



## County Council

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**Meeting Date:** May 10, 2016

**Submitted by:** Jennifer Huff, Planner

**SUBJECT:** PROPOSED BOUNDARY ADJUSTMENT BETWEEN THE  
TOWNSHIP OF ADELAIDE METCALFE AND THE  
MUNICIPALITY OF STRATHROY-CARADOC

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### **BACKGROUND:**

A request has been received by the Township of Adelaide Metcalfe that privately owned lands currently located within the Township of Adelaide Metcalfe be transferred into the jurisdiction of the Municipality of Strathroy-Caradoc in order to facilitate future development.

Municipal restructuring proposals within a two-tier municipal structure require, per Section 171 – 173 of the Ontario Municipal Act and implementing O. Reg 216/96, that each of the affected lower tier Councils and the upper tier Council hold a public meeting to receive input on the proposal. Further, on a future date, after the public meetings are held, a by-law recommending the restructuring proposal must be approved by each of the three Council's.

Accordingly, the subject report has been prepared for each of the three Councils involved in order to provide background information on the restructuring proposal and to request that each Council direct staff to proceed with arranging for the necessary public meetings and consultations as required in order for the restructuring proposal to be considered.

It is further noted that on May 2<sup>nd</sup>, 2016, the Council's of the Township of Adelaide Metcalfe and the Municipality of Strathroy-Caradoc received a similar report on the proposed boundary adjustment and each recommended by resolution that staff proceed with the necessary public consultation process required as per the Ontario Municipal Act. It was further recommended that a joint public meeting with Adelaide Metcalfe and Strathroy-Caradoc be held on Monday June 6<sup>th</sup>, 2016.

## **ANALYSIS:**

The Township of Adelaide Metcalfe first received a request to amend the municipal boundary in 2015 by the owner of 28444-28448 Centre Road. Township Council considered the original request on May 19, 2015 and directed staff, by resolution, to proceed with the process of considering a possible boundary adjustment, including the terms of an agreement between municipalities. In accordance with this direction, staff from the Municipality of Strathroy-Caradoc and the Township of Adelaide Metcalfe have proceeded to investigate the particulars of a municipal boundary adjustment process as regulated by the Ontario Municipal Act. However, since then, the proposal has been amended to include additional lands, being a portion of the rear yard of 28412 Centre Road. Accordingly, County Council is being asked to consider the amended request.

The lands subject to the proposed amendment to the municipal boundary include the rear portion of two properties, both located along the east side of Centre Road (County Road 81), south of Second Street (County Road 33) and are known municipally as 28444-28448 Centre Road and 28412 Centre Road. The location of such lands are shown on the Location Map attached below.

The lands known municipally as 28444-28448 Centre Road are approximately 6.7 Ha (16.7 Ac) in area, of which 3.2 Ha (8 Ac) is proposed to be brought into the Municipality of Strathroy-Caradoc. The 3.2 Ha area proposed to be brought into Strathroy-Caradoc is currently vacant un-serviced land. The remainder of this parcel is to remain within Adelaide Metcalfe and currently contains a Bell Hub building and the local OPP Station.

The lands known municipally as 28412 Centre Road are approximately 1.8 Ha (4.47Ac) of which 0.8 Ha (2 Ac) is proposed to be brought into the Municipality of Strathroy-Caradoc. The 0.8 Ha area proposed to be brought into Strathroy-Caradoc is also vacant un-serviced land. The remainder of this parcel is also to remain within Adelaide Metcalfe and currently contains a commercial building housing 'Tadgell & Sons Ltd', a farm equipment dealer and repair shop.

Surrounding land uses include highway commercial uses to the south (Home Hardware), automotive sales to the north (Dale Wurfel Chrysler Dealership), agricultural uses to the west (Cuddy's) and residential to the east. It is also noted that northbound Centre Road provides a direct link to the 402 Highway interchange, north of Strathroy.

For Council's information, lands located along Centre Road in the Township of Adelaide Metcalfe are subject to a servicing agreement between the Township and the Municipality whereby the Municipality provides the Township with water and sanitary sewer services to accommodate highway commercial, service commercial and a limited range of industrial uses that require access to a major arterial road.

It is staff's understanding that the owners of the subject lands consider the rear portion of their properties to be surplus to the highway commercial corridor and desire future development beyond what is currently permitted.

In the event that the municipal boundary adjustment proposal is approved, the lands will remain subject to the Official Plan and Zoning By-law of the Township of Adelaide Metcalfe until such time as a land use planning application is made in accordance with the Planning Act to amend the designation and zoning of the lands.

Currently, the subject lands are located within the 'Commercial Corridor' designation of the Adelaide Metcalfe Official Plan. This designation provides for highway commercial, service commercial and a limited range of industrial uses. The lands are also designated as a 'Priority Employment Area'. A proposal to convert such lands to non-employment purposes requires a comprehensive review. The lands are located within the 'Commercial Corridor Zone (CC and CC-2) of the Township Zoning By-law which reflects the uses permitted within the 'Commercial Corridor' designation.

#### ONTARIO MUNICIPAL ACT IMPLICATIONS:

Staff have undertaken several consultations with the Ministry of Municipal Affairs and Housing (MMAH) respecting the process of undertaking a municipal boundary adjustment. If County Council is supportive of considering the request for a municipal boundary adjustment, the following summarizes the key steps that are required before a final recommendation can be considered by the Minister of MMAH:

1. Adelaide-Metcalfe and Strathroy-Caradoc negotiate potential boundary adjustment agreement. *(completed)*
2. Draft restructuring proposal that includes terms of the boundary adjustment agreement. *(in process)*
3. Submit draft and legal description of the lands to be subject to the boundary adjustment to Ministry of Municipal Affairs and Housing staff. *(completed)*
4. Adelaide-Metcalfe, Strathroy-Caradoc and the County of Middlesex must each provide notice (may be a combined notice) of the proposed boundary adjustment to the public, including to First Nations and nearby landowners, and hold at least one public meeting. The draft proposal (fact sheet) must be available at the time notice is provided. *(to be completed)*
  - a. Proposed Public Meeting Dates (tentative dates):
    - i. Combined Township and Municipal Public Meeting – June 6<sup>th</sup>, 2016
    - ii. County of Middlesex Public Meeting – June 14<sup>th</sup>, 2016
5. The final proposal must be approved by all three Councils for the proposal to proceed. *(to be completed)*
  - a. Proposed Date of Final Consideration of Proposal (tentative dates):
    - i. Adelaide Metcalfe Council Meeting – June 20<sup>th</sup>, 2016
    - ii. Strathroy-Caradoc Council Meeting – June 20<sup>th</sup>, 2016

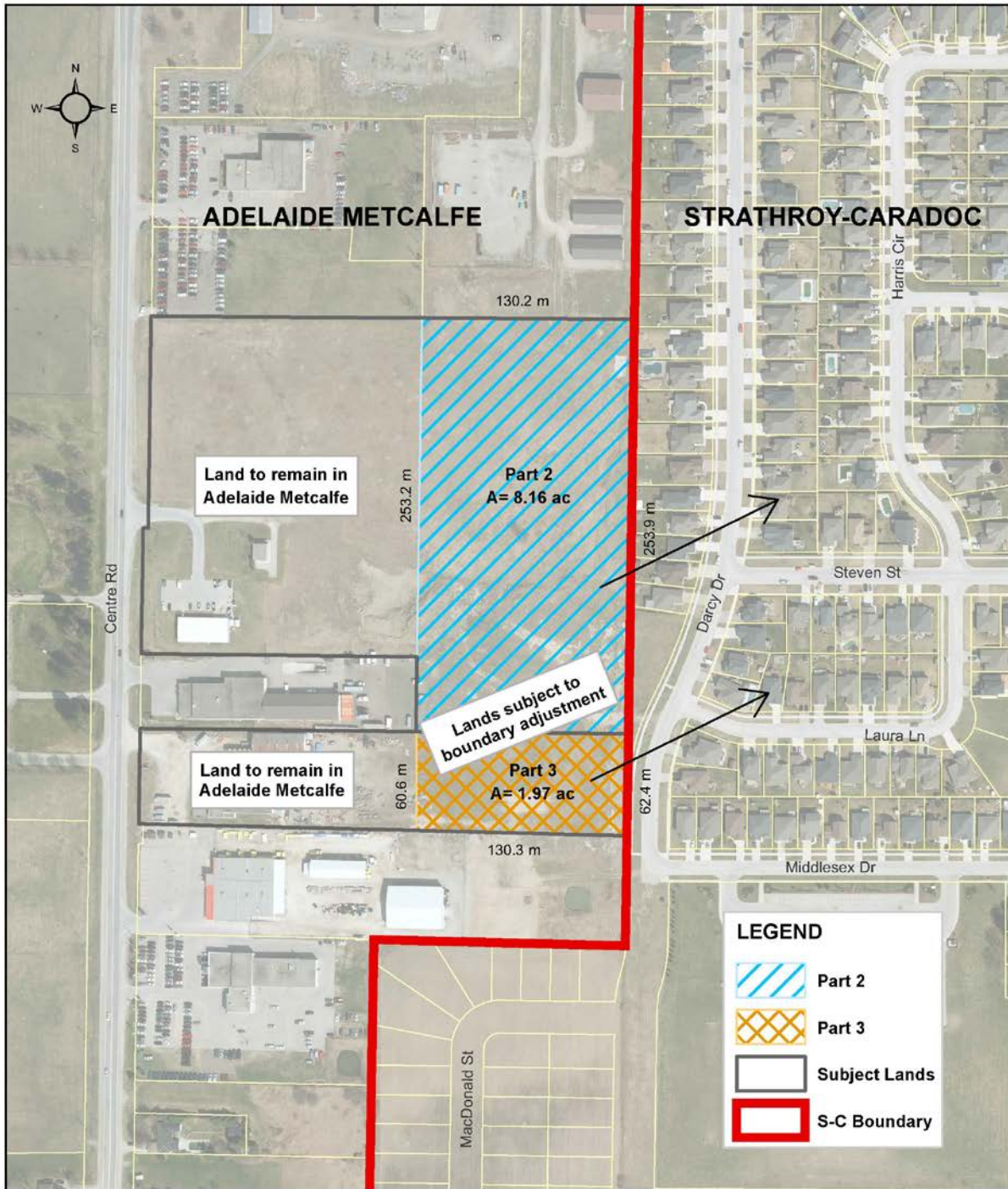
- iii. County Council Meeting – June 28<sup>th</sup>, 2016
6. Proof of prescribed degree of support (i.e. Clerk's Declaration) of the final proposal is submitted to the Minister for approval. If approved by the Minister, the order is made available for public inspection and the boundary adjustment could be effective as early as January 1, 2017. *(to be completed)*

It is noted that the provisions of the Ontario Municipal Act do not provide for an appeal to a decision of Council, nor the decision of the Minister, respecting a municipal boundary adjustment.

**RECOMMENDATION:**

That the Council of the County of Middlesex direct staff to proceed with undertaking the necessary public consultation circulations and meetings in order that the request for a municipal boundary adjustment may be considered whereby it is proposed that lands legally described as Part Lot 22, Concession 3 SER, geographic Township of Adelaide, and more particularly described as being Part 2 and 3, 33R19421, Township of Adelaide Metcalfe, County of Middlesex be transferred into the jurisdiction of the Municipality of Strathroy-Caradoc in order to facilitate future development.

Attachment: Location Map



## MUNICIPAL RESTRUCTURING PROPOSAL



DATE: April 26, 2016

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