourhood. There just doesn't seem to be the infrastructure or the space to accommodate all this development (for instance, almost all the road as single lane, so a single horse buggy headed to the port can back up Dallas Road all the way to Beacon Hill. The same is true for Montreal Street). As it is, one feels rather like an invasion is taking place. I am not looking forward to the next year or so.

>

> Vinayak Vatsal

>

>

> On Feb 5, 2017, at 9:27 PM, Lisa Helps (Mayor)

<mayor@victoria.ca<mailto:mayor@victoria.ca><mailto:mayor@victoria.ca>> wrote:

>

> Thanks very much. I shared these concerns as did most of Council. We have sent the developer back to work with staff and the neighbourhood to come up with a different unit mix so there will be two and three bedrooms not just small one bedrooms. This should also help to address the parking issue.

>

> We look forward to seeing the results of more work with the neighbourhood.

>

> Take care,

>

> Lisa

>

> --
> Lisa Helps
> Mayor, City of Victoria,
>
> www.lisahelpsvictoria.ca<<http://www.lisahelpsvictoria.ca>><<http://www.lisahelpsvictoria.ca>/><<http://www.lisahelpsvictoria.ca>>
> 250-661-2708
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>
> "When in doubt, do the kindest thing possible." - Unknown
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> On Feb 5, 2017, at 6:40 PM, Vinayak Vatsal wrote:
>
> Dear Councillor Madoff, Councillor Lucas, and Madam Mayor:
>
> I am writing to you regarding the proposed 19 unit development on the two duplex lots at the corner of Montreal and Niagara Streets, which was recently written up in the Times-Colonist.
>
> I am concerned about the density implied by this development-- 19 units seems far too many for two duplex lots. The fact that some of the units are the size of a hotel room (370 square feet) also calls in the question the intended market for such dwellings -- the only use I can imagine is for unregulated short-term rentals, which are already pervasive in the neighbourhood. A development sign in the same area also makes mention of a proposed 30 seat daycare facility, and it is hard for me to imagine how 19 residential units and a daycare could possibly be crammed in to a small residential block.
>
> I am also concerned by the issues around traffic and parking. As you know, the Port Authority is proposing a large development on its lands at Ogden Point, and the City is also planning to route the new sewer line along Dallas Road. The area is already congested in summer with tourist buses, horse buggies, cycle cabs, pedicabs, and taxis, and suffers from serious backups along Dallas Road. Montreal Street is the principal access point of the neighbourhood, and is already scheduled to be the site of where much of the work on the sewer line is to be staged. Little thought seems to have been given for a larger scale infrastructure plan in the development of these various initiatives.
>
> I fear that increased ad hoc densification in the residential areas as embodied by the proposed development will lead to severe congestion, impede access, impede port activities and tourism, as well as erode the quality of life for current residents and destroy the character of this part of James Bay.
>
> I look forward to your response.
>
> Dr Vinayak Vatsal
> James Bay, Victoria

Alicia Ferguson

Subject: RE: James Bay impacts of wastewater treatment at McLoughlin

From: Ruth Abramson

Sent: Thursday, February 23, 2017 8:44 AM

To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Subject: James Bay impacts of wastewater treatment at McLoughlin

To: Mayor and Council
City of Victoria

I am extremely distressed about the latest news. It has not even been a year since I bought my first home, on St. Lawrence St./Ladysmith. Since then I have been bombarded by noise and air pollution from the Port operations. Then I learned the sewage pipeline is going to take place right near me, with at least a year to build, with more noise/pollution/construction/trucks and impacts. Not to mention new development proposals for condos and daycares nearby.

NOW, ONGOING NOISE AND SMELLS FROM THE PLANT TOO??

See below excerpts from a letter I received from the JBNA. How much more can the residents of James Bay take? It's all too much.

I feel ready to leave James Bay, my healthcare job (which I moved here for) and Victoria (not that anybody cares about keeping healthcare workers like me in town).

Enough is enough. I agree with all of Marg's points and would like an answer as to why the residents of James Bay--some of us who also had to pay top real estate dollars just to live here--receive no consideration in anything. Please take Marg's points seriously and take the needed action to ensure no more harm comes to James Bay residents, both human and animals.

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:

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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.**

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Respectfully submitted,

Marg Gardiner
President, JBNA