

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

ADVISORY PLANNING COMMISSION **AGENDA TUESDAY JANUARY 17, 2017** 7:00 P.M. **ESQUIMALT COUNCIL CHAMBERS**

MEMBERS: Nick Kovacs David Schinbein Christina Hamer

Lorne Argyle Berdine Jonker

Graeme Dempster

Amy Higginbotham

COUNCIL LIAISON: Councillor Beth Burton-Krahn

Councillor Olga Liberchuk

STAFF LIAISON:

Trevor Parkes, Senior Planner

SECRETARY:

Pearl Barnard

I. **CALL TO ORDER**

II. **ELECTION OF CHAIR**

III. **ELECTION OF VICE CHAIR**

IV. LATE ITEMS

V. ADOPTION OF AGENDA

VI. **ADOPTION OF MINUTES – December 20, 2016**

VII. STAFF REPORTS

> 1) DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT 910 Yarrow Place [PID 008-270-589, Lot 4, Section 2, Esquimalt District, Plan 45523]

Purpose of the Application

The subject property is located within Development Permit Area No. 4 – Gorge Waterway.

The property owner is proposing to build a new single family residence; therefore, a Development Permit is required for protection of the natural environment. Due to the requirement that new buildings or structures not be located within 20 metres of the high water mark of the Gorge Waterway, the applicant has proposed that the house would be located closer to the front lot line and the exterior side lot line than Zoning Bylaw 1992. No. 2050 allows; therefore, the two variances are required before a building permit can be issued.

RECOMMENDATION:

That the Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit allowing construction of a new building [single family dwelling] within 30 metres of the Gorge Waterway: as illustrated in the architectural drawings prepared by The BWD Group, the landscape plan prepared by LADR Landscape Architects both stamped "Received

January 06, 2017", sited as detailed on the survey plan prepared by Powell and Associates BC Land Surveyors, stamped "Received January 10, 2017", and including the following variances for the property located at PID 008-270-589, Lot 4, Section 2, Esquimalt District, Plan 45523 [910 Yarrow Place] to either approve, or deny the application; including the reasons for the recommendation.

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(i) - <u>Siting Requirements – Principal Building – Front Setback:</u> A 3.85 metre decrease to the requirement that no principal building shall be located within 7.5 metres of a Front Lot Line. [ie. from 7.5 metres to 3.65 metres]

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(ii) – <u>Siting Requirements</u> – <u>Principal Building – Side Setback</u>: A 2.1 metre decrease to the requirement that no principal building shall be located within 3.6 metres of an Exterior Side Lot Line. [ie. from 3.6 metres to 1.5 metres], to locate the building within 3.6 metres of the right of way containing the Yarrow Place rain garden.

2) ZONING BYLAW AMENDMENT
"Core Area Sewage Treatment Plant
337 Victoria View Road
Lot 1; Section 11; Plan EPP36468

Purpose of the Application:

Included in the agenda package are the drawings for the proposed core area waste water treatment plant at McLoughlin Point and the Zoning Bylaw Amending Bylaw that would amend the McLoughlin Point Special Use [I-3] Zone. A staff report outlining the purposed of the proposed zoning bylaw amendments will be e-mailed to all members on Monday afternoon. In essence, the proposed amendments relate to a revised amenity package and revisions to height, setbacks, and parking.

- VI. PLANNER'S STATUS REPORT
- VII. COUNCIL LIAISON
- VIII. INPUT FROM APC TO STAFF
- X. NEXT REGULAR MEETING

Tuesday, February 21, 2017

XI. ADJOURNMENT



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

ADVISORY PLANNING COMMISSION MEETING MINUTES HELD ON TUESDAY, DECEMBER 20, 2016

ESQUIMALT COUNCIL CHAMBERS

MEMBERS PRESENT: David Schinbein Lorne Argyle

Christina Hamer Amy Higginbotham Nick Kovacs Berdine Jonker

REGRETS: Trevor Parkes, Senior Planner and Graeme Dempster

STAFF: Bill Brown, Director of Development Services

Karen Hay, Planner

COUNCIL LIAISON: Councillor Tim Morrison

Councillor Susan Low

SECRETARY: Pearl Barnard

I. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.

II. LATE ITEMS

No late items

III. ADOPTION OF AGENDA

Moved by Lorne Argyle seconded by David Schinbein that the agenda be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

IV. ADOPTION OF MINUTES – August 16, 2016

Moved by Lorne Argyle seconded by Christina Hamer that the minutes of the Advisory Planning Commission held August 16, 2016 be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

V. BUSINESS FROM MINUTES

There was no outstanding business from the Minutes.

VI. STAFF REPORTS

1) TEMPORARY USE PERMIT - RENEWAL

856 Esquimalt Road and 858 Esquimalt Road

PID 026-691-418, Lot A Section 11 Esquimalt District Plan VIP80973 PID 002-925-966, Lot 2, Section 11, Esquimalt District, Plan 23904

Purpose of the Application

The applicant is requesting a renewal of Temporary Use Permit [TUP00002] for an additional two years.

Karen Hay outlined that this application was previously reviewed by the Advisory Planning Commission at the January 19, 2016 meeting, and was approved by Council in February 2016, for a one year term. The Temporary Use Permit will expire on February 17, 2017 and the applicant is requesting to renew the permit for an additional two years. Ms. Hay explained that the permit renewal would continue the legitimization of the use of the northern portion of the existing parking lot at 856 Esquimalt Road for the parking of large commercial trucks [moving trucks] not associated with the Cambie Pub and Liquor Store. And also the northern portion of 858 Esquimalt Road for the parking of large commercial trucks [moving trucks] associated with the business currently located at this address [2 Burley Men Moving Ltd.]. Ms. Hay also outlined that at this time staff are recommending that the conditions of the Temporary Use Permit would remain unchanged, but are open to APC member recommendations otherwise.

Scott Burley, applicant was in attendance.

APC Questions and Comments:

- Members asked Staff for clarification on the following:
 - The permitted uses for the site. Ms. Hay advised that it is a CD-80 Zone and listed the permitted uses. It was clarified that the 2 Burley Men Moving Ltd. professional office is a permitted use and the Temporary Use Permit is for the commercial and industrial parking for the moving trucks.
 - If there were any complaints about noise or any other issues in the 1st year?
 Ms. Hay advised that staff did receive a couple of complaints, but that they were taken care of very quickly.
 - What option does the applicant have for staying at that location after the twoyear period? Ms. Hay advised that after the two years, the property owner would have to go though the rezoning process.
 - Is the two-year renewal from 2017–2019? Ms. Hay advised that is correct.
- Concerns were raised that the proposed use of this land is not in the best interest of the community, and would like to see higher density development. Extending the permit for two years could hold up redevelopment of the site.
- A Member asked about potential development proposed for the site. Mr. Brown advised that the current Development Permit would expire in February 2018.
- Glad to see a business in that location, better than an empty parking lot.

Mr. Burley advised the APC members that the application is for a two year renewal; however, he doesn't have a two year lease, and is currently renting month to month. If the two year extension is approved he could still be gone in 6 months. Mr. Burley advised that he is happy to be here and be a part of the Esquimalt Community.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Dave Schinbein: That the Advisory Planning Commission recommends to Council that the application for renewal of the Temporary Use Permit [TUP00002], authorizing the Commercial/Industrial Parking use, for Moving Trucks on the northern portion of the properties located at 856 Esquimalt Road [PID 026-691-418, Lot A Section 11 Esquimalt District Plan VIP80973] and 858 Esquimalt Road [PID 002-925-966, Lot 2, Section 11, Esquimalt District, Plan 23904]], be forwarded to Council with a recommendation of approval; as the current business (moving company) is good for the community and is a sufficient improvement to what was there previously.

Moved by Amy Higginbotham, seconded by Christina Hamer: That the main motion be amended to include that the renewal be approved for one year. **The Motion was defeated.**

The vote was taken on the main motion and declared CARRIED. (Amy Higginbotham opposed)

2) REZONING APPLICATION 101 Island Highway [PID 000-025-569, Lot A, Section 2, Esquimalt District, Plan 39273]

Purpose of the Application:

The applicant is requesting a change in zoning from the current C-5A [Tourist Commercial] zone to a Comprehensive Development zone [CD]. The zoning amendment is required to accommodate changes to the uses permitted on the property as well as refine parking requirements to accommodate those proposed uses. The new owners are proposing to convert the existing buildings to residential rental units while maintaining a commercial use on the site.

Mr. Brown presented the application.

Jordan Milne, Tonny Kiptoo, applicant/owners, Karen Hillel and Peter Hardcastle, Hillel Architecture Inc. were in attendance.

Peter Hardcastle and Jordan Milne provided an overview of the proposed redevelopment. Mr. Hardcastle outlined that they are proposing to change the existing EconoLodge, a transient tourist accommodation to Portage West, a new permanent residential community. The restaurant would remain on the site and the total number of accommodations would be reduced from the existing 121 units to 96 rental units, a reduction of 25 units on the property.

The Chair thanked the applicant for their excellent presentation.

APC Members questions and comments:

- Good proposal, innovative design, the restaurant / café is a great amenity.
- What is the average size of the studio and one bedroom units? Mr. Milne advised the studio units will be 350 to 400 square feet, the existing one bedroom units will be 650 to 725 square feet and the new one bedroom units will be 750 to 775 square feet.
- A member asked for clarification on the number of bicycle parking spaces. Mr. Hardcastle advised that there are 146 spaces proposed.
- Concern that there is no children's play area on the site. Mr. Hardcastle advised that there is green space but insufficient room for a playground.
- A member asked if the applicant was considering short term rentals. Mr. Milne advised that their vision/goal is for long term accommodations only.
- Any plans to strata the property? Mr. Milne advised that the property would be for rental use only.
- What type of restaurant will be going in? Mr. Milne advised that they are looking for an
 independent operator; it would probably be a café/coffee shop or a breakfast and lunch
 place. Another member asked where the restaurant parking would be. Mr. Hardcastle
 advised that this parking would most likely be the spaces closest to the café entrance.
- Will the pool be for the community to use or tenants only? Mr. Milne advised that it
 would be for tenant use only. A member commented that the pool would be a great
 amenity to the community.

- A member commented that it is great that the applicant is choosing to rehabilitate the buildings and give them a new use; glad to see this happening.
- What is the opening date? Mr. Milne advised that they anticipate the 1st wing of units will be available for September 2017.
- Are there any long term tenants living there now. Mr. Milne advised that there are no long term tenants.

RECOMMENDATION:

Moved by Berdine Jonker, seconded by Christina Hamer: That the Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for rezoning authorizing a change in use from the currently permitted Motel use to Mixed Commercial Residential uses for the "EconoLodge Inn and Suites", sited in accordance site plan provided by Brad Cunnin Land Surveyor stamped "Received November 23, 2016", and incorporating height and massing consistent with the architectural plans provided by Hillel Architecture Inc., stamped "Received November 23, 2016", detailing the building located at PID 000-025-569, Lot A, Section 2, Esquimalt District, Plan 39273 [101 Island Highway], be forwarded to Council with a recommendation of approval; as the proposal provides the benefits of rehabilitating the buildings for rental use as opposed to a motel.

Moved by David Schinbein, seconded by Nick Kovacs: That the main motion be amended, recommending approval with the condition that a children's play space be added to the site. **The Motion was defeated.**

The vote was taken on the Main Motion and declared CARRIED.

VII. STAFF LIAISON

- 1. The Esquimalt Road Urban Design Guidelines Open House is scheduled for Wednesday, January 18^{th,} in Council Chambers.
- 2. The CRD will be hosting an Open House for The Sewage Treatment Plant, January 12 to 14th
- 3. The Development Permit Application for the Esquimalt Town Square will be coming in February 2017.
- 4. 910 McNaughton Avenue The Rezoning Application was given third reading by Council and is awaiting adoption.
- 5. 455 Nelson Street The Rezoning Application was given third reading by Council and is awaiting adoption.
- 6. 826 Esquimalt Road A Building Permit for the foundation has been received.
- 7. The West Bay Triangle Land are working on their covenant.
- 8. Working on the Official Community Plan.

VIII. COUNCIL LIAISON

- Councillor Morrison advised that at the Mayor's annual address in December, Mayor Desjardins announced that the Verde Development, (826 Esquimalt Road) had presold all 30 units.
- Two new Councillor Liaisons have been appointed for 2017, Councillor Beth Burton-Krahn and Councillor Olga Liberchuk.

The Chair, on behalf of himself and the Advisory Planning Commission thanked Councillor Morrison and Councillor Low for their time and service.

IX. INPUT FROM APC TO STAFF

None

X. NEW BUSINESS

Members discussed the Nominations for New Stop of Interest Signs. The following was suggested:

- God's Acre the Military Cemetery off Colville Road and
- The Cenotaph in Esquimalt's Memorial Park

XI. NEXT REGULAR MEETING

Tuesday, January 17, 2017

XII. ADJOURNMENT

On motion the meeting adjourned at 8:30 P.M.

CERTIFIED CORRECT:

CHAIR, ADVISORY PLANNING COMMISSION

THIS 17th DAY OF JANUARY, 2017

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1 Telephone (250) 414-7100 Fax (250) 414-7111

APC Meeting: January 17, 2017

STAFF REPORT

DATE: January 13, 2017

TO: Chair and Members of the Advisory Planning Commission

FROM: Karen Hay, Planner

Bill Brown, Director of Development Services

SUBJECT: DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT

910 Yarrow Place

[PID 008-270-589, Lot 4, Section 2, Esquimalt District, Plan 45523]

RECOMMENDATION:

That the Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit allowing construction of a new building [single family dwelling] within 30 metres of the Gorge Waterway; as illustrated in the architectural drawings prepared by The BWD Group, the landscape plan prepared by LADR Landscape Architects both stamped "Received January 06, 2017", sited as detailed on the survey plan prepared by Powell and Associates BC Land Surveyors, stamped "Received January 10, 2017", and including the following variances for the property located at PID 008-270-589, Lot 4, Section 2, Esquimalt District, Plan 45523 [910 Yarrow Place] to either approve, or deny the application; including the reasons for the recommendation.

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(i) - <u>Siting Requirements – Principal Building – Front Setback:</u> A 3.85 metre decrease to the requirement that no principal building shall be located within 7.5 metres of a Front Lot Line. [ie. from 7.5 metres to 3.65 metres]

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(ii) – Siting Requirements – Principal Building – Side Setback: A 2.1 metre decrease to the requirement that no principal building shall be located within 3.6 metres of an Exterior Side Lot Line. [ie. from 3.6 metres to 1.5 metres], to locate the building within 3.6 metres of the right of way containing the Yarrow Place rain garden.

BACKGROUND:

Purpose of the Application

The subject property is located within Development Permit Area No. 4 – Gorge Waterway. The property owner is proposing to build a new single family residence; therefore, a Development Permit is required for protection of the natural environment. Due to the requirement that new buildings or structures not be located within 20 metres of the high water

mark of the Gorge Waterway, the applicant has proposed that the house would be located closer to the front lot line and the exterior side lot line than Zoning Bylaw 1992, No. 2050 allows; therefore, the two variances are required before a building permit can be issued.

Context

Applicant: Bruce Wilkin, The BWD Group

Owner: Paul Robertson

Property Size: Metric: 573.2 m² Imperial: 6170 ft²

Existing Land Use: Single Family Residential vacant lot

Surrounding Land Uses:

North: Gorge Waterway, Parks and Open Space

South: Single Family Residential

West: Yarrow Place rain garden on road Right of Way

East: Single Family Residential

Development Permit Guidelines

The Official Community Plan Development Permit Area No. 4 – Gorge Waterway Guidelines [attached] are intended to provide protection of the natural environment, for the Gorge Waterway, a sensitive, tidal influenced watercourse that connects the fish-bearing freshwater of Craigflower and Colquitz Creeks with the salt-waters of Victoria Harbour.

The subject property does not include any shoreline as there is a strip of 'Parks and Open Space' adjacent to the water, therefore there are three guidelines that apply to this application. The owner has met Guideline 9.6.5 a) by not siting the building within 20 metres of the high water mark of the Gorge Waterway.

As per guideline 9.6.5 e) all exterior lighting fixtures in the yard and on the north side of the building will be designed to avoid glare spilling over onto the water's edge.

As the subject property has been cleared previously (guideline 9.6.5 g), the owner has provided a landscape plan with a rehabilitation plan that includes the planting of eight different native plant species in the area located within 7.5 metres of the Gorge Waterway high water mark; a great step towards protecting biodiversity in the area.

Zoning

The application has the principal building sited fairly close to the front lot line for a single family residential home, at 3.65 metres (12 feet), where the setback requirement for the siting of a principal building in the RS-1 zone is 7.5 metres (25 feet) from a front lot line. As you can see on the Surveyor's Site Plan the home directly to the east is also located fairly close to the front lot line. The siting has resulted in a very short driveway in this location with no extra space for parking.

The area to the west of the subject property is a road right of way containing the Yarrow Place

Rain Garden (This rain garden filters local storm water from Craigflower Road before it enters the Gorge Waterway.); therefore the subject property is actually a corner lot, and the setback requirement for a principal building is 3.6 metres from an Exterior Side Lot Line. The placement of the proposed house within 1.5 metres of this lot line would correspond with the requirements for an interior side lot line. There are more trees located on the east side of the property and on the neighbour's property that would be impacted if the home was placed closer to the west side.

Public Notification

As this application includes a development variance permit application, should it proceed to Council, a notice will be mailed to tenants and owners of properties within 50 metres (164 feet) of the subject property.

ALTERNATIVES:

- 1. Forward the application for a Development Permit and Development Variance Permit to Council with a **recommendation of approval.**
- 2. Forward the application for a Development Permit and Development Variance Permit to Council with a **recommendation of denial.**



910 Yarrow Place





9.6 Development Permit Area No. 4 – Gorge Waterway

9.6.1 Scope

All waters of the Gorge within Esquimalt and the lands within 30 meters of the natural boundary of the Gorge Waterway form DPA No. 4 and are shown on "Schedule C" of this Plan.

9.6.2 Category

Section 919(1)(a) of the Local Government Act – protection of the natural environment.

9.6.3 Justification

The Gorge waterway is a sensitive, tidal-influenced watercourse that connects the fish-bearing fresh water of Craigflower and Colquitz Creeks with the saltwaters of Victoria Harbour.

Over the past few decades, significant public expenditures and efforts have gone into removing sources of pollution and contamination that once plagued this waterway.

However, the removal of native shoreline vegetation and the construction of extensive sea walls has substantially diminished the quality of the shoreline as supportive habitat for fish and wildlife. Both private and public landowners are responsible for this loss of habitat, often through well meaning and beneficial projects such as shoreline walkways.

This plan, like previous plans, encourages the restoration of more natural habitat conditions on private and public land adjacent to the Gorge Waterway and the acquisition of the foreshore as parkland in all redevelopment proposals. Environmentally friendly construction methods must be utilized in redevelopment in this environmentally significant zone.

The Township encourages property owners to undertake voluntary protection of natural features and the use of stewardship tools such as conservation covenants.

9.6.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 4 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
 - i) alter lands;
 - ii) subdivide lands; or
 - iii) construct or alter a building or structure;

without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.

b) Exemptions:

The following do not require a development permit:

- i) construction of buildings or structures less than 10 square metres in area and located more than 20 m from the high water mark;
- ii) minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;
- iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;

- iv) fences constructed along a side parcel boundary (generally perpendicular to the shoreline); and
- v) the cutting of trees as permitted by the municipal tree protection bylaw.

9.6.5 Guidelines for Owners of Land within the Development Permit Area

- a) New buildings or structures, other than lawfully established boat moorage facilities, will not be located with 20 metres of the high water mark of the Gorge Waters.
- b) Where shoring methods are required to prevent erosion or sloughing of the shoreline, bio-eningeering methods are preferred rather than the use of sea-walls or retaining walls.
- c) Where sea-walls or retaining walls are the only means of effectively preventing erosion, they should be designed in consultation with qualified environmental professionals as well as engineering professionals.
- d) The preservation and enhancement of native trees and shrub clusters that overhang the waters edge will be strongly encouraged as these provide shade, protection and feeding habitat for fish and wildlife.
- e) In the design of new developments or re-developments, lands within 7.5 metres (25 ft) of the high water mark of the Gorge will be retained in a natural state. In the event that the area has been previously cleared or altered, it should be rehabilitated with native plant species suitable to the site conditions. Rehabilitation may be a requirement of the Development Permit.
- f) Any new public pathways along the Gorge waterway will be designed and constructed in consultation with qualified environmental professionals and the Township of Esquimalt Parks Department.
- g) Lighting fixtures within 30 metres of the Gorge Waters will be designed to avoid glare spill over onto the water's surface.
- h) In the design of new developments or re-development, the use of soft engineered and innovative alternatives to stabilizing shorelines and preventing erosion, such as bioengineering rather than traditional hard engineered solutions should be considered.

DIVISION 1 - RESIDENTIAL ZONES

34. SINGLE FAMILY RESIDENTIAL [RS-1]

The intent of this Zone is to accommodate Single Family Dwellings on individual Parcels of land.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) Secondary Suite: subject to the requirements of Section 30.6
- (d) Boarding: subject to the requirements of Section 30.3
- (e) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 530.0 square metres.

(3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 16 metres measured at the Front Building Line.

(4) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.35.

(5) Floor Area

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(7) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres.

(8) Lot Coverage

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of Parcel.

(9) Siting Requirements

(a) Principal Building

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) Accessory Building

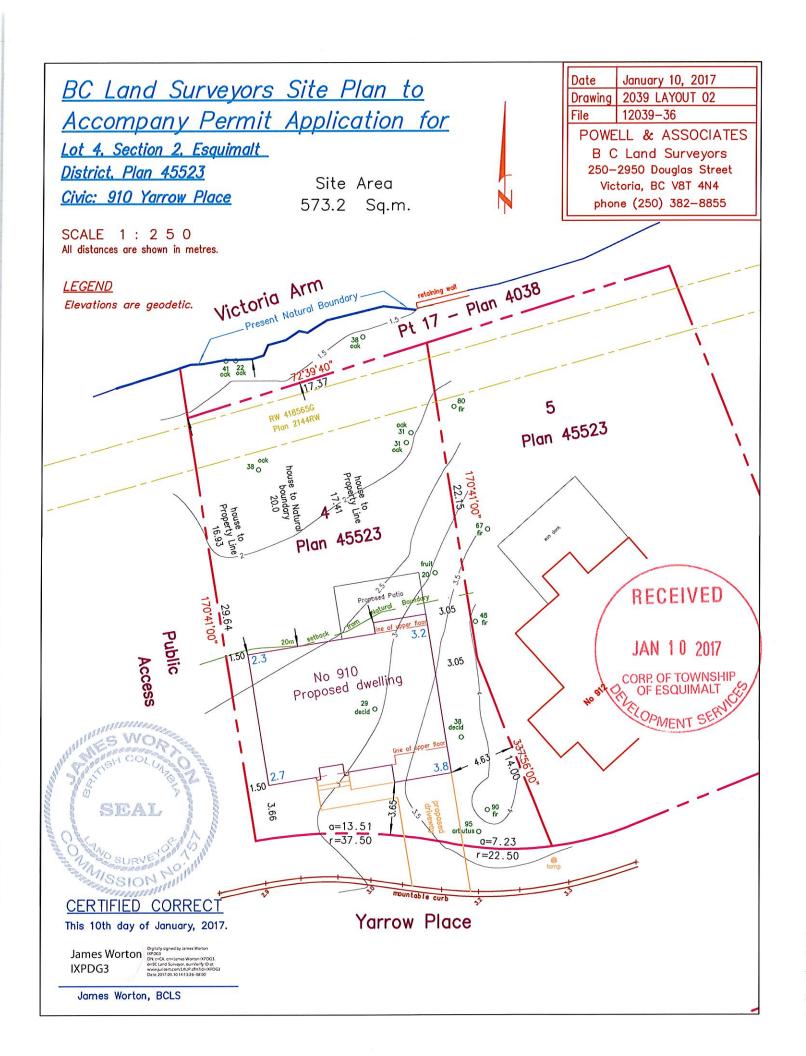
- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) Fencing

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(11) Off Street Parking

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).





Talbot Mackenzie & Associates

Consulting Arborists

January 5, 2017

Paul Robertson 910 Yarrow Place Victoria, BC V9A 7H9



Re: 910 Yarrow Place

Assignment: To review the proposed construction plans for the above-mentioned property and comment on how the proposal may impact the existing bylaw-protected trees on the property. Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain.

Methodology: Using the plans provided, we inventoried the trees on the property. Information such as tree species, size (dbh), crown spread, critical root zone (crz), health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

Tree Resource: (see attached tree resource spreadsheet.)

Observations:

- From our review of the existing trees and the plans provided, it will be necessary
 to remove ornamental trees numbered 53 and 54 as they will be too heavily
 impacted by the proposed building footprint.
- Douglas fir #52 has been previously topped and we anticipate it will be impacted
 by the proposed driveway footprint. The desire is to remove this tree in favour of
 the adjacent arbutus tree.
- Arbutus tree #51 will be impacted by the proposed driveway excavation and proposed grade changes for the house location. Although the desire is to retain the tree, its retention will depend on the size and density of the roots encountered during the excavation and the ability to mitigate any impacts from the proposed changes within its critical root zone. If significant roots are encountered that cannot be retained, we will recommend that this tree be removed to eliminate any associated risk.
- The ability to retain the Douglas fir tree identified as n.t. 4 on the neighbouring property will depend on the extent of excavation that must occur within its critical root zone. If significant roots are encountered that cannot be retained, we will recommend that this tree be removed to eliminate any associated risk.

..../2

Box 48153 RPO Uptown Victoria, BC V8Z 7H6 Ph: (250) 479-8733 ~ Fax: (250) 479-7050 Email: treehelp@telus.net

- The remaining trees on the property offer a good opportunity for retention providing their critical root zones can be protected during the construction process.
- It should be noted that the Garry oak trees located on the municipal property are
 currently having portions of their critical root zones eroded by water movement
 from the waterway and there is some undermining occurring. Two of the trees are
 beginning to show some decline symptoms that are likely related to the impacts,
 and as the erosion progresses it will likely have further impacts on both the tree
 health and stability.

Recommendations:

- Barrier fencing: The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.
- Stump removal: If arbutus #51 is to be retained, we recommend that the stump from Douglas fir #52 be left in place rather than removed.
- Arborist supervision: Any excavation that is proposed within the critical root zone of the trees to be retained, such as arbutus #51 and the neighbour's Douglas fir n.t.4, must be supervised by the project arborist. Any roots critical to the tree's survival must be retained and any non-critical roots in direct conflict with the excavation must be pruned to sound tissue to encourage new root growth. It may be necessary to excavate using a combination of hand digging, small machine excavation and hydro excavation to expose roots in conflict with the proposed excavation. At that time, it can be determined if they can be pruned without having a significant impact on the trees. If it is found that large structural roots must be pruned to accommodate the proposed construction, it may be necessary to remove additional trees to eliminate any risk associated with them.
- Driveway: Where the proposed driveway encroaches into the critical root zone of arbutus #51, we recommend that it be constructed in such a way that any proposed excavation is minimized and the driveway is constructed over the existing grades where possible. We have attached s specification for a floating permeable driveway surface. As the driveway grades must meet the proposed garage grades, it may not be possible to retain this tree and will have to be determined at the time of excavation.

- Servicing: Only the proposed water service is shown on the plans provided and is
 shown to be located within the proposed driveway. If services must be located within
 the critical root zones of trees to be retained, it must be reviewed with the project
 arborist. Installing services within critical root zones will likely require a combination
 of hand digging, small machine or hydro excavation. If significant roots are
 encountered that are critical to the health and stability of the trees and they cannot be
 retained, it may be necessary to remove additional trees.
- Concrete work: Provisions must be made to ensure that no concrete wash or left over concrete material be permitted to wash into the root zone of the trees. This may involve using plastic or tarps or similar methods to temporarily isolate the root zones of the trees from any of the concrete installation or finishing work.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - o Locating the barrier fencing.
 - o Reviewing the report with the project foreman or site supervisor.
 - o Locating work zones, where required.
 - Supervising any excavation for the road upgrades and service footprints that are within the critical root zones of trees to be retained.
 - o Reviewing and advising of any pruning requirements for machine clearances.
- Review and site meeting: Once the project receives approval, it is important that the
 project arborist meet with the principals involved in the project to review the
 information contained herein. It is also important that the arborist meet with the site
 foreman or supervisor before any demolition, site clearing or other construction
 activity occurs.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions. Thank You.

Yours truly,

Talbot Mackenzie & Associates

Tom Talbot & Graham Mackenzie ISA Certified, & Consulting Arborists

Encl. 1-page plans, floating driveway specifications, barrier fencing specifications, tree resource spreadsheet

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

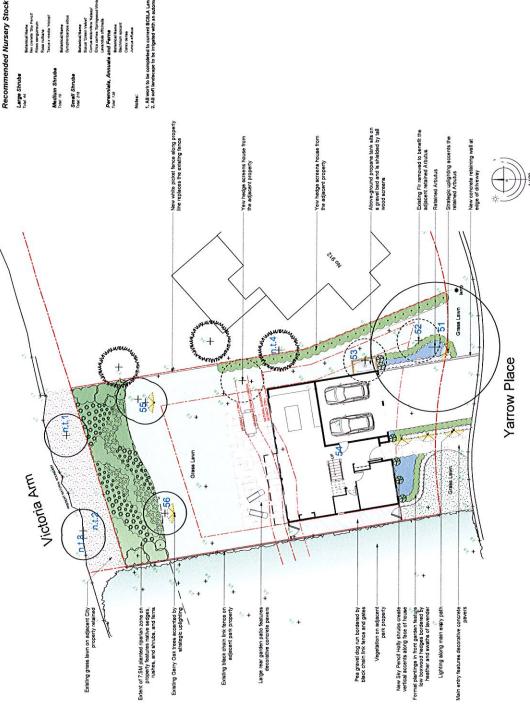
Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Box 48153 RPO Uptown Victoria, BC V8Z 7H6 Ph: (250) 479-8733 ~ Fax: (250) 479-7050 Email: treehelp@telus.net

Tree Resource 910 Yarrow Place

						-	
Tree #	d.b.h. (cm)	Species	Crown Spread	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
51	30, 27, 23, 27, 36, 33	Arbutus	19.0	Fair	Fair	Poor	Multi-stemmed tree, near proposed driveway. Refention will depend on extent of required driveway excavation.
52	71.0	Douglas fir	11.0	Fair	Fair/poor	Poor	Previously topped, large deadwood. Proposed for removal to benefit adjacent Arbutus.
53	22, 25, 24	English Walnut	9.0	Fair	Fair	Moderate	History of small limb failure. Will be heavily impacted by proposal and require removal.
54	27.0	Apple	6.0	Fair	Fair	Moderate	Some canker, small broken limb. Within proposed building footprint.
55	31, 29	Gamy oak	12.0	Fair	Fair	Good	High crown, co-dominant at soil line. No impacts anticipated
26	34.0	Сапу оак	10.0	Good	Fair	Good	High crown. No impacts anticipated
n.t. 1	37.0	Garry oak	12.0	Fair	Fair	Good	Some erosion within critical root zone, weighted over water, large deadwood. Located on municipal property.
n.t. 2	22.0	Сапу оак	7.0	Fair/Poor	Poor	Good	Undermined by water movement, epicormic growth. Located on municipal property.
n.t. 3	36.0	Garry oak	7.0	Fair	Poor	Good	Undermined by water movement, large deadwood. Located on municipal property.
n.t.4	0.44	Douglas fir	7.0	Fair	Good	Poor	Located on neighbour's property, some epicormic growth. Retention will depend on extent of necessary excavation within the critical root zone.



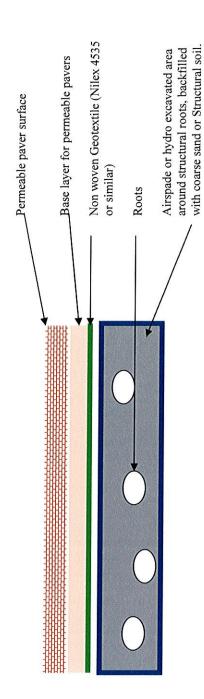
910 Yarrow Place | Landscape Concept Plan



LADR LANDSCAPE ARCHITECTS

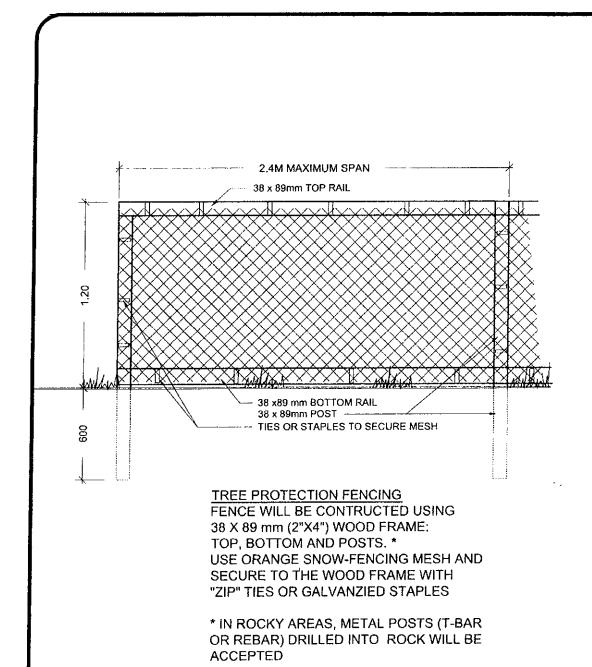
The report to the control of the contro

Diagram -Permeable paver driveway crossing over Critical Root Zone



Specifications for permeable paver driveway crossing over critical root zone

- 1. Excavate to a 6-8 inch depth, for the required permeable driveway surface, under the supervision of an ISA Certified Arborist.
- Excavation for area around structural roots with an Airspade or by Hydro Excavation to bearing layer of soil if required.
- 3. Backfill area around roots with coarse sand or a structural soil mix
- A layer of medium weight non woven Geotextile (Nilex 4535 or similar) is to be installed over the backfilled area of the driveway.
- 5. Construct base layer and permeable surface over Geotextile layer to required grade.



DETAIL NAME:

TREE PROTECTION FENCING

DATE: Oct 30/07
DRAWN: DM
APP'D. RR
SCALE: N.T.S.

DATE: Oct 30/07
DRAWN: DM
APP'D. RR
SCALE: N.T.S.







GREEN BUILDING CHECKLIST

The purpose of this Checklist is to make property owners and developers aware of specific green features that can be included in new developments to reduce their carbon footprints to help create a more sustainable community.

Creating walkable neighbourhoods, fostering green building technologies, making better use of our limited land base and ensuring that new development is located close to services, shops and transit are some of the means of achieving sustainability.

The Checklist which follows focuses on the use of **Green Technologies** in new buildings and major renovations. The Checklist is not a report card, it is a tool to help identify how your project can become 'greener' and to demonstrate to Council how your project will help the Township of Esquimalt meet its sustainability goals. It is not expected that each development will include all of the ideas set out in this list but Council is looking for a strong commitment to green development.

There are numerous green design standards, for example, Built Green BC; LEED ND; Living Building Challenge; Green Shores; Sustainable Sites Initiative. Esquimalt is not directing you to follow any particular standard, however, you are strongly encouraged to incorporate as many green features as possible into the design of your project.

As you review this checklist, if you have any questions please contact **Development Services at 250.414.7108** for clarification.

New development is essential to Esquimalt.
We look forward to working with you
to ensure that development is
as green and sustainable as possible.

Other documents containing references to building and site design and sustainability, which you are advised to review, include:

- Esquimalt's Official Community Plan
- Development Protocol Policy
- Esquimalt's Pedestrian Charter
- Tree Protection Bylaw No. 2664
- A Sustainable Development Strategic Plan for the Township of Esquimalt

Adopted on January 10th, 2011



"One-third of Canada's energy use goes to running our homes, offices and other buildings. The federal government's Office of Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our current greenhouse gas (GHG) emissions come from the built environment."

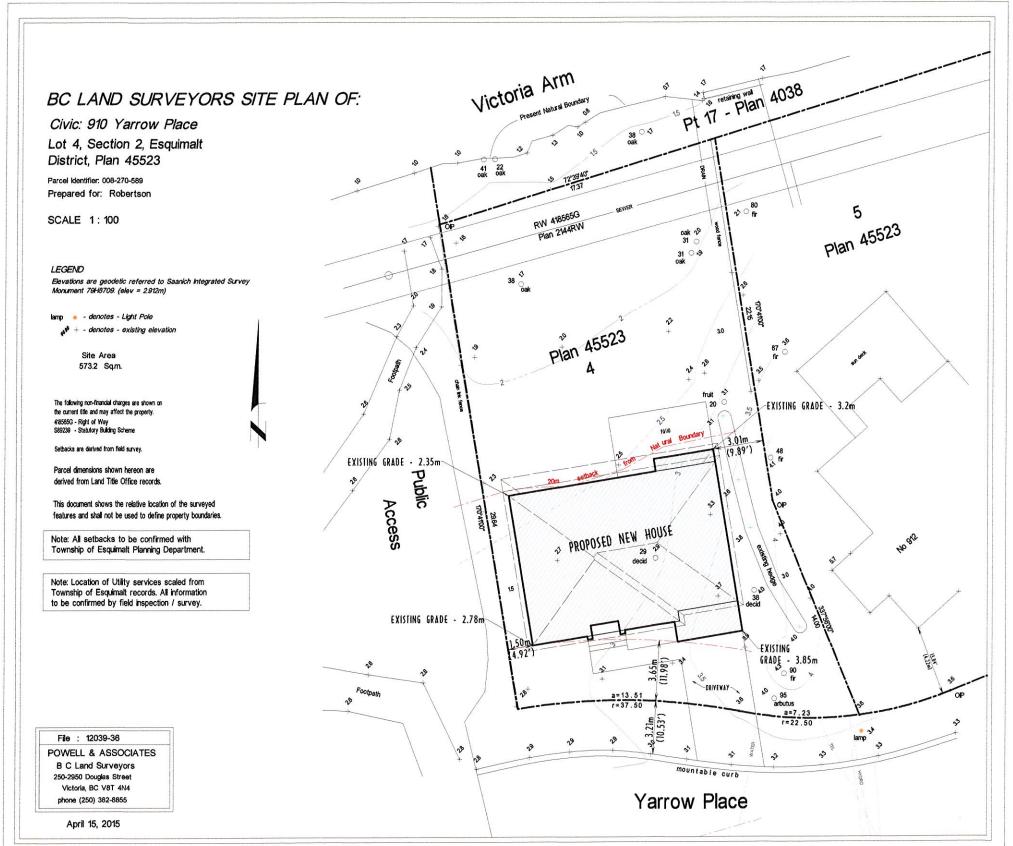
[Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

Please answer the following questions and describe the green and innovative features of your proposed development. Depending on the size and scope of your project, some of the following points may not be applicable.

Bo	een Building Standards th energy use and emissions can be reduced by changing or modifying the way we build ildings.	l and equ	uip our
1	Are you building to a recognized green building standard? If yes, to what program and level?	Yes	(No)
2	If not, have you consulted a Green Building or LEED consultant to discuss the inclusion of green features?	Yes	(No)
3	Will you be using high-performance building envelope materials, rainscreen siding, durable interior finish materials or safe to re-use materials in this project? If so, please describe them.	Yes	No
4	What percentage of the existing building[s], if any, will be incorporated into the new building?		_%
5	Are you using any locally manufactured wood or stone products to reduce energy use transportation of construction materials? Please list any that are being used in this pro		
6	Have you considered advanced framing techniques to help reduce construction costs and increase energy savings?	Yes	No
7	Will any wood used in this project be eco-certified or produced from sustainably mana so, by which organization?	aged for	ests? If
	For which parts of the building (e.g. framing, roof, sheathing etc.)?		
8	Can alternatives to Chlorofluorocarbon's and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents] be used in this project? If so, please describe these.	Yes	No
9	List any products you are proposing that are produced using lower energy levels in ma	inufactur	ring.
10	Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]?	Yes	No
11	Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde?	Yes	(No)

Th	ater Management e intent of the following features is to promote water conservation, re-use water on	site, a	nd red	duce
THE PARTY OF	rm water run-off.			
12	oor Water Fixtures Does your project exceed the BC Building Code requirements for public lavatory faucets and have automatic shut offs?	Ye	es (No
13	For commercial buildings, do flushes for urinals exceed BC Building Code requirements?	Ye	? S	No
14	Does your project use dual flush toilets and do these exceed the BC Building Code requirements?	Ye	? S	No
15	Does your project exceed the BC Building Code requirements for maximum flow rates for private showers?	Ye	:S	No
16	Does your project exceed the BC Building Code requirements for flow rates for kitchen and bathroom faucets?	Ye	:S	No
Sto	rm Water			
17	If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.]	Yes) No	N/A
18	Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property?	Yes	No	N/A
19	Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe.	Yes	(No)) N/A
20	Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses?	Yes (No	N/A
21	Will surface pollution into storm drains will be mitigated (oil interceptors, bioswales)? If so, please describe.	Yes	No	(N/A)
22	Will this project have an engineered green roof system or has the structure been designed for a future green roof installation?	Yes	No	N/A
23	What percentage of the site will be maintained as naturally permeable surfaces?	(00	%
	te water			
24	For larger projects, has Integrated Resource Management (IRM) been considered (e.g. heat recovery from waste water or onsite waste water treatment)? If so, please describe these.	Yes	No(N/A/
Na	tural Features/Landscaping			
The	way we manage the landscape can reduce water use, protect our urban forest, resto	ore na	tural	
	Are any healthy trees being removed? If so, how many and what species?	Yes)No	N/A
	Could your site design be altered to save these trees? Have you consulted with our Parks Department regarding their removal?			

Th	r Quality e following items are intended to ensure optimal air quality for building occupants b products which give off gases and odours and allowing occupants control over vent			he use
46		Yes	No(N/A
47	Are you using any natural, non-toxic, water soluble or low-VOC [volatile organic compound] paints, finishes or other products? If so, please describe.	Yes	No	N/A
48	Will the building have windows that occupants can open?	Yes	No.	N/A
49	Will hard floor surface materials cover more than 75% of the liveable floor area?	Yes	No	N/A
50	Will fresh air intakes be located away from air pollution sources?	Yes	No	N/A
Ret	lid Waste use and recycling of material reduces the impact on our landfills, lowers transportation-cycle of products, and reduces the amount of natural resources used to manufacture Will materials be recycled during demolition of existing buildings and structures? If so, please describe.			
52	Will materials be recycled during the construction phase? If so, please describe.	Yes	No	N/A
53	Does your project provide enhanced waste diversion facilities i.e. on-site recycling for cardboard, bottles, cans and or recyclables or on-site composting?	Yes	No	N/A
54	For new commercial development, are you providing waste and recycling receptacles for customers?	Yes	Nø	N/A
Gre	een Mobility			
	e intent is to encourage the use of sustainable transportation modes and walking to representation personal vehicles that burn fossil fuels which contributes to poor air quality.	educe	our re	eliance
55	Is pedestrian lighting provided in the pathways through parking and landscaped areas and at the entrances to your building[s]?	Yes	No	N/A)
56	For commercial developments, are pedestrians provided with a safe path[s] through the parking areas and across vehicles accesses?	Yes	No(N/A
57	Is access provided for those with assisted mobility devices?	Yes	No(N/A
58	Are accessible bike racks provided for visitors?	Yes	No(N/A
59	Are secure covered bicycle parking and dedicated lockers provided for residents or employees?	Yes	No	N/A)
60	Does your development provide residents or employees with any of the following personal automobile use [check all that apply]: transit passes car share memberships shared bicycles for short term use weather protected bus shelters plug-ins for electric vehicles Is there something unique or innovative about your project that has n		es to	reduce
been addressed by this Checklist? If so, please add extra pages to describe it.				





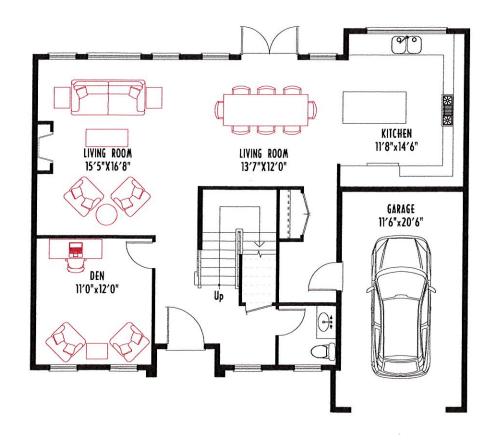
910 YARROW PLACE - SITE DATA

	PROPOSED	RS-1 REQUIREMENTS
LOT AREA	573.2 sq.metres	530 sq.metres
TOTAL FLOOR AREA HOUSE	198.44 sq.metres	
TOTAL FLOOR AREA GARAGE	23.37 sq.metres	
FLOOR AREA RATIO	.35	.35
LOT COVERAGE	21.53% or 123.41 sq.metres	30%
BUILDING HEIGHT	7.14m	7.3m
BUILDING WIDTH	12.65m	7.0m
SETBACKS		
FRONT	**3.65m	7.5m
REAR	20.0m	20.0m (DEVELOPMENT PERMIT AREA)
EAST SIDE	3.01m	1.5m
WEST SIDE	1.5m	1.5m
SUM OF SIDE YARD SETBACKS	4.51m	4.5m

** REQUIRES VARIANCE

DATE - January 3, 2017 SHEET 1 OF 3

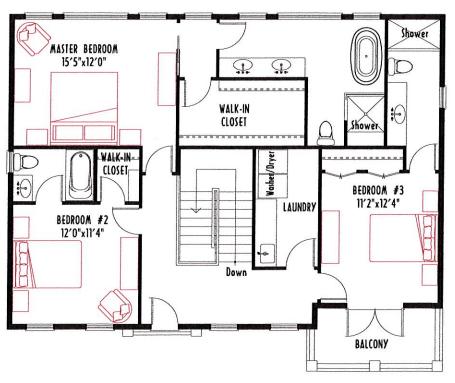




FIRST STOREY FLOOR PLAN

HOUSE FLOOR AREA - 91.56 sq.metres (985.5 sq.ft.)
GARAGE FLOOR AREA - 23.37 sq.metres (251.5 sq.ft.)

SCALE - 1/4" = 1'-0"



SECOND STOREY FLOOR PLAN

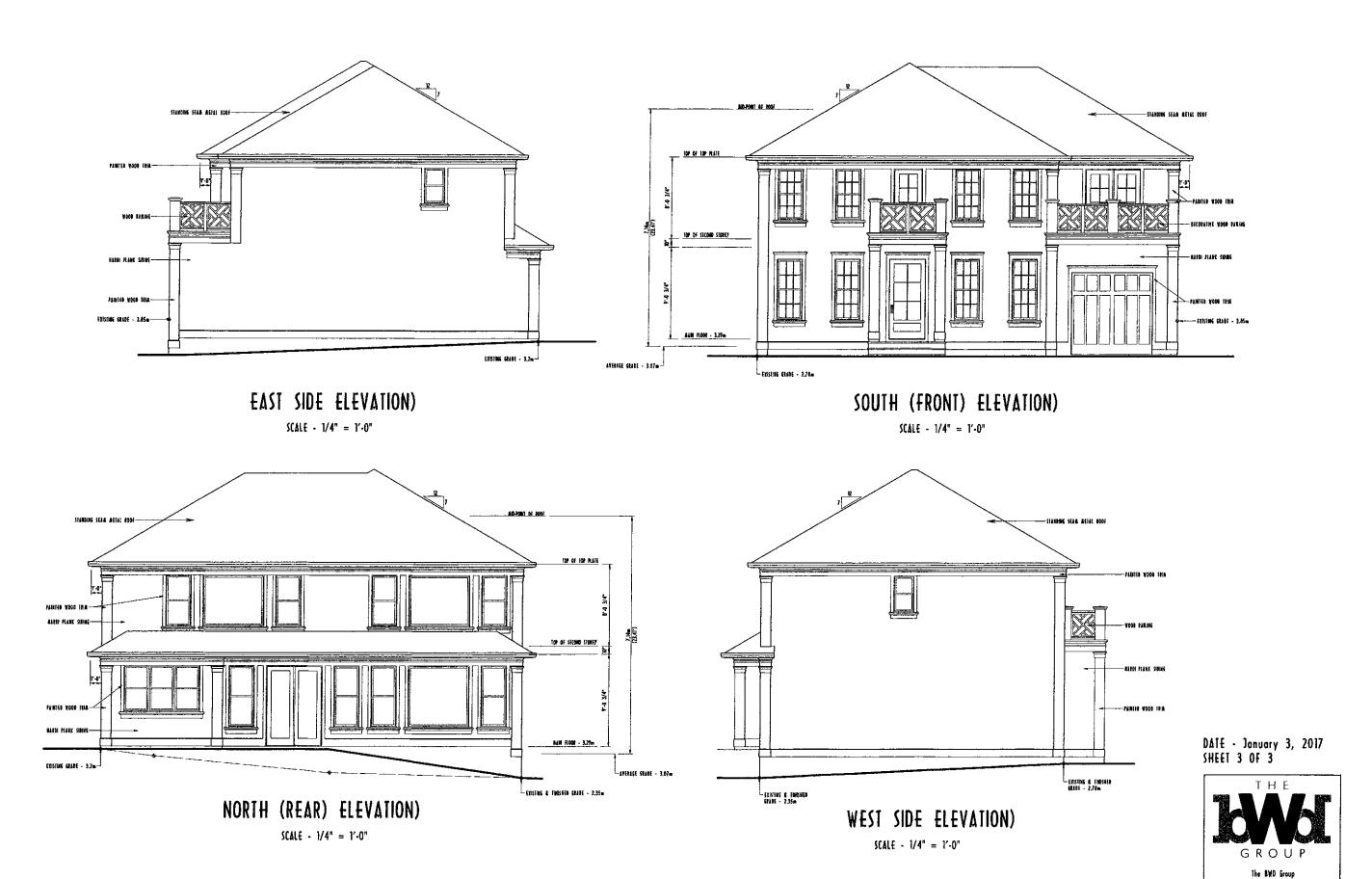
FLOOR AREA - 106.88 sq.metres (1150.5 sq.ft.)

SCALE - 1/4" = 1'-0"

DATE - January 3, 2017 SHEET 2 OF 3



PROPOSED NEW RESIDENCE 910 YARROW PLACE



PROPOSED NEW RESIDENCE 910 YARROW PLACE



Recommended Nursery Stock

Large Snrubs			
Total: 44	Botanical Name	Common Name	Size
	llex crenata 'Sky Pencil'	Sky Pencil Holly	2m ht.
	Ribes sanguineum	Red Flowering Current	#5 pot
	Rosa nutkana	Nootka Rose	#5 pot
	Taxus x media "Hicksii"	Hicks Yew	2m ht.
Medium Shrubs			
Total: 10	Botanical Name	Common Name	Size
	Symphoricarpos albus	Snowberry	#5 pot
Small Shrubs			
Total: 229	Botanical Name	Common Name	Size
	Buxus 'Green Velvet'	Green Velvet Boxwood	#1 pot
	Cornus stolonifera 'Kelseyi'	Kelsey Dogwood	#1 pot
	Erica carnea 'Springwood White'	Springwood White Heather	#1 pat
	Lavandula officinalis	English Lavender	#1 pot
Perennials, Ann	uals and Ferns		
Total: 138	Botanical Name	Common Name	Size
	Blechnum spicant	Deer Fern	#1 pot
	Carex densa	Dense Sedge	#1 pot
	Juncus effusus	Common Rush	#1 pot
W0.000.00			

All work to be completed to current BCSLA Landscape Standards
 All soft landscape to be irrigated with an automatic irrigation system

Landscape Revised Jan 5-17



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1 Telephone (250) 414-7100 Fax (250) 414-7111

APC Meeting: January 17, 2017

STAFF REPORT

DATE: January 15, 2017

TO: Chair and Members of the Advisory Planning Commission

FROM: Bill Brown, Director of Development Services

SUBJECT: REZONING BYLAW AMENDMENT

"Core Area Waste Water Treatment Plant"

337 Victoria View Road (Lot 1; Section 11; Plan EPP36468)

RECOMMENDATION:

The Esquimalt Advisory Planning Commission recommends that the "Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2888" being a bylaw to amend the McLoughlin Point Special Use [I-3] zone for the Core Area Waste Water Treatment Plant be forwarded to Council with a recommendation to approve, approve with conditions, or deny including reasons for the chosen recommendation.

BACKGROUND:

Context

The McLoughlin Point site is 14,213 m² parcel situated on the west side of the entrance to Victoria Harbour and the proposed site for the Core Area Waste Water Treatment Plant. The current zoning for the site was adopted by Council on July 15, 2013. Since that time much has changed and the current [I-3] zone does not reflect the reality of the situation today. Therefore, Council has instructed staff to amend the zone to reflect the current thinking about the waste water treatment plant giving particular attention obtaining an amenity package that would be more suitable to the needs of the citizens of Esquimalt. The proposed amendments are a response to Council's instructions to staff and discussions that staff have had with the Project Board Co-chairs and their design team (a copy of the proposed Zoning Bylaw amendments was distributed to APC members on Friday with the meeting agenda). As an advisory body to Council, APC has a crucial role to play in the review of the proposed amendments.

Applicant/Owner: Capital Regional District

Architect: HDR|CEI Architecture

Property Size: Metric: 14,213 m²

Existing Land Uses: Vacant

Surrounding Land Uses:

North: CFB Esquimalt.

South: Strait of Juan de Fuca.

West: CFB Esquimalt (low density residential)

East: Entrance to Victoria Harbour

Existing Zoning: McLoughlin Point Special Use [I-3]

Existing OCP Designation: Industrial

Existing Development Permit Area: No. 3 Industrial

Purpose of the Application

The purpose of the amendments to the McLoughlin Point Special Use [I-3] zone are to accommodate a new design for the waste water treatment plant along with a revised amenity package. A summary of the proposed amendments are as follows:

- 1) The "Intent Statement" has been updated to respond to recent negotiations related to the use of the site and the amenity structure associated with the density of the use.
- 2) "Bulk storage tanks" have been removed as a permitted use.
- 3) The former three bonus density levels have been reduced to one given our far better understanding of the project and the process. There is no longer any need for three bonus density levels.
- 4) Reference to "rate of discharge" has been removed. It is not required as a measure of density.
- 5) The requirement that materials and supplies be barged to the property has been removed.
- 6) Provision of public open space has been reduced from 1,000 m² to 140 m².
- 7) A list of specific schools where high efficiency air filters will be installed has been added for clarity.
- 8) The requirement to provide picnic benches and a tot-lot has been removed. Public access to the site will be severely restricted compared to the original vision and therefore these amenities would not likely be used.
- 9) The requirement to build a pier or dock has been removed.
- 10) The requirement to provide a ferry service has been removed.
- 11) The provision to provide a public walkway has been removed; however, a right-

- of-way for a public walkway has to be provided in order to allow one to be built in the future.
- 12) The Lang Cove Sewage Pump Station no longer has to be upgraded to the standards of the Craigflower Sewage Pump Station. It does, however, need to be upgraded to provide for an odour detection level of no more than five (5) odour units measured at the fence line.
- 13) The requirement to 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.
- 14) A maximum noise level of 60 dBA at the waste water treatment plant's property line has been added.
- 15) The requirement to upgrade the design of fire hydrants has been removed.
- 16) Public Art can now be located off-site as well as on-site.
- 17) Amenity provisions for a, "one-time contribution of \$17,000,000.00 to the McLoughlin Point Amenity Reserve Fund(s) to be used for capital projects in relation to municipal waterfront parks, municipal community recreational buildings and spaces and the Emergency Services and Public Safety Facilities have been added to the bylaw.
- 18) The amenity provision for an annual contribution of \$55,000.00 has been enhanced by requiring that the amount be adjusted annually for any increase in CPI for Victoria.
- 19) Maximum building height, irrespective of use, has been increased from 10 m to 15 m. The maximum 5.0 m height still applies to all buildings located within 20 metres of the High Water Mark.
- 20)A new grade calculation formula has been added to reflect the fact that the site has been disturbed and it is not practical to determine the original "natural" grade.
- 21) A provision clarifying that chimneys can project up to 1.5 m from the highest point on the roof has been added.
- 22) The landscaping requirements for the landscape buffer in the setback between the building and the High Water Mark has been changed from a minimum width of 4.0 m to an average width of 4.5 m between the building and the High Water Mark. The buffer no longer has to "completely obliterate any view of the wastewater treatment plant". In addition, it now only has to extend across a minimum of 85% of the marine boundary.
- 23) Provisions are being included that will allow for a 10.4 m setback from the High Water Mark (an increase from the current 7.5 m) and a decrease in the front setback from Victoria View Road from 7.5 m to 6.1 m. This amendment is based on a recommendation from the Design Review Committee.
- 24)Based on the results of a parking study, 18 parking stalls are required. Only two of the stalls will be on-site, the rest will be provided off-site along Victoria View Road. This is necessary in order to move the building away from the High Water Mark.

These amendments are in response to a refined design for the Waste Water Treatment Plant and the realization that there was room to negotiate an amenity package that would better serve the needs of Esquimalt residents. As an advisory Committee to Council, the recommendations of the APC are very important. It is the role of the APC to consider the proposed amendments carefully and then provide a recommendation to Council.

Alternatives

- 1. Forward the application for Rezoning to Council with a **recommendation of approval including reasons for the recommendation**.
- 2. Forward the application for Rezoning to Council with a recommendation of approval including specific conditions and including reasons for the recommendation.
- 3. Forward the application for Rezoning to Council with a **recommendation of denial including reasons for the recommendation**.
- Request that the applicant return to a future meeting with revised drawings and additional information that responds to the concerns raised by the Design Review Committee.

Bill Brown
Director of Development Services

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2888

A Bylaw to amend Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

- 1. This bylaw may be cited as the "ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2888".
- 2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended by:
 - (a) updating Section 55 McLOUGHLIN POINT SPECIAL USE [I-3] ZONE to reflect the language as shown on Schedule A, which is attached to and forms a part of this bylaw;
 - (b) changing the zoning designation from MARINE NAVIGATION [M-4] ZONE to McLOUGHLIN POINT SPECIAL USE [I-3] ZONE of any portion of the parcel known as 337 Victoria View Road with legal description of PID 030-006-813 Lot 1, Section 11 and part of the bed of Victoria Harbour, Esquimalt District, Plan EPP36468 shown cross-hatched on the plan attached as Schedule 'B' to this bylaw, not already in the I-3 Zone [such change resulting from the updated Plan EPP36468 incorporating former water lots];
 - (c) changing the Schedule A Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw; and
 - (d) updating Section 63(1)(d) in the MARINE NAVIGATION [M-4] ZONE to reflect the updated legal description noted above, such that it reads:
 - "(d) Boat Moorage Facility, abutting Lot 1, Plan EPP36468"

READ a first time by the Municipal Council on the	e day of, 2017.
READ a second time by the Municipal Council o	n the day of, 2017.
A Public Hearing was held pursuant to the Loca, 2017	Government Act on the day of
READ a third time by the Municipal Council on the	ne day of, 2017.
ADOPTED by the Municipal Council on the	lay of, 2017.
BARBARA DESJARDINS	ANJA NURVO
MAYOR	CORPORATE OFFICER

ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2888 SCHEDULE "A"

55. McLOUGHLIN POINT SPECIAL USE [1-3]

The intent of this Zone is to accommodate the Core Area Liquid Wastewater Treatment Plant, and commercial, high-tech industrial, recreational and educational and accessory uses, or any combination thereof. The Zone provides for the wastewater treatment plant, and a density-bonusing structure and amenities to maximize the development potential of the site for the proposed 108 mL wastewater treatment plant by redirecting amenities that might otherwise have been located on these lands to other municipal, waterfront and community projects that support the use and long-term integration with the site, and providing for amenities off-site given the lost opportunity for amenities on-site. Non-industrial uses are contingent on satisfaction of environmental and contaminated site requirements.

(1) Permitted Uses

- (a) Accessory office
- (b) Accessory Residential, subject to Section 26
- (c) Wastewater Treatment Plant, which may include any or all of the following uses:
 - (i) Commercial Instruction and Education
 - (ii) Educational Interpretive Centre
 - (iii) Research Establishment
 - (iv) Business and Professional Office
 - (v) Marine Outfall
 - (vi) Accessory uses
- (d) Business and Professional Office
- (e) High technology uses
- (f) Accessory Retail
- (g) Hotel
- (h) Entertainment and Theatre
- (i) Boat Moorage Facility
- (i) Park

Density - Wastewater Treatment Plant

In this section:

immediate Community" means the upland area travelling from the subject property, west along the marine boundary to and including Macaulay Point Park, north along Clifton Terrace and Lampson Street to Esquimalt Road, then east along Esquimalt Road to the Township's municipal boundary, south along the municipal boundary then along the marine boundary back to the subject property;

"Nearby Community" means the upland areas within a 2.5 kilometre radius of the subject property, and including the Immediate Community.

In accordance with the provisions of Section 482 of the *Local Government Act*, density for the wastewater treatment plant is established by way of

base density, for which no conditions apply, and bonus density on the provision or satisfaction of conditions identified below, including the provision of amenities in the Immediate and Nearby Community in recognition of the owner's desire for maximum development coverage onsite for the wastewater treatment plant, and the corresponding lost opportunity to provide amenities on-site. For greater certainty, the regulations of this section do not apply to other uses in this Zone.

(a) Base Density:

- (i) The Floor Area Ratio shall not exceed 0.05:
- (ii) The Floor Area shall not exceed 675 square metres, excluding processing tanks and generators completely enclosed within a Building;
- (iii) Lot Coverage shall not exceed 15%
- (iv) Plant capacity not to exceed 15 million litres per day, Average Dry Weather Flow (ADWF):

(b) Bonus Density:

- (i) The Floor Area Ratio shall not exceed 0.35:
- (ii) The Floor Area shall not exceed 4,500, square metres, excluding processing tanks and generators completely enclosed within a Building;
- (iii) Lot Coverage shall not exceed 65%;
- (iv) Plant capacity not to exceed 108 million litres per day, Average Dry Weather Flow (ADWF);

all on the provision or satisfaction of all of the following conditions:

- Traffic integration amenities, in the form of traffic calming, speed bumps, speed cushions, speed readers with signage, entranced boulevard curbing and landscaping and bike lanes on streets in the Immediate Community, as follows:
 - Township's streets adjacent to and within one block radius of all elementary schools, and
 - b. Township's Lyall Street from Lampson Street to Head Street and Head Street from Lampson Street to Dunsmuir Street.
 - c. on all remaining streets between Lampson Road and Esquimalt Road and the subject property,
 - items (1)(a) and (1)(b) collectively of a value no less than \$950,000.
- (2) Education and Interpretive Centre: space that can be used for a conference room on-site for students and the public to learn about wastewater treatment and management, made available at no charge for use by schools, government bodies, non-profit organizations and individuals as requested during normal hours of operation: Minimum 75 square metres of floor area, either in main lobby or a separate room.
- (3) High efficiency air filter systems to improve air quality and odour reduction for the following schools:
 - a. Esquimalt High School
 - b. Highrock Middle School

- c. Macaulay Elementary
- d. École Victor Brodeur
- (4) Operations and Maintenance Building portion of the wastewater treatment plant use designed and built to LEED® Gold standard, certified within one year of construction completion, or such longer period as required to address deficiencies provided initial review and report is within first year.
- (5) Macaulay Point Pump station, upgraded to standards of design, materials and quality of construction consistent with recent Craigflower Pump Station project, with 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).
- (6) Public open space (no less than 140 square metres).
- Public Art on public open space of a value no less than \$100,000, if on-site then visible and oriented both to passing boats and floatplanes respecting and exploiting the subject property's prominent position as entrance to the Victoria Harbour; or off-site both options in accordance with the Township's public art policy.
- (8) The provision of public open space improvements of a value no less than \$75,000.
- (9) Public Walkway. Design of building and site to either incorporate public accessible trail along waterfront, or to provide for Statutory Right of Way for future trail corridor and development.
- Operations & Maintenance Building portion of wastewater treatment plant use to incorporate a green roof, with a minimum area(s) of 1600 square metres and for a minimum of 80% of the roof, including for the purposes of providing screening and bird habitat.
- (11) Heritage Interpretative Signage, recognizing the historic uses on the subject property and process to transition to current uses (Minimum 5 signs for stations in public open space area).
- (12) Reinstatement of all roads (including but not limited to paved areas, sidewalks, boulevards) affected by establishment of wastewater treatment plant, to a condition equal to or better than existed before construction.
- (13) Odour-reducing measures providing for an odour detection level no greater than five (5) odour units measured at the property lines, and noise mitigation measures including a high degree of noise attenuation with all louvres, doors, and noisy equipment such as blowers requiring noise attenuation, such that noise does not exceed 65 dBA outside of the property lines.
- (14) Facility design to ensure that any products, byproducts, biosolids or other goods and commodities be transported offsite only by means of piping or marine access, thereby reducing negative transportation impacts on the Immediate Community.

- (15) That no odour-causing and/or methane-producing (of any level) facilities related to the use of the subject property be located off-site within the Nearby Community, except for pipes, outfalls, pumping stations and accessory appurtenances.
- (16) One-time contribution of \$17,000,000 [Seventeen Million Dollars] to the McLoughlin Point Amenity Reserve Fund(s), to be used or committed for use for capital projects in relation to municipal waterfront parks, municipal community recreational buildings and spaces and the Township's emergency services and public safety facilities within a period of 5 years from of the date of the adoption of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2888.
- (17) Annual contribution of \$55,000 adjusted annually for any increase in CPI for Victoria, British Columbia, to McLoughlin Point Operating Reserve Fund
- (18) Ongoing liaison committee formed with representatives from Township, local schools, health authority. DND officials community groups and other interested parties (all as available and as interested), along with operators on subject property, with meeting space provided on subject property at no cost at least once/monthly, including to review satisfaction of above conditions and ongoing operations.

(3) Building and Structure Height

- (a) No Building or Structure shall exceed a Height of 15 metres.
- (b) Notwithstanding anything to the contrary in this section, the maximum height of a building or structure located within 20 metres of the High Water Mark is 5.0 metres.
- (c) In this Zone, given the disturbed nature of the brownfield site, Grade is deemed to be calculated based on the average of the sum of the existing elevations measured at each vertex of a hypothetical polygon formed by sides connecting the outermost limits of the proposed building such that no interior angle exceeds 180 degrees and the sum of all interior an interior angles of the polygon is equal to: (the number of sides of the polygon -2) x 180. Existing grades were established by survey on December 19, 2016.
- Section 15(4), chimneys may project more than 1.5m from the highest point of the roof provided that they do not exceed a maximum height of 16.5 metres as measured from Grade, and provided the purposes of the chimney height includes reduction of odour and noise in the Immediate Community.

(4) Siting Requirements

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel zoned for residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the

Front Lot Line

- (i) For the purposes of this Zone, where there is no abutting highway, the private road from which the property gains access shall be considered the Front Lot Line;
- (ii) Where subsection 6(d) applies, the Front Setback for Buildings other than electrical generators, transformers and other similar structural appurtenances shall be reduced to 5.0 metres.
- (c) Exterior Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.
- (d) Subject to subsection (6)(d), no Building shall be located within 7.5 metres of the High Water Mark.

(5) Screening and Landscaping

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Subject to subsection (c), landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall be landscaped except for points of ingress and egress
- (c) For the wastewater treatment plant use
 - (i) A landscaped buffer averaging a minimum 4.5 metres in width shall be located between the building and the High Water Mark. For greater certainty, the buffer is not required to be contiguous provided the buffer extends across a minimum of 85% of the marine boundary. The landscaping shall be of sufficient quality and quantity as to contribute to the screening of a wastewater treatment plant building and tanks from the marine environment.
 - (A) Where subsection 6(d) applies, the average buffer width increases to __ metres.
 - (ii) Except for places of entrance and egress to the site, a minimum 2.5 metre wide landscaped buffer shall be located in the Front Setback.
 - (A) Where subsection 6(d) applies, the landscaped buffer shall be the entirety of the Front Yard, except for places of entrance egress and loading spaces, and for the placement of generators, transformers and other similar structural appurtenances that are screened from the road and parking spaces.

(6) Off Street Parking

(a) Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw, 1992, No. 2011 (as amended) for all uses other than wastewater treatment plant use and its included uses under Section 55(1)(c).

- (b) Subject to subsection (d), notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), the minimum number of required off street parking spaces for wastewater treatment plant use, and its included uses under Section 55(1)(c), shall be eighteen (18) spaces.
- (c) Subject to subsection (d), notwithstanding Section 9(3), 14 and 15 of Parking Bylaw, 1992, No. 2011 (as amended), the minimum number of required off street loading spaces for wastewater treatment plant use shall be two (2) spaces, and loading areas and loading spaces may be located within the area of landscaped buffer for the Front Setback only.
- (d) Notwithstanding subsection (b) and (c), and Parking Bylaw 1992, No. 2011 (as amended), the number of off street parking spaces for the wastewater treatment plant use to be provided on the land shall be reduced to two (2), and portions of the loading spaces may be located on the adjacent road, where the following conditions apply
 - the owner secures tenure or a license of an area of road or land adjacent to the land where the wastewater treatment plant is situated, having a term and of a nature satisfactory to the owner, suitable for the location of required parking spaces and portion of loading spaces and portion of loading spaces in such area.
 - (ii) the Wastewater Freatment Plant is constructed with a Front Lot Line setback of 6.1 metres, or less; and
 - no Building shall be located within 10.4 metres of the High Water Mark for the east portion of the marine boundary, acknowledging that the HWM setback for south portion of the marine boundary remains at 7.5m.

(7) Severability and Satisfaction

- (a) In addition to Section 5 of this Bylaw, and for greater certainty for this Zone, should any measure of density, associated condition or amenity be held to be invalid by the decision of any Court of competent jurisdiction, that measure of density, condition or amenity may be severed without affecting the validity of the density-bonusing scheme and other measures of density, conditions or amenities.
- (b) Where a condition requires the approval or permission of an authority beyond the control of the property owner, then the condition shall be interpreted as requiring the property owner's all reasonable efforts to secure such permission.
- (c) Where a condition is severed, or all reasonable efforts under this provision have not resulted in the necessary third-party approval, then the condition shall be deemed satisfied on the provision of:
 - an independent appraisal estimating the cost of the provision of the amenity or satisfaction of the condition, if the condition had been satisfied; and

(ii) a cash contribution equivalent to the cost of the provision of the amenity or satisfaction of the condition, from the property owner to the Township for the McLoughlin Point Amenity Reserve Fund, such monies to be used for replacement amenities or conditions that are consistent with governing authority, including amenities that reflect the intent of the amenity that could not be provided, or further enhancements or additions to remaining amenities or conditions.



ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2888 SCHEDULE "B" 337 VICTORIA VIEW ROAD





McLoughlin Point Wastewater Treatment Plant

PROJECT TEAM

AECOM - Engineering 3292 Production Way Burnaby BC V5Z 4R4 - Ernie Maschner

Graham Construction 10840 27 Street SE Calgary AB T2Z 3R6 – Mark Livingston

HDR|CEI 203-655 Tyee Road Victoria BC V2A 6P6- Jim Mann

LADR Landscape Design 495 Dupplin Rd #2b, Victoria, BC V8z 1B8– Bev Windjack

DRAWING LIST - ARCHITECTURAL		
SHEET NUMBER	ET NUMBER SHEET NAME	
A-0	COVER SHEET	
A-1	ARCHITECTURAL ROOF PLAN	
A-2	RETAINING WALL PLAN	
A-3	LEVEL 1	
A-4	LEVEL 2	
A-5	BUILDING AND SITE SECTIONS	
A-6	BUILDING ELEVATIONS	
A-7	BUILDING ELEVATIONS 2	
A-8	RENDERED VIEWS 1	
A-9	RENDERED VIEWS 2	

DRAWING LIST - CONSULTANTS

010057954-CNSK01-R00 PROPOSED BUILDING AVERAGE GRADES

Google Maps



Imagery @2016 Google, Map data @2016 Google 200 ft

PROJECT DATA

SITE	LEGAL DESCRIPTION	CIVIC ADDRESS	NOTES
PROJECT LOT	LOT 1 , SECTION 11, AND PART OF THE BED OF VICTORIA HARBOUR, ESQUIMALT DISTRICT, PLAN 36468		SECTION 11 ESQUIMALT DISTRICT
LOT AREA	14 213 m2		

ZONING ANALYSIS - McLOUGHLIN POINT SPECIAL USE [I-1]

BONUS DENSITY LEVEL 3	<u>PERMITTED</u>	PROPOSED
FLOOR AREA	4500 m2	2157 m2
DENSITY (FAR)	0.35	0.15
LOT COVERAGE	75%	61%
MAX HEIGHT	15m	15m

PARKING

Parking requirements include

SPACES AS DETERMINED BY AECOM OFF-STREET PARKING ASSESSMENT

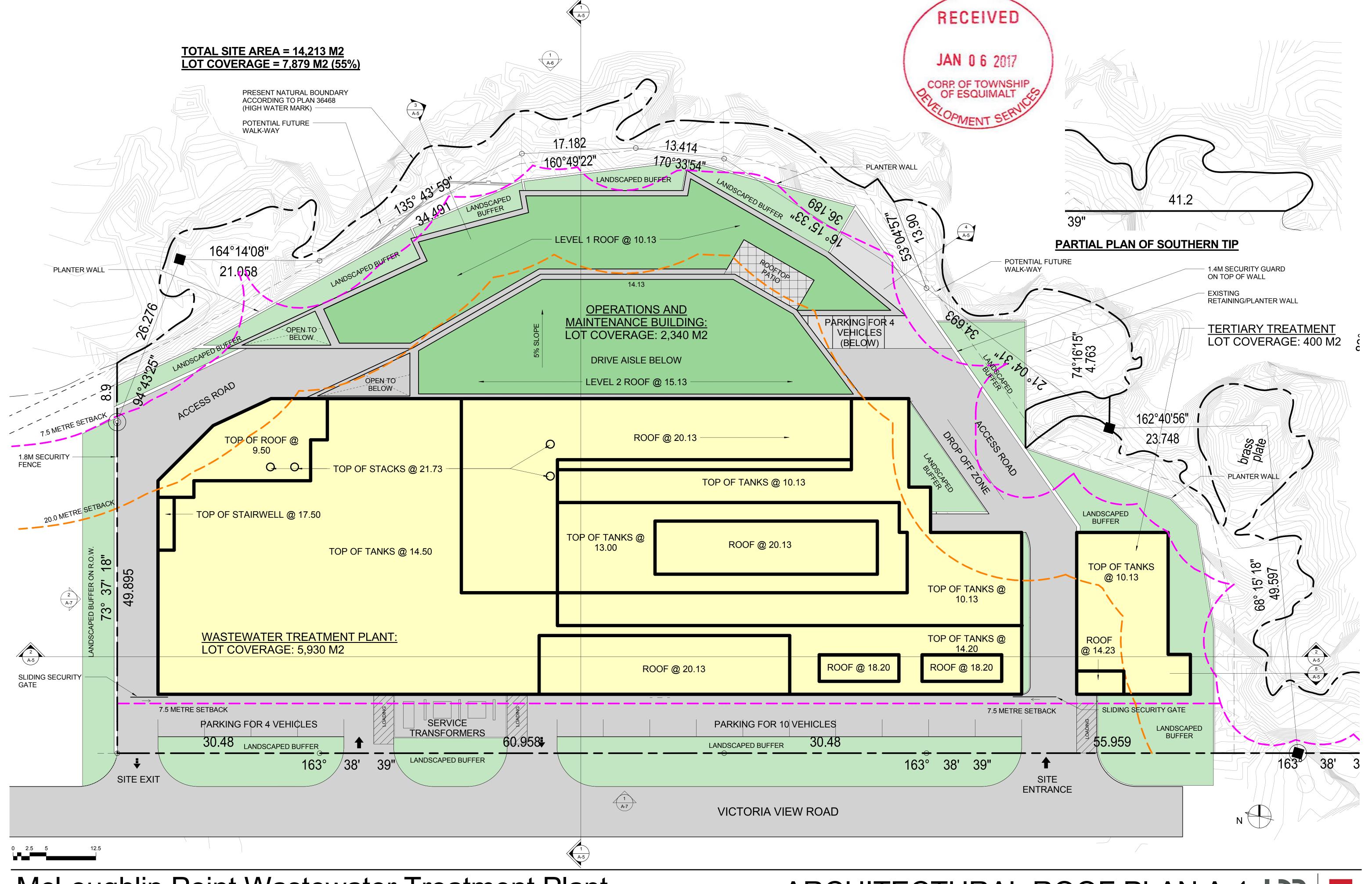
		TOTAL SPACES PROVIDED	SPACES FROM PARKING REPORT
STANDARD SPACE MIN. SIZES: 2.6 X 5.5 & 2.6 X 7.0		16	17
DISABLED SPACE MIN. SIZE:	1	1	1
ELECTRIC CAR CHARGING STATION STALLS MIN. SIZE:	n/a	1	0
SUBTOTAL		18	18
LOADING SPACE MIN. SIZE:	3m X 7.5m X 4.25h	3	3
# OF MOTORCYCLE STALLS PROVIDED			

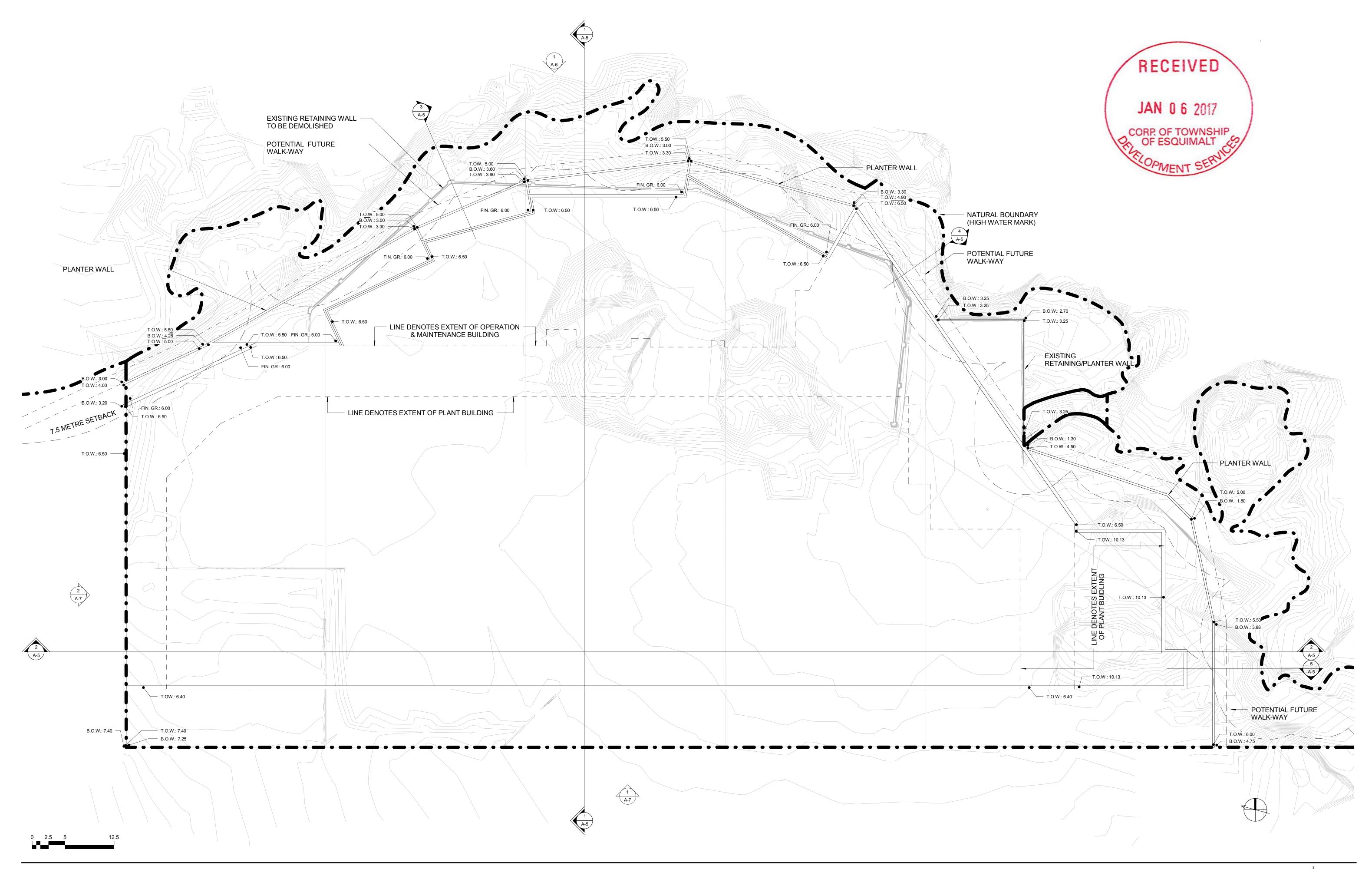
NOTES:

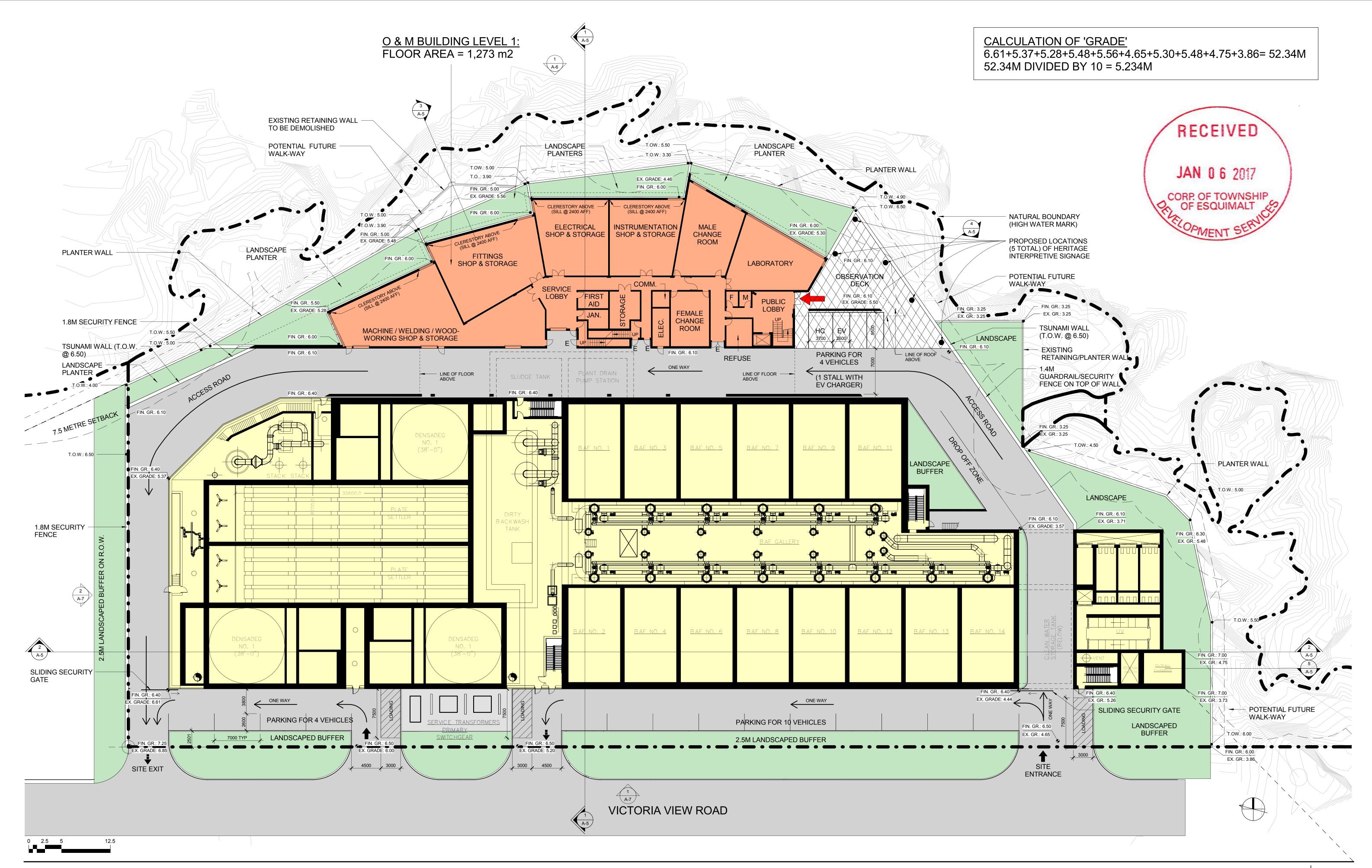


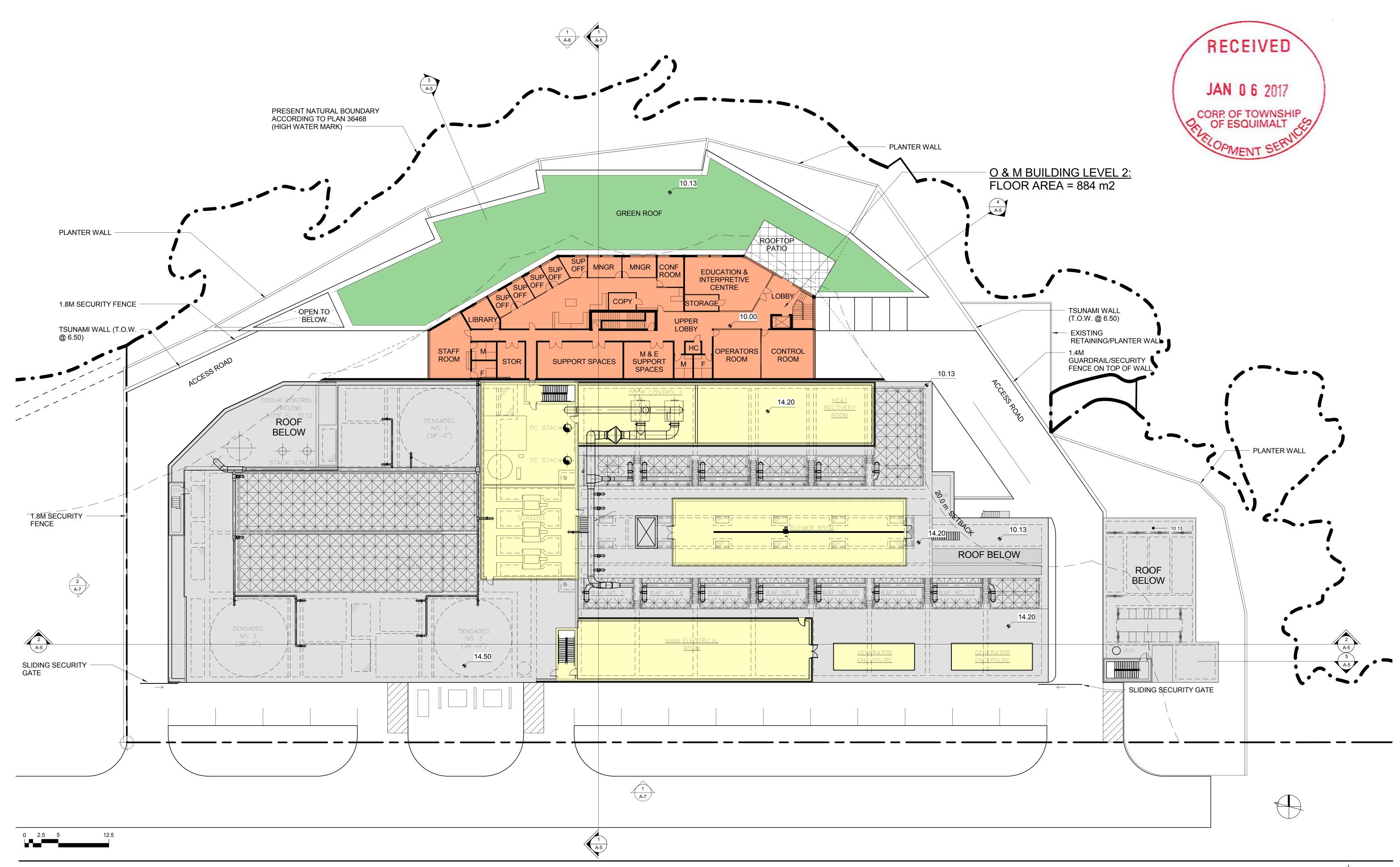
BUILDING DATA

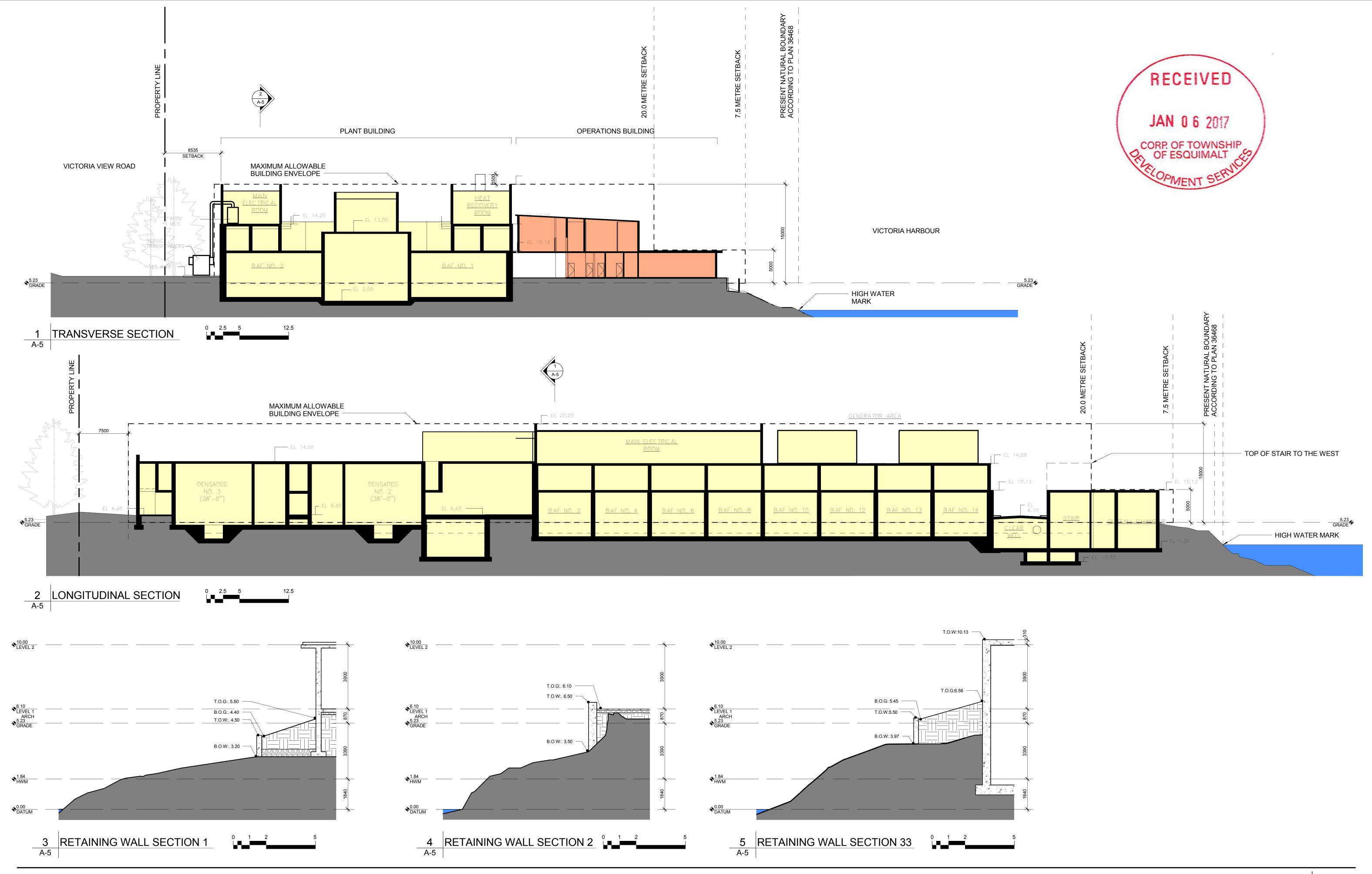
FLOOR	O & M (FLOOR AREA m²)	PROCESSING PLANT (GROSS m²)
LEVEL 1	1273 m2	PLANT NOT INCLUDED IN FLOOR AREA
LEVEL 2	884 m2	
TOTAL	2157 m2	
LOT COVERAGE	2140 m2	6330 m2 (INCLUDED IN LOT COVERAGE)

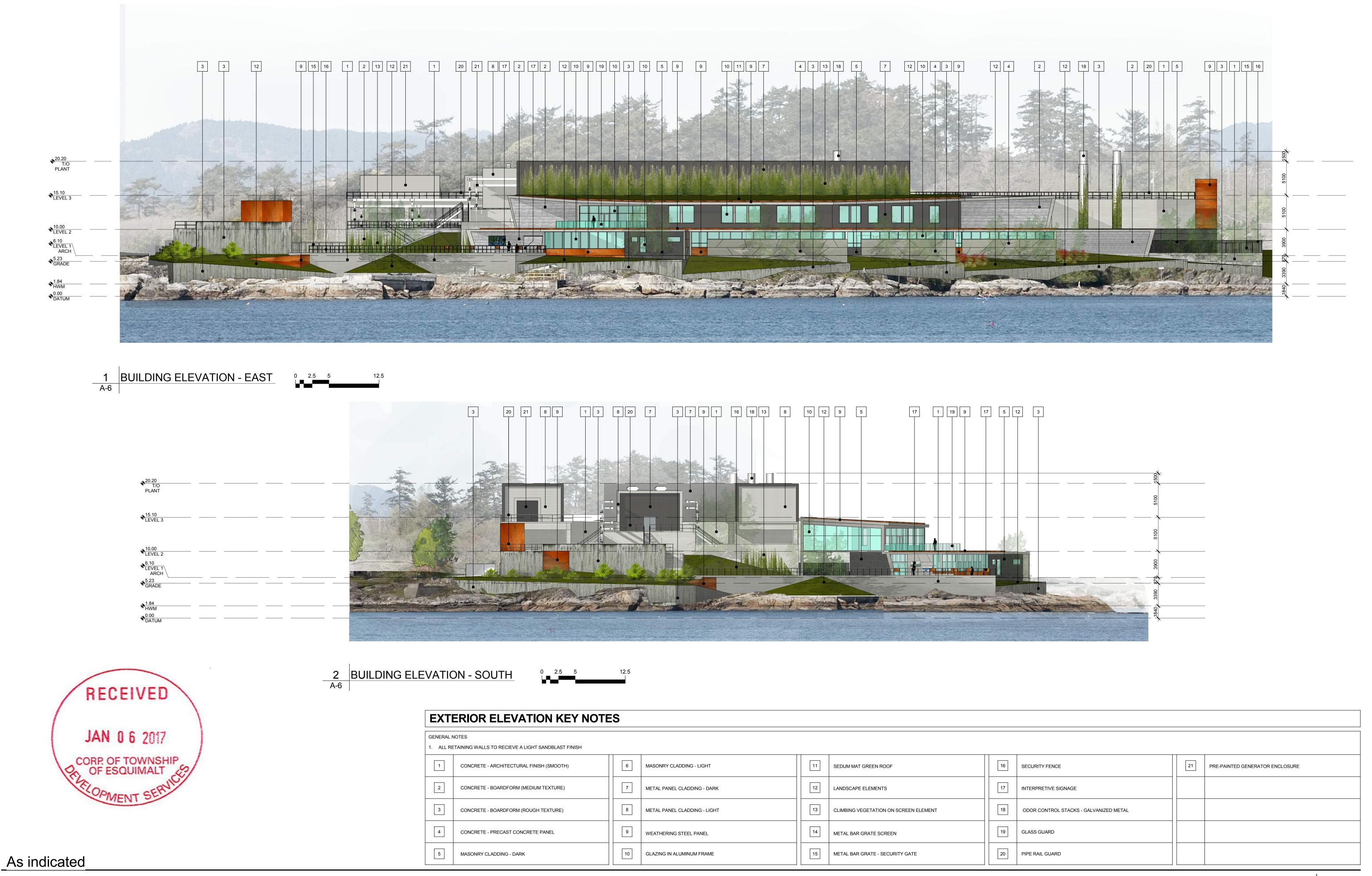




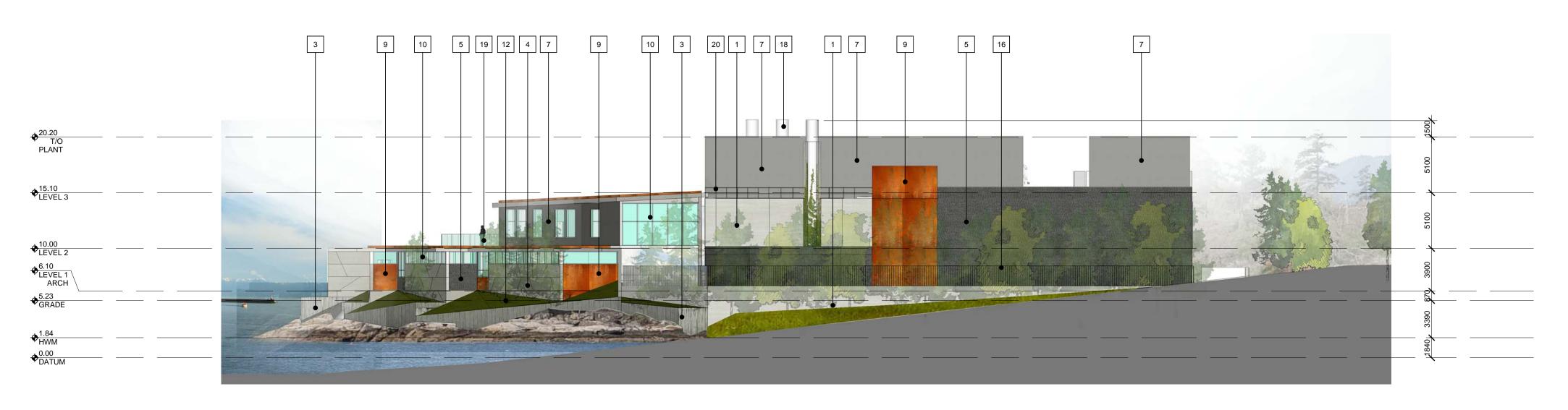


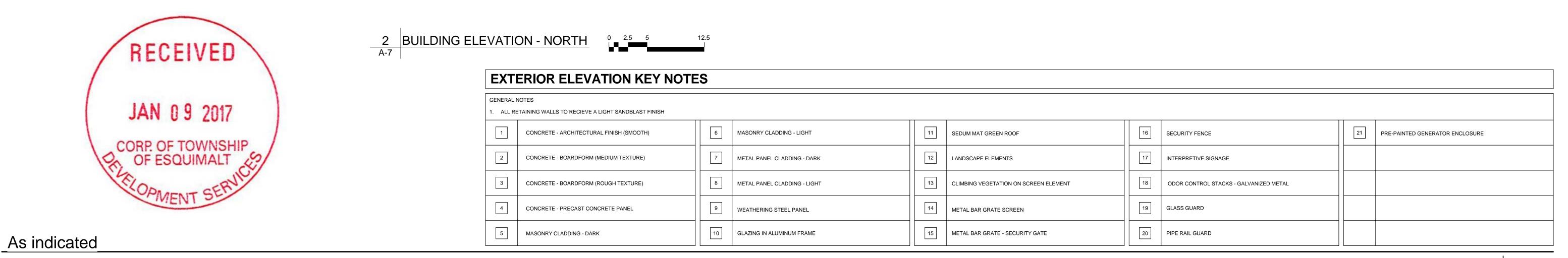








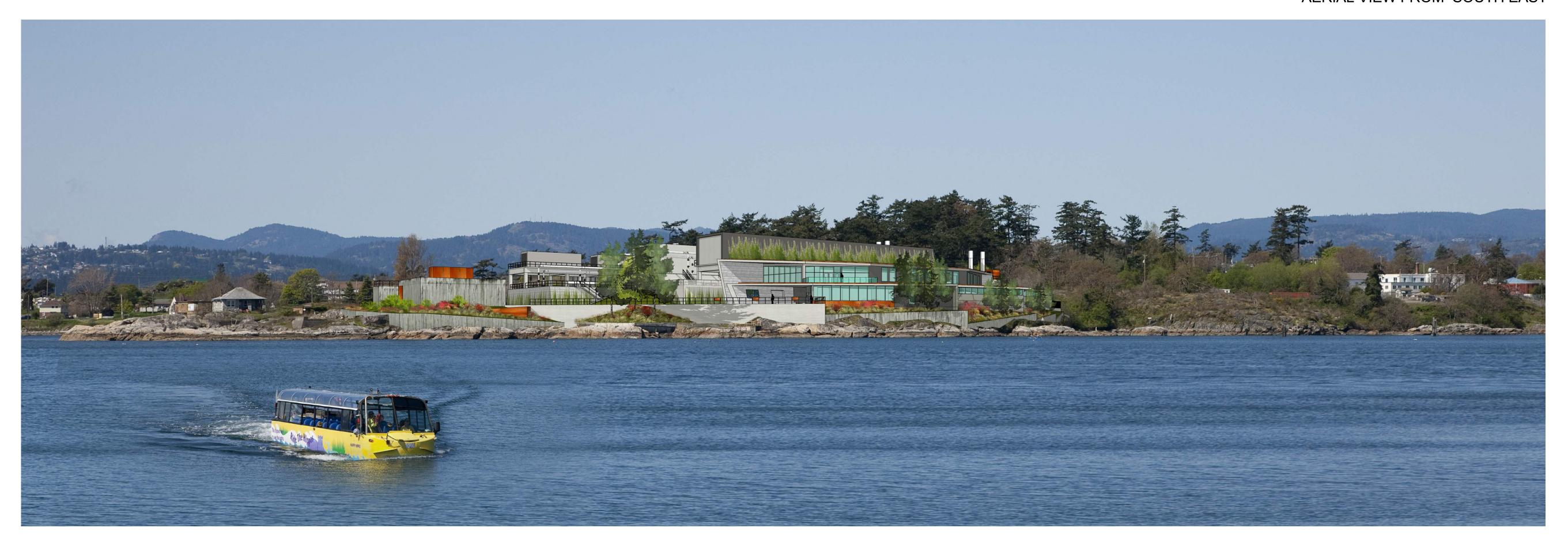








AERIAL VIEW FROM SOUTH EAST



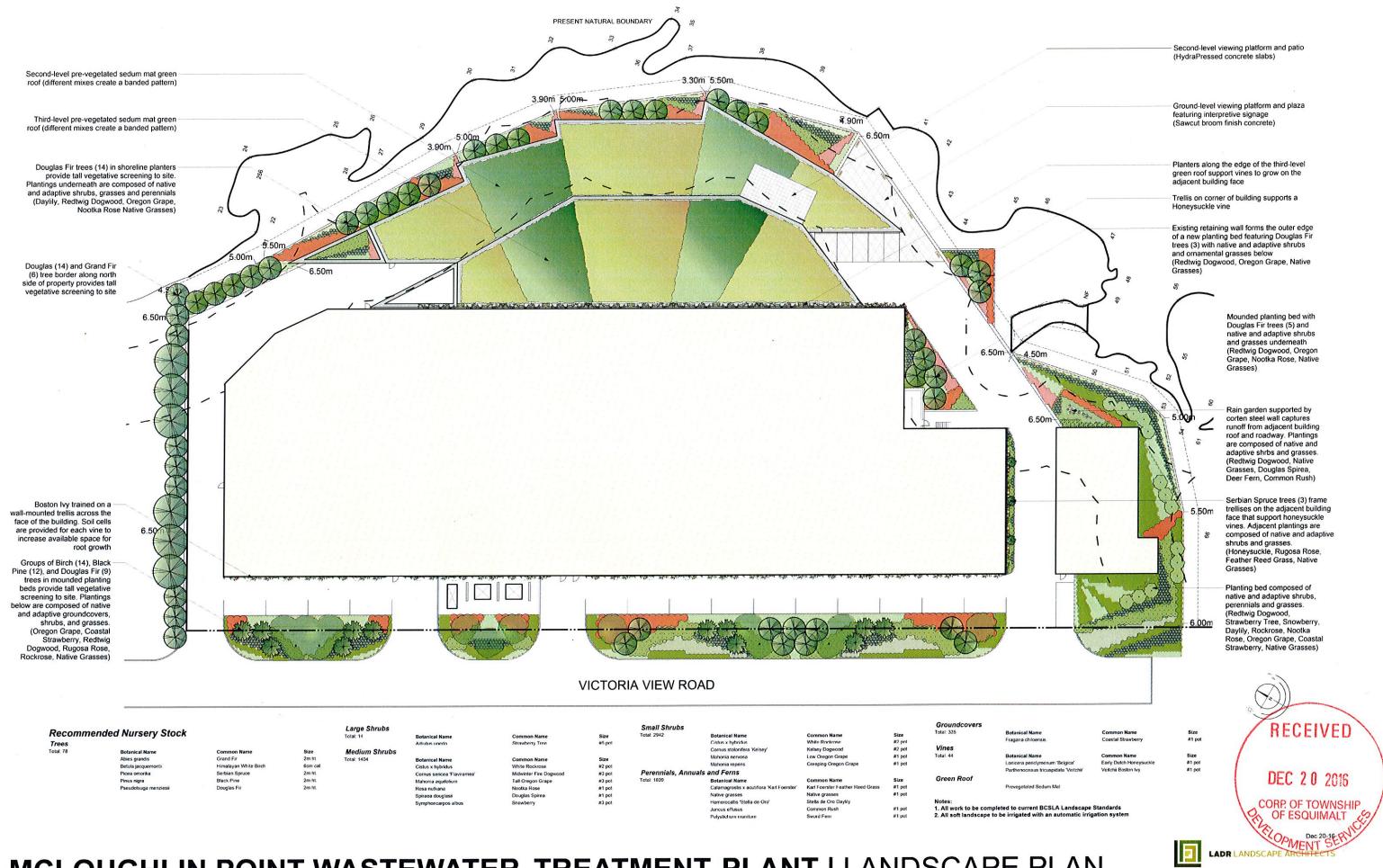
VIEW FROM OGDEN POINT



VIEW FROM SHOAL POINT



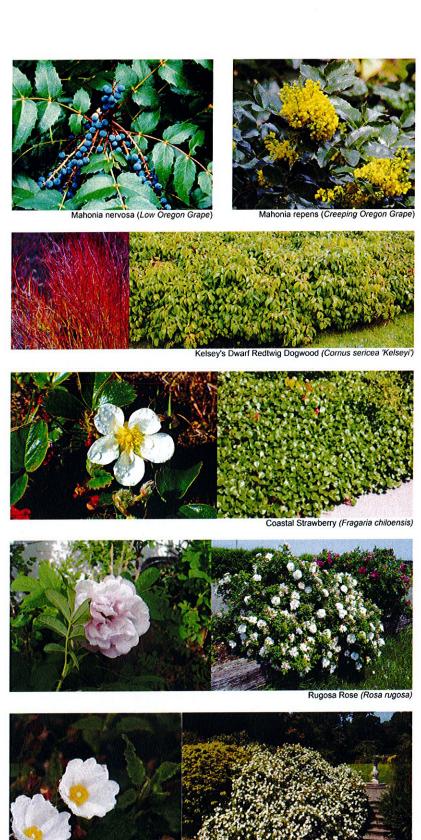
VIEW FROM SONGHEES WALKWAY



MCLOUGHLIN POINT WASTEWATER TREATMENT PLANT | LANDSCAPE PLAN

2B-495 Dupplin Rd. Victoria B.C. V8Z 1B8 Phone: (250) 598-0105 Fax: (250) 412-0696





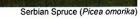
White Rockrose (Cistus x hybridus)







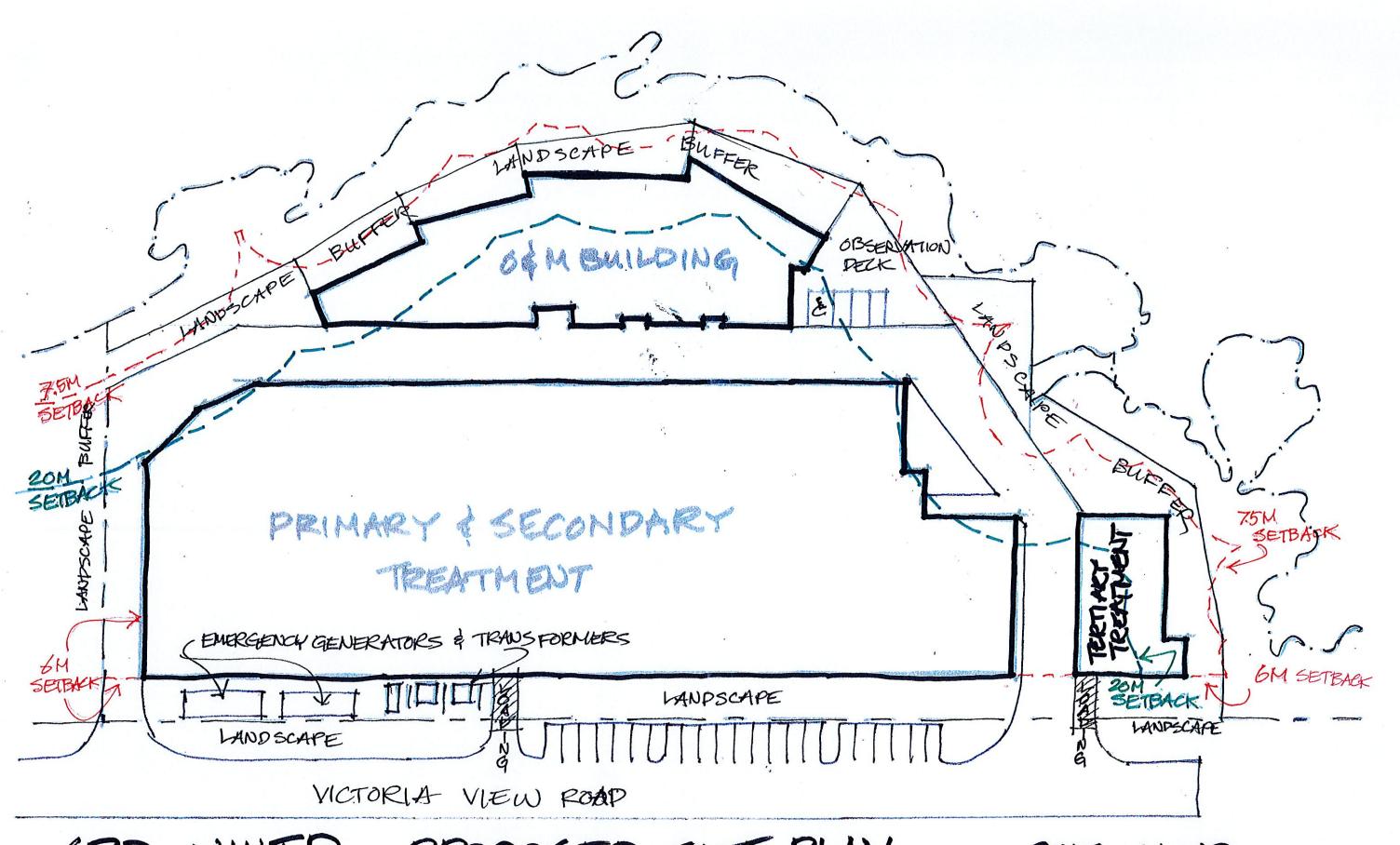




LADR LANDSCAPE ARCHITECTS

RECEIVED

DEC 20 2016



CRD-WWTP PROPOSED SITE PLAN

2017-01-13