



## Staff Report

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**Report To:** Rebekah Msuya-Collison, Chief Administrative Officer/Deputy Clerk

**From:** **Don Giberson, General Manager of Infrastructure & Development**

**Date:** December 18 2023

**Report:** ESD.23.37

**Subject:** Proposed External Oversizing Agreement with CVD Exeter Inc.

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### **Recommendations:**

**That** South Huron Council receives the report from Don Giberson, General Manager of Infrastructure and Development Re: Proposed External Oversizing Agreement CVD Exeter Inc.; and

**That** South Huron Council authorize Staff to prepare a draft External Oversizing Agreement for Council consideration at a future Council Meeting.

### **Purpose:**

Information and authorization to proceed with a draft agreement.

### **Background and Analysis:**

At the Council Meeting of December 4, 2023 CVD Exeter Inc. submitted a formal request to South Huron Council for oversizing of external sanitary sewers and watermains to facilitate future development of their lands in Exeter and Council directed that a Staff Report be brought back to a future Council Meeting.

The CVD development is north of the existing commercial/industrial lands on Thames Road East, Main Street North to the easterly limit of Exeter. The development was originally proposed as an industrial subdivision with highway commercial along Main Street North/Highway #4. The proposed development has access off Main Street North, opposite Walper Street, and off Pickard Street. A Preliminary Servicing Report prepared by the

Developers Engineer for the original development directed sewage flows to Pickard Street and Main Street North. The report also indicated that the external sanitary sewers and watermains on Pickard Street and Main Street North were adequate for the proposed industrial/commercial land use. The development did not move forward and after a couple of extensions, the Draft Plan of Subdivision approval eventually lapsed.

Early in 2023, CVD approached the Municipality with a new development proposal that included a residential component in the westerly portion of the property, closer to Main Street North. The Developer still proposed highway commercial along Main Street North/Highway #4 and a mix of light industrial/commercial for the lands east of the residential area to the east end of the development. A copy of the proposed concept plan is attached.

The introduction of the residential component into the development required an update of the Preliminary Servicing Report, due to the associated increased sanitary sewer flows and fire protection requirements. The Developers Engineer also determined that all sewage flows were required to go to Main Street North due to capacity issues in the sanitary sewer on Thames Road East. These changes necessitated oversizing of the existing sanitary sewer on Main Street North (Walper Street to Thames Road) from 200mm to 300mm. The increased fire protection requirements due to the proposed change in land use necessitated the oversizing of the existing watermain on Main Street North (Walper Street to Thames Road) from 150mm to 250mm.

The updated Preliminary Servicing Report and proposed external oversizing was reviewed by Staff and by our third-party engineer BM Ross Engineers. The impact of the proposed development flows on the existing sanitary sewer system were also checked/verified using our new Wastewater Collection System Model. As Council is aware, Main Street North is scheduled to be reconstructed in 2024 and road work is 90% funded under the MTO Connecting Link Agreement. Staff advised the Developer that if they wished to move forward with the oversizing in advance of approval of their revised development plan, Staff would include the oversizing work in the Main Street North Reconstruction tender and fund the road restoration costs.

Based on these discussions, a cost estimate of the external oversizing work was prepared by the Developers Engineer; reviewed by Staff and our third-party engineer BM Ross Engineers; and found acceptable. The external oversizing proposal is based on the Developer paying the full amount of the oversizing costs, up front, and prior to the award of a contract for any oversizing work.

Terms of the external oversizing would be set out in an Agreement prepared by the Municipal Solicitor and approved by Council. The Municipality's acceptance of this external oversizing proposal will not constitute approval of the revised development proposal/concept plan. Should the Developer fail to meet their obligations under the Agreement, the project would proceed normally with no oversizing of the watermain and sanitary sewer on Main Street North for the proposed development.

**Operational Considerations:**

This report is provided for information purposes and there were no alternatives considered.

**Financial Impact:**

There are no financial implications for the Corporation resulting from the proposed recommendation, as 100% of the external oversizing costs will be paid upfront by the Developer.

**Legal Impact:**

The Municipal Solicitor will prepare a draft External Oversizing Agreement.

**Staffing Impact:**

There are no staffing implications for the Corporation resulting from the proposed recommendation.

**Communication Actions:**

The public will be notified through the publishing of the Council Agenda and Minutes.

**Policies/Legislation:**

None

**Consultation:**

1. Rebekah Msuya-Collison, Chief Administrative Officer/Clerk
2. Mike Rolph, Director of Building and Planning Services/CBO
3. Steve Jackson P. Eng., B.M. Ross Engineers

**Related Documents:**

1. CVD Exeter Inc. [correspondence dated November 27, 2023](#)
2. Concept Plan (Dated: July 19, 2023)

Respectfully submitted,

**Don Giberson, General Manager of Infrastructure & Development**

### Report Approval Details

Document Title:	ESD.23.37 - Draft Oversizing Agreement CVD Development.docx
Attachments:	- 22-2800 Concept July 19 2023.pdf
Final Approval Date:	Dec 13, 2023

This report and all of its attachments were approved and signed as outlined below:

**Alex Wolfe - Dec 11, 2023 - 9:30 AM**

**Julia Warwick - Dec 13, 2023 - 11:19 AM**

**Rebekah Msuya-Collison - Dec 13, 2023 - 2:54 PM**