



Sanitary Sewer Servicing of Business Park Lands at CR 19/Sylvestre Drive

Sylvestre Drive Sanitary Sewer Extension

Cost Recovery By-Law



Sylvestre Drive Sanitary Sewer Extension

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Background – Existing Infrastructure

- Administration identified the need for road repairs of Sylvestre Drive in 2014 as part of the Public Works Environmental Services Capital Works Plan.
- Recognized existing properties fronting CR 19 & Sylvestre Drive serviced by private on-site septic systems.
- **15** parcels serviced by private on-site septic systems.
- Sylvestre Drive Sanitary Sewer Constructed in 1995.
- Constructed from existing pump station to the southerly limit of the north-south portion of Sylvestre Drive.
- The existing sanitary sewers & pump station were designed for the **entire** business park.



Background – Water & Wastewater Master Plan

- In 2002, the Town approved a Master Plan for water and wastewater servicing for the settlement areas of Tecumseh, Tecumseh Hamlet, St Clair Beach, Oldcastle Hamlet and Maidstone Hamlet.
- The 2002 Water and Wastewater Master Plan was updated in 2005, 2008, and 2018, providing the framework and vision for servicing strategy needs in the future.
- In 2004, the Town and the City of Windsor entered into a Wastewater Agreement which identified cost sharing arrangements for:
 - Future expansions at the Lou Romano Water Reclamation Plant and Little River Pollution Control Plant
 - For the trunk sanitary sewer phases through the City

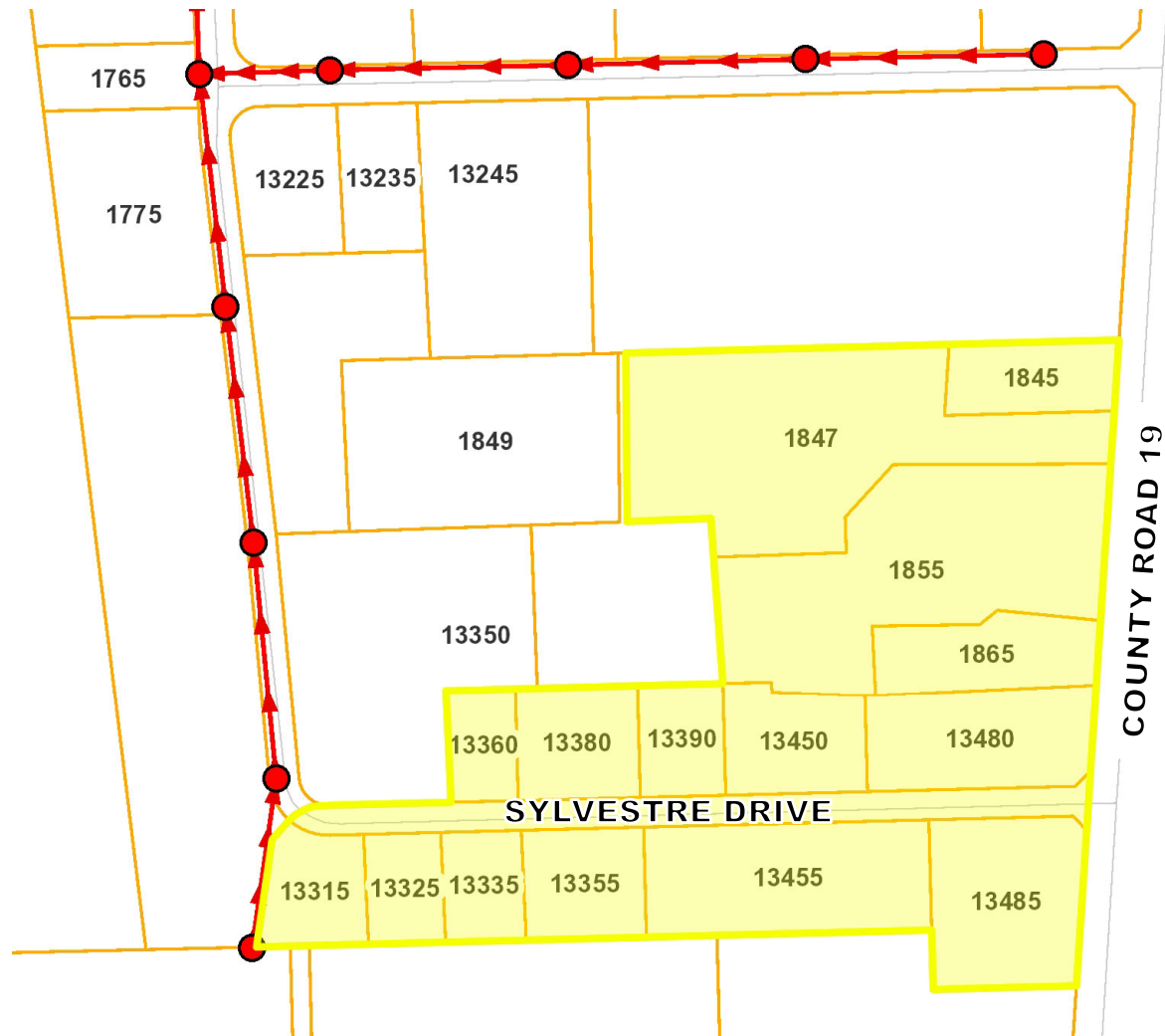


Background – Studies Completed

- Studies completed to advance the wastewater servicing of the business park lands include:
 - Water and Wastewater Master Plan (2002, 2005, 2008, 2018)
 - Sylvestre Drive Sanitary Sewer Extension Class Environmental Assessment (2019)
 - Development Charges Background Study (2004, 2009, 2014, 2019)
 - Water and Wastewater Rate Study (2007, 2015)



Study Area



Study Area

- Study Area is located adjacent to County Road 19 and Sylvestre Drive.
- Partially Developed with Mixed Industrial and Business.
- Land Use is currently governed by the Town of Tecumseh Official Plan and the Essex County Official Plan.
- Currently there are no natural heritage features in study area.
- Study Area located in the Essex Region Source Protection Area.
- Project is unlikely to impact cultural heritage landscapes.



Policy Overview - Wastewater Servicing

- There are **3** policy documents which support the extension of or provision of municipal sanitary sewers in Tecumseh:
 - **Provincial Policy Statement (PPS)**
 - **County of Essex Official Plan (County OP)**
 - **Town of Tecumseh Official Plan (Tecumseh OP)**



Policy Overview - Wastewater Servicing

Provincial Policy Statement (PPS)

- Provides policy direction on matters of provincial interest related to land use planning, development and servicing. The PPS includes policies to ensure that coordinated, efficient, cost-effective and environmentally sound servicing solutions are implemented at the municipal level.
- More specifically, **s1.6.6.2** establishes that “*municipal sewage services and municipal water services are the preferred form of servicing for settlement areas*”.
- These business park lands are within a Primary Settlement Area.



Policy Overview - Wastewater Servicing

County of Essex Official Plan (County OP)

- As with the PPS, **s2.10 a)** of the County OP establishes a preference for full municipal services for all settlement areas.
- The County OP further establishes in **s2.10 d)** that *“public or private investment in upgrading or expanding municipal sewage services or municipal water services should be focused within the Primary Settlement Areas”*.
- These business park lands are identified in the County OP as being within a Primary Settlement Area.



Policy Overview - Wastewater Servicing

Town of Tecumseh Official Plan (Tecumseh OP)

- The Town of Tecumseh Official Plan's municipal servicing policies establish in **subsection 8.2.2 i)** that *“in general, new development will be directed to the Settlement Areas, as identified on Schedule “B”. Higher order forms of servicing, including full municipal water and sanitary sewer services are the preferred form of service infrastructure, and will be required for all development in the Town's Settlement Areas...”*. These business park lands are located within the Tecumseh North Settlement Area in the Tecumseh OP.
- **Subsection 8.2.2 (ii)** further states that *“the extension of municipal sewer and water services should take place only within lands in the Settlement Areas as identified on Schedule “B”. Such extensions shall be consistent with the Town's Water and Wastewater Master Plan (as amended), Municipal Class.”*



Municipal Class Environmental Assessment

- Council approved the 2018-2022 Public Works & Environmental Services Capital Works Plan and authorized Administration to proceed with the completion of the Municipal Class EA and detailed design for the sanitary sewer extension on Sylvestre Drive (Motion RCM-441/17) on December 17, 2017.
- Council authorized that the Notice of Study Completion for the Municipal Class EA be advertised in accordance with the mandatory 30-day public review period (Motion RCM 232/19) on July 23, 2019.
- Council adopted the Municipal Class EA (Motion RCM-403/19) on December 10, 2019.



Municipal Class EA – Preferred Solution

- Components of the Preferred Solution:
 - All properties are serviced by a gravity sewer system.
 - Pre-fabricated pump/lift station located near the intersection of Sylvestre Drive and County Road 19.
 - Total of 630 m of gravity sewer main.
 - A total of four easements required on private properties to service the lands fronting County Road 19.



Municipal Class EA – Preferred Solution



--- PROPOSED SANITARY SEWER ALIGNMENT
--- EXISTING SANITARY SEWER

--- EASEMENT LIMITS (3m WIDTH)
■ PROPERTIES TO BE SERVICED BY PUMP STATION



Project Cost Recovery - Terminology

- **Sewer Main:** The sewage collection system within the sanitary sewer outlet area.
- **Main Charge:** The charge for the capital cost of the sewer main.
- **Sewer Lateral:** The pipe within the municipal road allowance that connects the sewer to a property.
- **Lateral Charge:** The charge for the installation of a sewer lateral.
- **Easement Charge:** The charge for acquiring the necessary easements for the installation of the sewer main.



Project Cost Recovery - Overview

- Funding new major capital infrastructure where there is a derived benefit to property.
- **Full Cost Recovery** against benefiting land owners.
- Mechanisms typically used include:
 - Local Improvement (*Municipal Act*, O.Reg. 586/06) – Typically for Projects initiated by property owners.
 - *Development Charges Act* – For new trunk infrastructure required as a result of new development.
 - Part XII By-Law (*Municipal Act*, s.391) – Used in instances for new infrastructure servicing existing development.



Project Cost Recovery - Overview

- *Municipal Act, S.391(1)* authorizes a Municipality to impose fees or charges on persons:
 - for services or activities provided or done by or on behalf of it;
 - for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
 - for the use of its property including property under its control.
- Charges not paid may be added to the tax roll.
- Charges may be imposed on persons not receiving an immediate benefit from the services but who will receive a benefit at some later point in time.



Project Cost Recovery - History

- Cost recovery of wastewater infrastructure where there is a derived benefit to properties has been and continues to be the policy and practice of the Municipality. Past projects have included the following:
 - **Former Town of Tecumseh** passed a cost recovery by-law (under the *Municipal Act*) against the benefitting lands in 1971 for approximately 22.8-km of sanitary sewers that were installed in 1972-1974.
 - **Former Village of St. Clair Beach** passed a cost recovery by-law (under the *Ontario Water Resources Act*) in 1971 for 11.9-km of sanitary sewers that were installed in 1973-1974.



Project Cost Recovery - History

- **Former Township of Sandwich South** passed a cost recovery by-law (under the *Ontario Water Resources Act*) in 1974 for 12.1-km of sanitary sewers that were installed in 1975-1977 within the Tecumseh Hamlet.
- **Former Township of Sandwich South** passed a cost recovery by-law (under the *Local Improvement Act*) against the benefitting lands in 1994 for approximately 291m of sanitary sewers, 786m of forcemain and a sanitary pump station (Sylvestre Drive Sanitary Pump Station) that were installed in 1994.



Project Cost Recovery – Current Practice

- **The Corporation of the Town of Tecumseh** passed a cost recovery by-law (under the *Municipal Act*) against the benefitting lands in 2011 for approximately 8.3-km of sanitary sewers (North Talbot Road Outlet, Oldcastle Hamlet).
- Administration continues to work on passing a cost recovery by-law (under the *Municipal Act*) against the benefitting lands for approx. 32.7-km of sanitary sewers (8th Concession Road Outlet, Oldcastle Hamlet).



Project Cost Recovery – Cost Estimate

- Updated Project Cost Estimate:

Sanitary Main	\$ 757,338.53
Sanitary Lateral	\$ 126,390.00
Easements	\$ 14,171.47
Total	\$ 897,900.00

- Wastewater costs only, excludes road and stormwater costs.
- Inclusive of construction, engineering, and excess soil investigation.
- Inclusive of 10% contingency.
- Updated cost estimate as of September 24, 2021.



Project Cost Recovery

- Four assessment basis considered:
 - Properties Serviced (\$ 51,434.00 / Lot)
 - Frontage Serviced (\$ 850.71 / m)
 - Area Serviced (\$ 92,254.07 / Ha)
 - Area Serviced with Easement Charge (\$ 90,559.51 / Ha + Easement \$ 247,105.00 / Ha)

Sanitary Main Assessment Comparison							Preferred
Property	Assessed Area (Ha)	Frontage (m)	Easement Area (Ha)	Property	Frontage	Area	Area + Easement
Property A	0.59	108.4	0.01	\$ 51,434.00	\$ 92,217.10	\$ 54,088.33	\$ 56,754.43
Property B	0.32	75.4		\$ 51,434.00	\$ 64,143.63	\$ 62,025.29	\$ 60,885.98
Property C	0.32	36		\$ 51,434.00	\$ 30,625.60	\$ 29,333.25	\$ 28,794.44
Property D	1.68	27	0.01	\$ 51,434.00	\$ 22,996.20	\$ 154,562.58	\$ 153,725.05



Project Cost Recovery

- Area Serviced with Easement Charge is the preferred method
 - Most equitable to all properties.
 - Most controlled to deal with excessive costs or land changes.
 - Each property would be charged for their sewer lateral.
 - Land use population densities of affected properties are equivalent to each other throughout business park (35 person per Hectare)
 - Main Charge applied to each property independent of location.
 - $\frac{\text{Main Charge}}{\text{Total Area}} = \text{Main Charge per Area.}$
 - Easement properties receive additional charge (\$ 247,105 / Ha).
 - Unfair to all properties to pay for top end easement when they are unaffected.



Project Cost Recovery – Charges

- **Main Charge:** The charge for the capital cost of the sewer main.
- Main Charge Rate = Main Charge/ Total Area.

Total Area	Main Charge Rate
20.67 Acres	\$ 36,648 Per Acre
8.36 Hectares	\$ 90,560 Per Hectare

- **Lateral Charge:** The charge for the installation of a sewer lateral.
- Based on current North Talbot Road Lateral charges per By-Law 2014-85 and indexed for 2021.

2020 Lateral Charges	Costs
150 mm (6 inch) no inspection manhole	\$ 3,010.00
150 mm (6 inch) with inspection manhole	\$ 8,426.00
200 mm (8 inch) with inspection manhole	\$ 9,392.00
250 mm (10 inch) with inspection manhole	\$ 10,836.00



Project Cost Recovery – Charges

- **Easement Charge:** The charge for acquiring the necessary easements for the installation of the sewer main.
- Four Easements required on four separate parcels.
- Each Easement to have independent charge rate based on the cost to acquire each individual easement.

Description	Costs
Easement 1 (E1-13480 Sylvestre)	\$ 100,000 / Acre (\$ 247,105 / Ha)
Easement 2 (E2-1847 Manning)	\$ 100,000 / Acre (\$ 247,105 / Ha)
Easement 3 (E3-1855 Manning)	\$ 100,000 / Acre (\$ 247,105 / Ha)
Easement 4 (E4-1865 Manning)	\$ 100,000 / Acre (\$ 247,105 / Ha)

- Easements charge rates to be finalized after acquisition.



Preliminary Assessments

- Sanitary Main Charge: \$ 90,560.00 per Ha
- Lateral Charge: 150mm w/o inspection manhole \$ 3,010.00
- 150mm with inspection manhole \$ 8,426.00
- 200mm with inspection manhole \$ 9,392.00
- 250mm with inspection manhole \$ 10,836.00
- Easement Charge: E1 \$ 247,105 per Ha
- E2 \$ 247,105 per Ha
- E3 \$ 247,105 per Ha
- E4 \$ 247,105 per Ha

Civic Address	Tax Roll No.	Assessed Area (Ha)	Main Charge	Lateral Charge	Easement Charge	Total Charge
13315 SYLVESTRE DR	570-48139	0.30	\$ 27,454.43	\$ 8,426.00	\$ 0.00	\$ 35,880.43
13325 SYLVESTRE DR	570-48409	0.22	\$ 20,280.71	\$ 8,426.00	\$ 0.00	\$ 28,706.71
13335 SYLVESTRE DR	570-48410	0.23	\$ 21,238.03	\$ 8,426.00	\$ 0.00	\$ 29,664.03
13355 SYLVESTRE DR	570-48415	0.35	\$ 31,952.47	\$ 8,426.00	\$ 0.00	\$ 40,378.47
13360 SYLVESTRE DR	570-48407	0.20	\$ 18,310.15	\$ 8,426.00	\$ 0.00	\$ 26,736.15
13380 SYLVESTRE DR	570-48406	0.36	\$ 32,774.79	\$ 8,426.00	\$ 0.00	\$ 41,200.79
13390 SYLVESTRE DR	570-48405	0.25	\$ 22,927.10	\$ 8,426.00	\$ 0.00	\$ 31,353.10
13450 SYLVESTRE DR	570-48403	0.39	\$ 34,930.63	\$ 8,426.00	\$ 0.00	\$ 43,356.63
13455 SYLVESTRE DR	570-48420	0.83	\$ 74,874.42	\$ 8,426.00	\$ 0.00	\$ 83,300.42
13480 SYLVESTRE DR	570-48400	0.59	\$ 53,094.81	\$ 8,426.00	\$ 3,659.63	\$ 65,180.44
13485 SYLVESTRE DR	570-48430	0.67	\$ 60,885.98	\$ 8,426.00	\$ 0.00	\$ 69,311.98
1845 MANNING RD	570-48200	0.32	\$ 28,794.44	\$ 8,426.00	\$ 0.00	\$ 37,220.44
1847 MANNING RD	570-48300	1.68	\$ 151,723.50	\$ 8,426.00	\$ 2,001.55	\$ 162,151.05
1855 MANNING RD	570-48350	1.55	\$ 140,229.54	\$ 8,426.00	\$ 5,970.05	\$ 154,625.59
1865 MANNING RD	570-48380	0.42	\$ 37,867.53	\$ 8,426.00	\$ 2,540.24	\$ 48,833.77
		8.36	\$ 757,338.53	\$126,390.00	\$ 14,171.47	\$ 897,900.00



Next Steps

- Schedule Public Information Centre (PIC)
- Report back to Council on comments received at the PIC and present final recommendations
- Present By-Law to Council for adoption
- Finalize design and tender documents
- Obtain required easements from those affected properties
- Construction
- Tabulate final costs and assessments
- Update By-Law with final/actual costs (if required)
- Property owners required to connect to sanitary sewer
- Assess final costs



