

MINUTES of a SPECIAL meeting of COUNCIL of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Oak Bay, B.C., on Thursday, March 12, 2009 at 5:00 p.m.

PRESENT: Councillor T. Ney, Chairman  
Councillor H. Braithwaite  
Councillor A. R. Cassidy  
Councillor P. Copley  
Councillor N. B. Jensen

STAFF: Municipal Administrator, W. E. Cochrane  
Municipal Clerk, L. Hilton  
Director of Engineering Services, D. Marshall

Acting Mayor Ney called the Special Council meeting to order at 5:03 p.m.

RESOLUTIONS:

*Uplands Low Pressure Sewer System Grant Application*

As requested by the Chair, the Municipal Administrator provided an overview of the events leading up to the proposed resolution to authorize a grant application for the Uplands low pressure sewer system.

Mr. Cochrane drew attention to the Capital Regional District's Core Area Liquid Waste Management Plan being approved by the Minister of Environment in 2000. The Minister's approval was made subject to a number of conditions, he said, one of which was specific to Oak Bay. In particular, the Minister directed that on or before March 31, 2008, the CRD was to develop a plan and implementation schedule for the elimination of combined sewers in the Uplands, consistent with the *Municipal Sewage Regulation*.

Mr. Cochrane went on to note that under the *Municipal Sewage Regulation*, the elimination of combined sewers is actually a means to an end, the end being the goal of having no sewage overflows in any rainstorm of intensity less than a 5 year return period.

Over the years both before and after the Minister's order, Oak Bay and the CRD explored various options for meeting this objective through the creation of facilities that would store rainwater during peak storm events, for gradual release after the storm in a manner that would not overwhelm the pumps and would involve no overflows, said Mr. Cochrane. The Province has not been amenable to this approach, however, and it has taken the position that physical separation of the combined system is required.

The Municipality engaged Kerr Wood Leidal Associates Ltd., said Mr. Cochrane, to prepare a plan that would comply with the Minister's directive, and its initial report called for the installation of enough new storm drain pipe in the two Uplands catchments to meet the 5 year storm standard, leaving old pipe in the ground to be used for sewage only. The work was proposed to be carried out over a long period, he said, with an incremental improvement expected for every section of new storm drain installed.

Mr. Cochrane noted that this is the plan that is on file with the CRD as Oak Bay's proposed method of complying with the *Municipal Sewage Regulation*, and last year the Director of Engineering Services sought Council authority to engage an engineering consultant to undertake the detailed design work for the installation of the new storm drain system.

Council, he said, asked to have one more meeting with the consultants as well as CRD Engineering staff prior to committing to the significant costs associated with the detailed design work, which took place last September. At that time, he said, the engineering consultant put forward an option that had not been looked at in any detail previously, which was to install a new low pressure sewer system and leave the existing pipe in the ground to handle storm water.

Mr. Cochrane went on to describe the principal advantages of the proposed concept over the currently approved one, noting that the plan would see every house in the Uplands currently served by a combined system pump its sewer from private property into the new sewer main. He noted the ability to excavate much more shallowly for a low pressure system, at a much lower cost than a traditional gravity system, and the resulting elimination of infiltration from the main and the laterals on private property due to the system being completely sealed.

With respect to the impact on Uplands homeowners, Mr. Cochrane noted that no matter what option was selected – new gravity sewer, new gravity storm drain, or new pressure sewer system – they would have been required to make a connection from their houses to the new system within a certain period of time. The depth of excavation required to make a connection to a new gravity sewer or storm drain, in conjunction with the size of most of these lots, would make for an expensive project, and potentially quite disruptive to hard and soft landscaping, whereas, the relatively shallow trenching required for connection to a low pressure main can be carried out with much less disruption.

Discussion turned to the cost of the pump that would be required for each property, and the Committee of the Whole's February 25, 2009 directive that a grant application be prepared that includes the cost of the pumps, which is now before Council. Mr. Cochrane indicated that staff research into this issue has found that it is not uncommon for this cost to be factored into the overall project cost to be borne by the community at large. The rationale is that the pumps are an integral part of the whole community pressure system concept. Furthermore, other situations have been found where senior government granting bodies have agreed that the pump cost can legitimately be included in the overall project cost for the purpose of calculating the amount of any grant to be given.

Mr. Cochrane advised that the homeowner would still bear the cost of installing the pump and making the actual connection to the new pipe in the street, which is not likely to exceed and would almost certainly be less than the cost that they would have had to bear to connect to a gravity system.

Attention was drawn to the history of this approach being used elsewhere in Oak Bay, where grinder pumps were supplied at no cost to a small number of homeowners with the community objective of eliminating the few remaining septic tanks. This occurred more than a quarter century ago, said Mr. Cochrane, and the Municipality has received no complaints about the operation of these pumps over that time. The electricity draw is insignificant as well, he added.

Mr. Cochrane indicated that CRD is not concerned about Oak Bay submitting a grant application based on a concept different from the one endorsed by Council a year ago in response to the Minister's directive. They recognize, he said, that plans change as new information is received, and they have provided a letter of support to submit along with the grant application. Should the application not be successful, said Mr. Cochrane, there are various options available for Council to consider, such as returning back to the original new storm drain proposal, continuing on with the low pressure concept with 100% of the

cost being funded by the Municipality, or perhaps putting the entire project on hold and making another grant application under a subsequent funding program.

The CRD, noted Mr. Cochrane, has also retained an academic panel of North American experts in the field to comment on various aspects of its sewage treatment project. The elimination of combined sewers in the Uplands being part of the CRDs' Liquid Waste Management Plan, Mayor Causton, he said, asked him to pass along to Council that he has asked this panel if they would be willing to provide high level feedback on the proposed low pressure sewer system idea, and they have agreed to do so. Just to be clear, said Mr. Cochrane, the Mayor does not see this as delaying the grant application, which he feels should go in as planned. What he does see, though, is that the results of such a review might be useful down the road when communicating with the community at large and the affected homeowners in particular, for which there is a significant budget included in the proposed grant application.

With respect to financing, Mr. Cochrane said that Kerr Wood Leidal has estimated the total project cost at \$7.65 million including \$1.87 million for buying the pumps to be supplied to property owners. Oak Bay's one-third share would be just over \$2.5 million..

Oak Bay's share, noted Mr. Cochrane, could be covered through reserves, including all the federal gas tax revenue which has been received, and which is expected to continue for at least the next five years. The only financing the Municipality might have to arrange for would be on an interim basis, as staff is not sure whether the Building Canada Fund allows draws prior to completion to allow for payment to contractors, etc. throughout the project.

Mr. Cochrane drew attention to the attendance of engineering consultants Rob Warren and Jeff Howard of Kerr Wood Leidal Associates to answer any remaining questions Council might have. He added that the grant application deadline is March 16th, and if Council wishes to proceed, the next step would be to adopt the resolution authorizing the application as included in the agenda package.

Responding to a question from a member of Council regarding what would happen with the pump system during a power outage, Mr. Cochrane noted that although the grant application assumes a certain tank size for the pumps, homeowners would have the option of increasing their tank size, at their cost, to allow for more storage in the event of a prolonged outage. He pointed out that in the area of the Municipality where pumps were installed many years ago, no concerns regarding overflows have been reported.

Mr. Warren added that there is a reduction in flows during a power outage, and that the standard tank that would be used would provide approximately eight hours of storage. Any overflows from that, or after additional capacity was added with a larger tank at the owners choice and cost, would end up in the yard.

Mr. Warren went on to provide an overview of the application preparation process, drawing attention to the business case and feasibility study, which together demonstrate that the low pressure option is the most attractive on every level.

Responding to questions, Mr. Warren acknowledged that while the individual pumps would, over the long term, require replacing, the system would last longer compared to the previously proposed new storm drain system.

A member of Council asked whether or not the proposed low pressure system would result in any odour issues, and if so, what would be done to address them.

Mr. Warren said that the fluctuating pressure levels would result in there being air in the system that would need to be released, which would produce odour. However, he said, a properly designed filter system would address that issue.

Members of Council thanked Mr. Warren and Mr. Howard for their work on the application and for being in attendance to answer questions that were raised.

MOVED by Councillor Cassidy

Seconded by Councillor Jensen, That staff be authorized to submit an application for a grant under the Canada BC Building Canada Fund – Communities Component for funding of two-thirds of the estimated \$7,650,000 cost to construct a low pressure sewer system in the Uplands area of the District of Oak Bay, and further, that staff be directed to include Oak Bay's share of the cost of the project in the Financial Plan to be adopted by Council following the conclusion of the 2009 Estimates Committee process.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

Seconded by Councillor Jensen, That the Special Council meeting be adjourned.

CARRIED

The meeting adjourned at 5:30 p.m.

Certified Correct:

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Municipal Clerk

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A/Mayor