



**DEPARTMENT:** Chief Administrative Officer

**REPORT NO:** A-046-15

**COUNCIL DATE:** June 8<sup>th</sup>, 2015

**TITLE:** Boundary Adjustment Committee Report 15-01

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## **OBJECTIVE**

To provide Council with an update on Boundary adjustment discussions with Southwest Oxford Township.

## **BACKGROUND**

Council appointed Mayor Comiskey, Deputy Mayor Freeman and Councillor Lesser to act as a committee of Council to conduct discussion on boundary adjustments with both neighbouring municipalities. The CAO acts as a staff resource to the committee and attends all meetings.

The Committee has determined to focus on one municipality at a time and have decided to conduct meetings with SWOX first. Depending on how those discussions progressed, it would be decided at a later time when to speak with Zorra Township about boundary adjustments.

The Committee drafted a framework to present to SWOX as a starting point for discussion. It is attached here for Council's information. The Committee selected Deputy Mayor Freeman to act as chair.

The joint municipal committee made up of representatives from both municipalities met on May 26<sup>th</sup>, 2015. At this meeting after introductions and opening statements by those in attendance, the frame work was circulated and Ingersoll CAO provided an explanation on the document. The intent was to share the document, address any questions and solicit feedback from the SWOX representatives. SWOX was represented by the Mayor and Councillor Wray and Mitchell. SWOX staff in attendance were the CAO, Clerk and the Economic Development Officer from the Oxford Rural Economic Development Committee.

Ingersoll's committee did indicate the preferred land areas for discussion purposes. Where industrial (employment) lands were identified to the west of Ingersoll and residential lands were identified to the east of the current Town Boundary.

## **ANALYSIS**

The response from SWOX was reserved, they asked a number of questions for clarification. They presented some differing points of view and suggested that they would need to seek direction from their Council as a whole as they had not been given any mandate to negotiate or make agreements.

The SWOX Committee expressed strongly that they would like to see the opportunity for economic development within the Township itself. They identified cross boarder servicing as topic for future discussions.

They suggested that they would seek direction from their Council.

Deputy Mayor Freeman asked if it were possible to plan and schedule some future meeting dates. SWOX Mayor Mayberry suggested that in their report to Council they would seek additional dates and advise Ingersoll accordingly.

The Committee will be meeting to prepare for future discussions, should Council wish to provide some specific direction it should do so in a timely manner so as to allow the committee to incorporate those ideas.

Based on the requirement to have any agreements in place by December 31<sup>st</sup> 2017, the committee will discuss the timing of commencing discussions with Zorra Township at its next meeting.

## **INTERDEPARTMENTAL IMPLICATIONS**

### **FINANCIAL IMPLICATIONS**

Agreements if reached will establish the costs and cost sharing arrangements relating to any boundary adjustment.

### **ATTACHMENT**

Framework for discussion- Boundary Adjustment

### **RECOMMENDATION**

**THAT** the Council of the Corporation of the Town of Ingersoll receive this report numbered A-046-15 for information;

**AND FURTHER** if Council has specific direction to the committee concerning boundary discussions it be provided at this time.

Prepared by: William J. Tigert, Chief Administrative Officer

The key objectives of this Letter of Intent are as follows: To better position the Town of Ingersoll and the Township of Southwest Oxford to achieve prosperity by growing together as independent municipalities, and planning strategically to accommodate the future growth that is projected to occur in the area.

To achieve orderly and environmentally sustainable development, consistent with Provincial legislation, such as the Planning Act and Provincial policies, such as the protection of agricultural resources and smart growth.

To negotiate a comprehensive agreement, which will deal with all of the points summarized in this document. This document will serve as a Letter of Intent with respect to such future agreement.

To make provision for major infrastructure investments while minimizing the financial impact on ratepayers in both Ingersoll and SWOX.

To achieve orderly and environmentally sustainable development, consistent with provincial legislation.

The proposed area for Boundary Adjustment was evaluated due to: Location to Existing Residential and Industrial Areas; Agricultural soils mostly used for field crops and less commonly used for specialty crops; largely free of sand and gravel and limestone resources of primary significance.

Environmental Considerations: Existing natural features include wooded areas, creeks, wetlands and slopes. Natural system would be preserved as an open space system where practical. Both areas are not subject to significant wellhead protection policies Transportation/Accessibility to existing 401 access locations.

1. Taxation Fairness - in taxation will be given to all property classes. Town tax rates will be phased in over a three-year period on the Transfer Lands once agreed.
2. SWOX will receive compensation in the amount of the current SWOX municipal taxes levied on the Transfer Lands in the year prior to the transfer of said lands, this compensation shall be made in perpetuity.

It is suggested that this amount will be reduced by a factor, to be negotiated between the Town and SWOX, to represent fairness. This adjustment it is to acknowledge the reduced operational expenses which will be saved by SWOX.

These savings relate to tax administration, road maintenance, and waste and recycling costs, fire service protection and policing.

This compensation amount will be net of any assessment adjustments due to demolition, appeals or reduced assessment due to appeals under the Assessment Act for any employment lands.

3. All new industrial development, employment lands, shall be subject to compensation based on twelve (12 %) percent of Ingersoll's applicable industrial tax rate. This compensation shall run for perpetuity and be paid annually to SWOX.

4. The Town agrees to fund in a lump sum a portion of the SWOX's costs, in the amount of \$20,000, incurred for the purposes of the boundary adjustment discussions.
5. Dispute Resolution: The future agreement will provide that any dispute arising out of the interpretation of the agreement may be settled by any of the following means: (i) either Party may retain a mediator, at the sole cost of that municipality, to assist in the resolution of a dispute arising out of the interpretation of the agreement; or (ii) in accordance with the provisions of the Arbitration Act, 1991; or (iii) the matter may be referred to the Councils of the two (2) municipalities for resolution.
6. This Letter of Intent does not create any enforceable legal rights. Such rights will be created by the formal legal agreement to follow.