

REPORT TO:

Mayor and Council

FROM:

Helen Koning, Chief Administrative Officer

DATE:

March 22, 2016

RE:

**Uplands Combined Sewer Separation Project** 

## **EXECUTIVE SUMMARY**

This report will provide Council with an update on the activities undertaken with respect to the Uplands Sewer Separation Project since it was last considered. Staff's recommendation in this regard is that Council:

- Approve the proposed staged sewer separation project implementation plan;
- Pursue MLA Dr. Weaver's offer to facilitate the presentation of the staged sewer separation implementation plan to the Minister of Environment; and
- Advise the CRD of the District of Oak Bay's approach to the Minister.

# **BACKGROUND**

At the February 15, 2016 Committee of the Whole meeting, Council was asked by several residents of the Uplands neighbourhood to meet with local MLA Dr. Andrew Weaver to discuss with the Ministry of Environment (MOE) a request for an exemption from the Municipal Wastewater Regulation (MWR) that requires the District of Oak Bay (the District) to eliminate the combined sewer in the Uplands neighbourhood.

A meeting was held on February 23, 2016 with Dr. Andrew Weaver, MLA, Mayor Jensen, Councillors Braithwaite, Ney, Croft, Murdoch and Zhelka, two representatives of the Uplands residents, Mr. David Black, Mr. Michael O'Connor, along with the CAO and the Project Manager for the Uplands sewer separation project.

Dr. Weaver stated clearly that he would not support a request to the Minister of Environment for an exemption from the MWR and strongly encouraged the District to proceed with the separation of the combined sewers. Dr. Weaver suggested he might facilitate a follow up meeting with the Minister of Environment to seek support for a staged project implementation plan to achieve compliance with the MWR.

### **ANALYSIS**

During the meeting with Dr. Weaver, it was agreed that the goal of the Uplands Sewer Separation Project is compliance with the MWR, specifically to eliminate combined sewers and overflows at the Humber and Rutland outfalls for up to the one in five-year storm event.

Consistent with the feedback from the public, there was considerable discussion on the emerging project principles to guide Council in selecting an appropriate technical option to achieve compliance with the MWR.

## Project principles discussed:

- The use of gravity flow where appropriate to reduce the number of pumps;
- To stage the project over time to provide opportunities for grant funding to offset the costs of this project to the municipality;
- Importance of timely reduction of stormwater overflows;
- Staging the separation beginning with the Humber catchment followed by the Rutland catchment; and
- Basing the requirement to initiate separation of sewers on private property on the following criteria (to be adopted by Council in the Public Sewer Bylaw):
  - When a home is replaced;
  - When a home renovation of greater than \$100,000 is undertaken; and/or
  - When perimeter drains are replaced.

# Based on the project principles, elements of a proposed 'go forward' strategy were discussed:

# Construction of a New Stormwater Sewer

Installing a new storm sewer system and connecting roadway catch basins along with the properties with separated sewers and where possible redirection of roof and driveway drainage to the new sewer will result in a progressive reduction in the volume and frequency of overflows. A new stormwater sewer would meet the requirements of the provincial government to reduce stormwater overflows and deliver a positive environmental impact in a timely manner.

### Proposed Staging of the Combined Sewer Separation

There are over forty percent and twelve percent of the homes in the Humber and Rutland catchments respectively with sewers separated on private property. Elimination of combined sewers in compliance with the MWR, and separation of combined sewers on private property could be achieved in stages as follows:

### Stage 1 - Humber catchment - Years 1 to 5

Storm sewer installation on municipal property would be completed in years one to five, with catch basins and homes with separated sewers connected at no cost to the homeowner as construction proceeds. As an incentive for property owners to separate their combined sewers, a connection to the new sewer will be provided at no cost as construction in the road right of way proceeds.

# Stage 2 - Rutland catchment - Years 5 to 20

On completion of the municipal sewer installation, work would commence on the Rutland catchment and be completed over the following fifteen years. The same connection policy would apply in the Rutland catchment. At the end of the twenty-year period, the MOE requirement to eliminate combined sewers for up to the one in five-year storm event would have been met.

Stage 3 - Humber and Rutland catchments - Separation on Private Property - Ongoing

Homes not connected during construction of a new storm sewer would be separated using the criteria adopted by Council, namely: when a home is replaced; when major renovation exceeding \$100,000 is undertaken; and/or when a perimeter drain is replaced.

# Follow up work by the municipality:

## Gravity or Pressure Sewers

Residents, through their public feedback, expressed discomfort or complete opposition to installing either sanitary or stormwater pumps in their homes. Residents also wanted the District to protect mature trees and landscaping. To address these concerns, Council directed staff to undertake a geotechnical investigation to ascertain the location of bedrock relative to the surface and to investigate the feasibility and acceptability of using the existing easements.

# Discussion with property owners with easements

To make an informed decision on whether or not the use of easements will factor into one of the six options presented, the District needs to engage directly with property owners on easements to discuss the implications of such a decision. The results of these discussions along with the results of the geotechnical investigation will allow the District to receive updated cost estimates for each option, and consider other key decision criteria such as affordability, environmental impact, and community disruption.

### MWR Compliance Timeline - CRD

The approved Core Area Liquid Waste Management Plan (CALWMP) states that Oak Bay will eliminate the Uplands combined sewers by 2015. This deadline has passed, and any new amendment to the CALWMP must be approved by the Capital Regional District. Should Council agree to proceed with this staged implementation strategy, the CRD should be made aware of the approach to the Minister.

## STRATEGIC IMPACT

The Uplands Sewer Separation Project is a key priority in Council's Strategic Plan 2015 - 2018.

## **OPTIONS**

- 1. That as outlined in the March 22, 2016 report of the Chief Administrative Officer the following be approved:
  - The proposed staged sewer separation project implementation plan;
  - Pursuing MLA Dr. Weaver's offer to facilitate the presentation of the staged sewer separation implementation plan to the Minister of Environment; and
  - Advising the Capital Regional District of the District of Oak Bay's approach to the Minister.
- 2. That Council provide alternate direction to staff.

### FINANCIAL IMPACT

No financial impact beyond the existing budget is anticipated to arise in relation to the options described in this report.

#### RECOMMENDATION

That as outlined in the March 22, 2016 report of the Chief Administrative Officer the following be approved:

- The proposed staged sewer separation project implementation plan;
- Pursuing MLA Dr. Weaver's offer to facilitate the presentation of the staged sewer separation implementation plan to the Minister of Environment; and
- Advising the Capital Regional District of the District of Oak Bay's approach to the Minister.

Respectfully submitted,

Helen Koning, Chief Administrative Officer