



TOWNSHIP OF NORTH HURON

REPORT

Item No.

REPORT TO: Reeve Vincent and Members of Council
PREPARED BY: Sharon Chambers, CAO
DATE: 27/03/2017
SUBJECT: Cross Border Servicing Request – Follow-up Report
ATTACHMENTS: Cross Border Services Agreement

RECOMMENDATION:

THAT the Council of the Township of North Huron hereby approve the proposed revisions to the Existing Cross Border Servicing Agreement with the Municipality of Morris-Turnberry;

AND FURTHER THAT the Chief Administrative Officer be instructed to send an amended Agreement to Morris Turnberry, with the additional provisions as outlined in the CAO's March 27th Report.

EXECUTIVE SUMMARY

At the March 6 Council meeting, a servicing request was brought forward for a property in Morris-Turnberry. The property is not included on the current Cross Border Servicing Agreement. Following a review of the current agreement particulars and considering the previous support by North Huron and Morris-Turnberry for joint servicing ventures acknowledging fair and equitable sharing of services, Staff and Council felt it was appropriate to formalize additional elements to the existing agreement, as well as to amend particular requirements in the existing agreement with respect to process and formalities for approval. Of particular importance is addressing the agreement as a comprehensive service agreement for cross-border aspects, including other planning and infrastructure requirements that may impact North Huron.

DISCUSSION

Staff are recommending the following revisions:

- 1) Amend Schedule A and Schedule B to include the Britespan property located at Lot 2, Josephine Street, as per the servicing request.
- 2) Create a Schedule to formalize Morris Turnberry's contribution to North Huron services in accordance with Clause 3 c) of the Township's Cross Border Servicing Policy which states that Cross Border Agreements shall contain;
"Provisions which recognize ongoing partnership between the receiving municipality and the Township of North Huron including;
 - i. *A requirement for the receiving municipality to contribute annually to other Township of North Huron services or programs which may include but not be limited to recreation, cemeteries, libraries, day care centres, airport, economic development, etc., as mutually agreed by the Parties; and/or*
 - ii. *A requirement for the receiving municipality to share taxation revenue resulting from the proposed development, as mutually agreed by the Parties; and/or,*
 - iii. *Other financial contributions, as mutually agreed by the Parties."*

Morris Turnberry's annual contribution to North Huron services were outlined in a joint press release on July 13, 2015

2017 budgeted amounts are as follows;

- Wescast Community Centre \$70,000
- Blyth Community Centre \$16,000
- Cemeteries \$25,000

- 3) Create a provision for water and sewer related agreement elements to address the need for North Huron staff to comment on the Site Plan and Site servicing drawings in relation to water and sewer interests.
- 4) Create a provision for water and sewer related agreement elements to address the need for the developer of a property to enter into separate agreement with North Huron for the purposes of constructing municipal services. As the system owner, North Huron is obligated under Section 11 of the Safe Drinking Water Act to ensure quality of construction and safe distribution of municipal water and infrastructure. The new context of water and sewer operations in North Huron may not allow for the Township staff or Veolia to perform construction duties as they had in the past, thereby putting the quality of construction at risk. This creates a risk for North Huron, which can be mitigated through a direct agreement, enforceable at the discretion of North Huron, with the developer to ensure their agents and contractors perform in a specific manner, construct to certain specifications and allow the Township to oversee certain elements of construction.
- 5) Create a provision to revisit and reassign capacities as mutually agreed upon. In this case, it may be advisable to assess how much unused capacity exists within the existing agreement and reallocate unused capacity toward the Britespan Development. This will allow the Township to limit additional capacities assigned outside North Huron borders until such time as a Water and Wastewater Master Plan is completed.
- 6) Amend to the reference the current water and sewer fee schedules, which also includes the right for North Huron to establish new fees, as deemed necessary. This could include recovery of costs for review of service requests, including North Huron staff time.

FINANCIAL IMPACT

There are no financial impacts at this time. Any legal or consulting review would be covered by Morris Turnberry in accordance with the original Cross Border Services Agreement.

FUTURE CONSIDERATIONS

The current agreement expires in 2019. Staff would be recommending a complete overhaul of the agreement at that time to address fair and equitable service sharing for both parties.

RELATIONSHIP TO STRATEGIC PLAN

Goal #1 – Our Community is attractive to new business and residents.

A handwritten signature in black ink, appearing to read 'Sharon Chambers', is written over a light blue horizontal line.

Sharon Chambers, CAO