

**RESTRUCTURING PROPOSAL FOR THE
CORPORATIONS OF THE TOWN OF SHELBURNE AND
THE TOWNSHIP OF MELANCTHON**



EFFECTIVE DATE

The following proposal is submitted to the Minister of Municipal Affairs and Housing for implementation, effective January 1, 2002.

DESCRIPTION OF PROPOSAL

This proposal is an annexation of properties, comprised of a total of 406.2 acres (164.4 Hectares), from the Township of Melancthon to the Town of Shelburne. The lands which are subject to the proposal are more particularly described in Appendix A to the proposal. Both municipalities are located within the County of Dufferin.

NAME AND STATUS

Certain lands as legally described in Appendix A will be annexed from the Township of Melancthon and be located in the corporate limits of the Town of Shelburne.

The Corporation of the Town of Shelburne and the Corporation of the Township of Melancthon shall maintain their name and status as a municipality within the County of Dufferin. The new corporate limits of the municipalities of Shelburne and Melancthon are shown in Appendix B and C, respectively.

REPRESENTATION

There are no changes to representation within the Town of Shelburne, Township of Melancthon or the County of Dufferin as a result of the restructuring proposal.

LOCAL BOARDS

There are no changes to local boards within the Town of Shelburne, Township of Melancthon or the County of Dufferin as a result of the restructuring proposal.

MUNICIPAL SERVICES

There are no changes to the provision of municipal services within the Town of Shelburne, Township of Melancthon or the County of Dufferin as a result of the restructuring proposal. The annexed properties, which currently must be serviced by private well and sewage system, will be provided with municipal water and sewage services from the Town of Shelburne, if requested, and at the Town's discretion, following the implementation of the restructuring proposal. The Town may complete a Secondary Study for lands which are the subject of this proposal prior to permitting development of the lands.

The Road Allowance between Concessions 3 and 4 shall be a shared roadway from the Highway 89 intersection north to the north limit of the former CPR right-of-way.

The lands shall continue to have electricity provided and serviced by Hydro One.

FINANCIAL ISSUES

All taxes, charges or rates levied by the Township of Melancthon under any legislation shall be collected and paid to the Township of Melancthon as of the implementation date. All arrears or uncollected payments as of the implementation date shall be paid to the Township of Melancthon.

Following the implementation date, all taxes, charges and rates levied under any legislation shall be collected and paid to the Town of Shelburne, by the property owners.

Commencing on the implementation date, Shelburne shall pay to Melancthon in each year the amount that is equal to the assessed value, upon the implementation date, of the lands described in Appendix A, multiplied by the applicable local tax rate for the year that would have applied to the lands in Melancthon, had the lands remained in Melancthon and in their present use. The payment shall be made quarterly, forthwith after each instalment date. In the event that a property is developed and is assessed at a higher value and at a higher tax rate as a result of the development, the payments to Melancthon shall continue at the undeveloped assessed value and tax rate. The payments to Melancthon shall terminate upon the tenth anniversary of the implementation date, or upon general restructuring of the municipalities, whichever occurs first.

Shelburne shall in each year with each tax bill provide an adjustment to the owners of each undeveloped property in the lands described in Appendix A, so that the dollar amount demanded of the owner is the same as the amount paid to Melancthon. This provision shall terminate upon the tenth anniversary of the implementation date, or upon general restructuring of the municipalities, whichever occurs first.

Shelburne shall contribute to the capital improvement costs of the shared boundary road allowance between Concessions 3 and 4 from the railway crossing to Highway 89. The formula for the contributions shall be based upon a formula that uses the variables of the estimated number of residences in the annexed area, the estimated number of trips and the current number of trips. An example of the calculation is attached as Appendix E which is estimated to be a 90/10 split Shelburne/Melancthon.

Shelburne shall contribute an annual amount to Melancthon in the amount of \$5,000, to maintain the shared road allowance between Concessions 3 and 4 to be adjusted annually based on the C.P.I. (Consumer Price Index) as of December 31 of each year.

MUNICIPAL BYLAWS

Zoning by-laws that were passed under Section 34 of the *Planning Act* and any provisions of an Official Plan which were approved under the *Planning Act* by the Township of Melancthon which affect the annexed property shall become part of the zoning by-law and Official Plan of the Town of Shelburne and remain in force until amended or repealed.

Any procedure to enact a by-law or adopt an Official Plan amendment or amendments that apply to the annexed lands and are not in force, the Council of the Town of Shelburne may continue the procedures.

Following the implementation date, and with the exception of the above paragraph, the property shall comply with any bylaws, policies or resolutions of the Town of Shelburne.

INTERIM COUNCIL AND TRANSITIONAL ISSUES

There are no additional transitional issues to be addressed, and no impact on municipal Councils, as a result of the municipal restructuring proposal.

BOUNDARY DESCRIPTION

The parcels of land to be annexed from the Township of Melancthon to the Town of Shelburne is described as:

Parts of the West Halves of Lots 1, 2, and 3, Concession 3, Old Survey,
Including Part of the Road Allowance Between Concessions 3 and 4, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 190.26 acres (77 Hectares);
As shown on Compiled Plan 1, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document

Parts of the East Halves of Lots 3 and 4, Concession 3, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 68.45 Acres (27.7 Hectares);
As shown on Compiled Plan 2, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the East Half of Lot 2, Concession 2, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 50 Acres (20.1 Hectares);
As shown on Compiled Plan 3, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the West Half of Lot 1, Concession 1, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 97.85 acres (39.6 Hectares)
As shown on Compiled Plan 4, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

The new boundary of the Corporation of the Town of Shelburne is comprised of the total area of the former Corporation of the Town of Shelburne and the addition of the lands known as:

Parts of the West Halves of Lots 1, 2, and 3, Concession 3, Old Survey,
Including Part of the Road Allowance Between Concessions 3 and 4, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 190.26 acres (77 Hectares);
As shown on Compiled Plan 1, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document

Parts of the East Halves of Lots 3 and 4, Concession 3, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 68.45 Acres (27.7 Hectares);
As shown on Compiled Plan 2, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the East Half of Lot 2, Concession 2, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 50 Acres (20.1 Hectares);
As shown on Compiled Plan 3, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the West Half of Lot 1, Concession 1, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 97.85 acres (39.6 Hectares)
As shown on Compiled Plan 4, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

The new boundary of the Corporation of the Township of Melancthon is comprised of the total area of the former Corporation of the Township of Melancthon, with the exception of those lands known as:

Parts of the West Halves of Lots 1, 2, and 3, Concession 3, Old Survey,
Including Part of the Road Allowance Between Concessions 3 and 4, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 190.26 acres (77 Hectares);
As shown on Compiled Plan 1, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document

Parts of the East Halves of Lots 3 and 4, Concession 3, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 68.45 Acres (27.7 Hectares);
As shown on Compiled Plan 2, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the East Half of Lot 2, Concession 2, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 50 Acres (20.1 Hectares);
As shown on Compiled Plan 3, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

Parts of the West Half of Lot 1, Concession 1, Old Survey,
Township of Melancthon, County of Dufferin
Comprising Approximately 97.85 acres (39.6 Hectares)
As shown on Compiled Plan 4, prepared by P. J. Williams, dated 18 May 2001,
attached in Appendix A to this document.

The new boundary of the Corporation of the Town of Shelburne is shown on Appendix B.

The new boundary of the Corporation of the Township of Melancthon is shown on Appendix C.

Appendix A

Description of lands being annexed from the Township of Melancthon to the Town of Shelburne

The following compiled plans have been prepared by P. J. Williams, Ontario Land Surveyor, dated and signed 18 May 2001. The following compiled plans are attached to and form part of Appendix A to this agreement.

Compiled Plan 1

Part of the West Half of Lot 1, and all of the West Half of Lot 2, and part of the West Half of Lot 3, Concession 3, Old Survey; and,

Part of the original road allowance between Concessions 3 and 4, Old Survey, (adjacent to part of Lot 1, all of Lot 2 and part of Lot 3); and,

Part of Lots 1-19 (inclusive), and all of Lots 20-67 (inclusive), and all of King Street and all of Queen Street and part of Prince Street, (all closed by Court Order registered as Inst. MF62334) Registered Plan 28A,

Township of Melancthon, County of Dufferin

Compiled Plan 2

Parts of the East Halves of Lots 3 and 4, Concession 3, Old Survey, Township of Melancthon, County of Dufferin

Compiled Plan 3

Part of the East Half of Lot 2, Concession 2, Old Survey, Township of Melancthon, County of Dufferin

Compiled Plan 4

Part of the West Half Lot 1 Concession 1, Old Survey, Township of Melancthon, County of Dufferin

APPENDICES

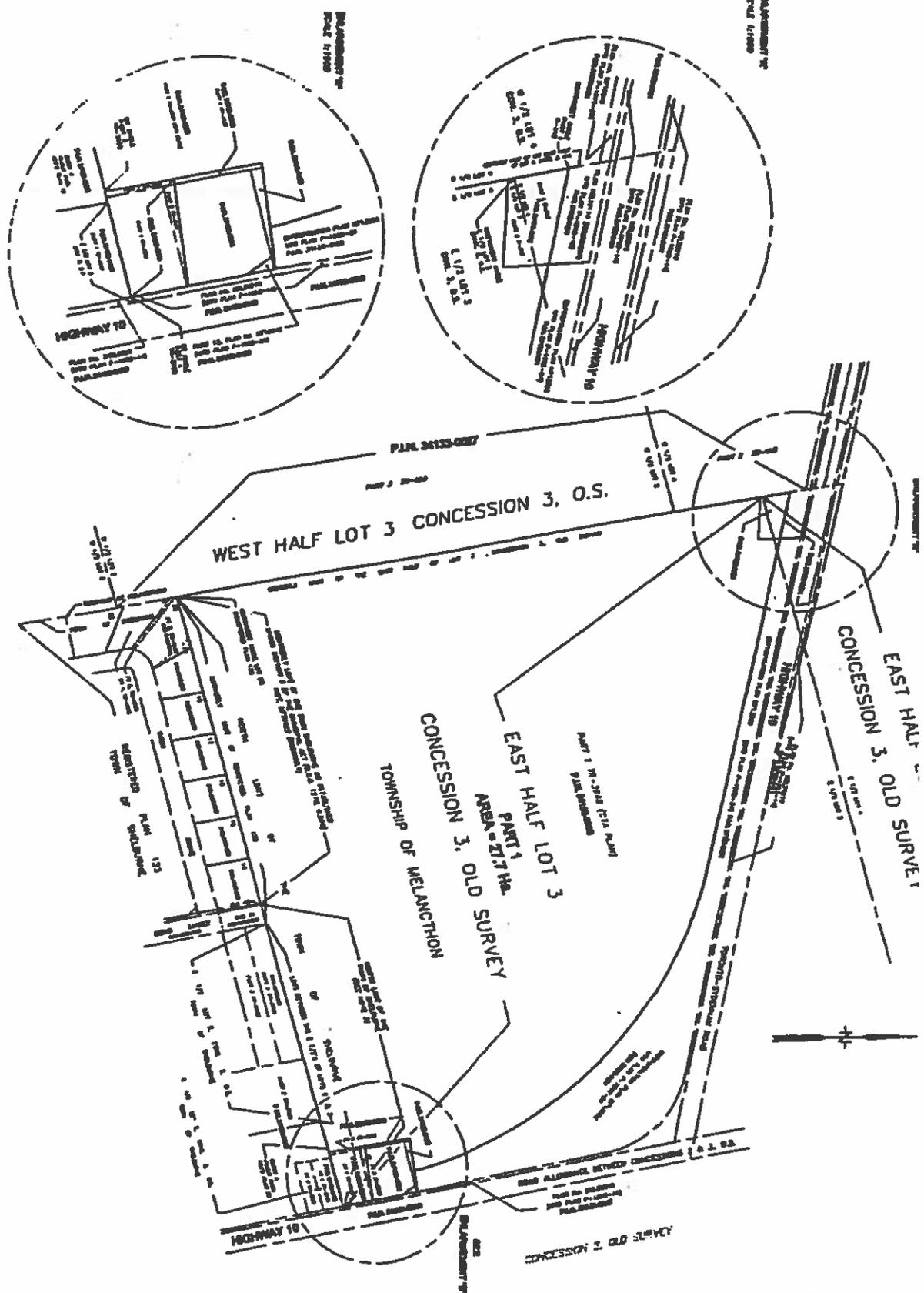
Appendix A - Description of lands being annexed from the Township of Melancthon to the Town of Shelburne, and compiled survey plans.

Appendix B - Corporation of the Town of Shelburne Boundary

Appendix C - Corporation of the Township of Melancthon Boundary

Appendix D - Certified Copies of Resolution in support of Restructuring Proposal from the Town of Shelburne, Township of Melancthon and the County of Dufferin

Appendix E - Example of Boundary Road Capital Improvement Cost Sharing Formula



NOT REGISTERED
 Land registered and the Land
 Law provisions of the Land Act

Lot	Area	Registered	Unregistered
1	1.10	1.10	0.00
2	1.10	1.10	0.00
3	1.10	1.10	0.00
4	1.10	1.10	0.00
5	1.10	1.10	0.00
6	1.10	1.10	0.00
7	1.10	1.10	0.00
8	1.10	1.10	0.00
9	1.10	1.10	0.00
10	1.10	1.10	0.00

COULDED PLAN OF
 PART OF THE EAST HALVES
 OF LOTS 3 AND 4
 CONCESSION 3, OLD SURVEY
 TOWNSHIP OF MELANCTHON
 COUNTY OF DUFFERIN

PLANNING, S.L.S.

THIS PLAN IS FOR INFORMATION
 PURPOSES ONLY.

DATE:
 1998

NOTES:
 1. THIS PLAN IS FOR INFORMATION PURPOSES ONLY.
 2. THE PLAN IS NOT TO BE USED AS A BASIS FOR ANY LEGAL ACTION.
 3. THE PLAN IS NOT TO BE USED AS A BASIS FOR ANY LEGAL ACTION.

CONVEYANCE INSTRUMENTS:
 1. 1998/01/14/001

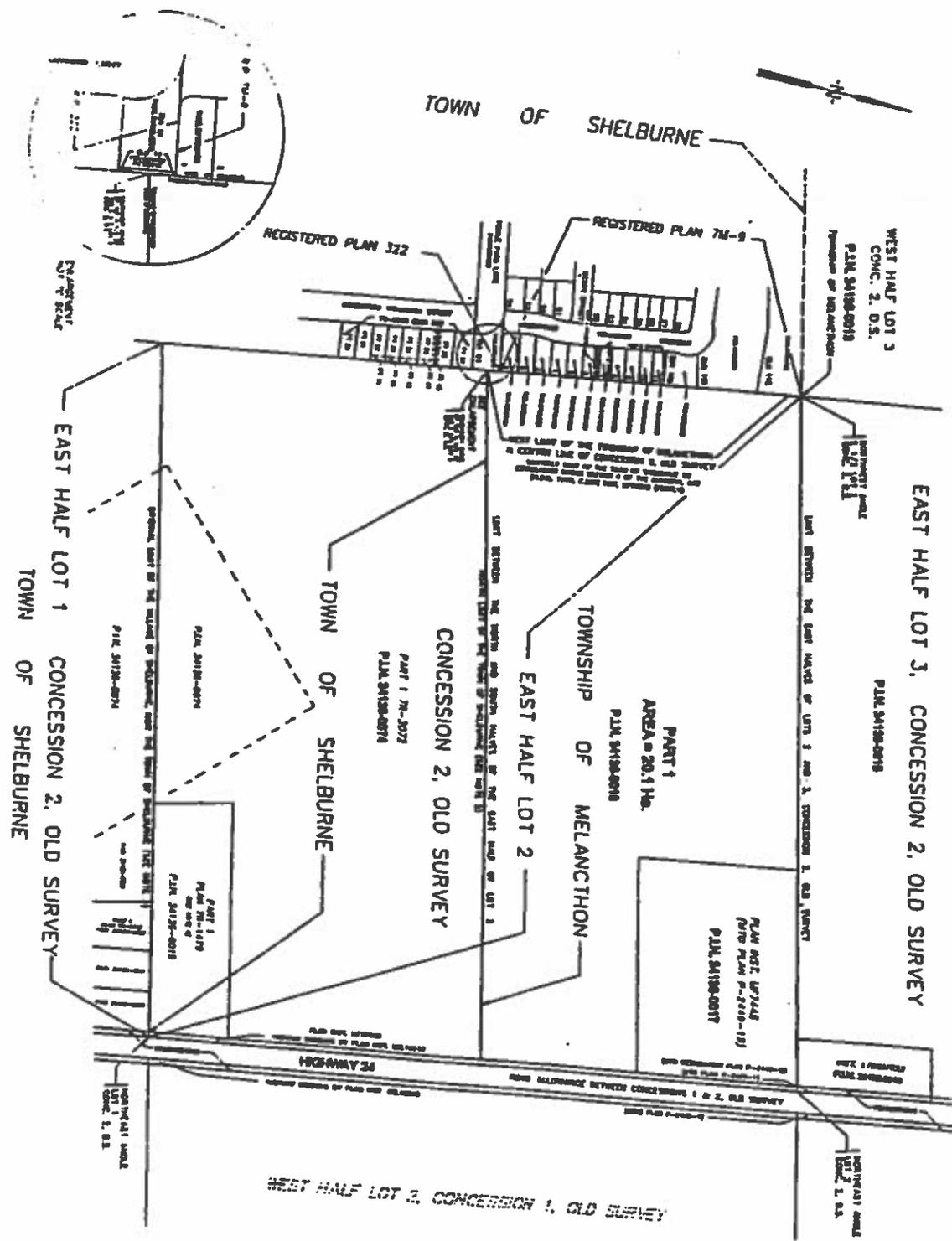
REGISTERED INSTRUMENTS:
 1. 1998/01/14/001

PLANNING, S.L.S.
 1998/01/14/001

F. J. WILLIAMS, ONTARIO LAND SURVEYOR

1998/01/14/001

1998/01/14/001



PLANNING ACT
1985 (chapter 190 of the Revised Statutes of Ontario)

NO.	DATE	DESCRIPTION	APPLICANT	STATUS
1	1985-11-18	PLAN 34193-0018	PLANNING ACT	APPROVED

COMPILED PLAN OF PART OF THE EAST HALF OF LOT 3 CONCESSION 2, OLD SURVEY TOWNSHIP OF MELANCTHON COUNTY OF DUFFERIN

2 JANUARY 1986
THIS PLAN IS FOR AMENDATION
PLANNING ACT ONLY

APPLICANT: [Name]
PLANNING ACT ONLY

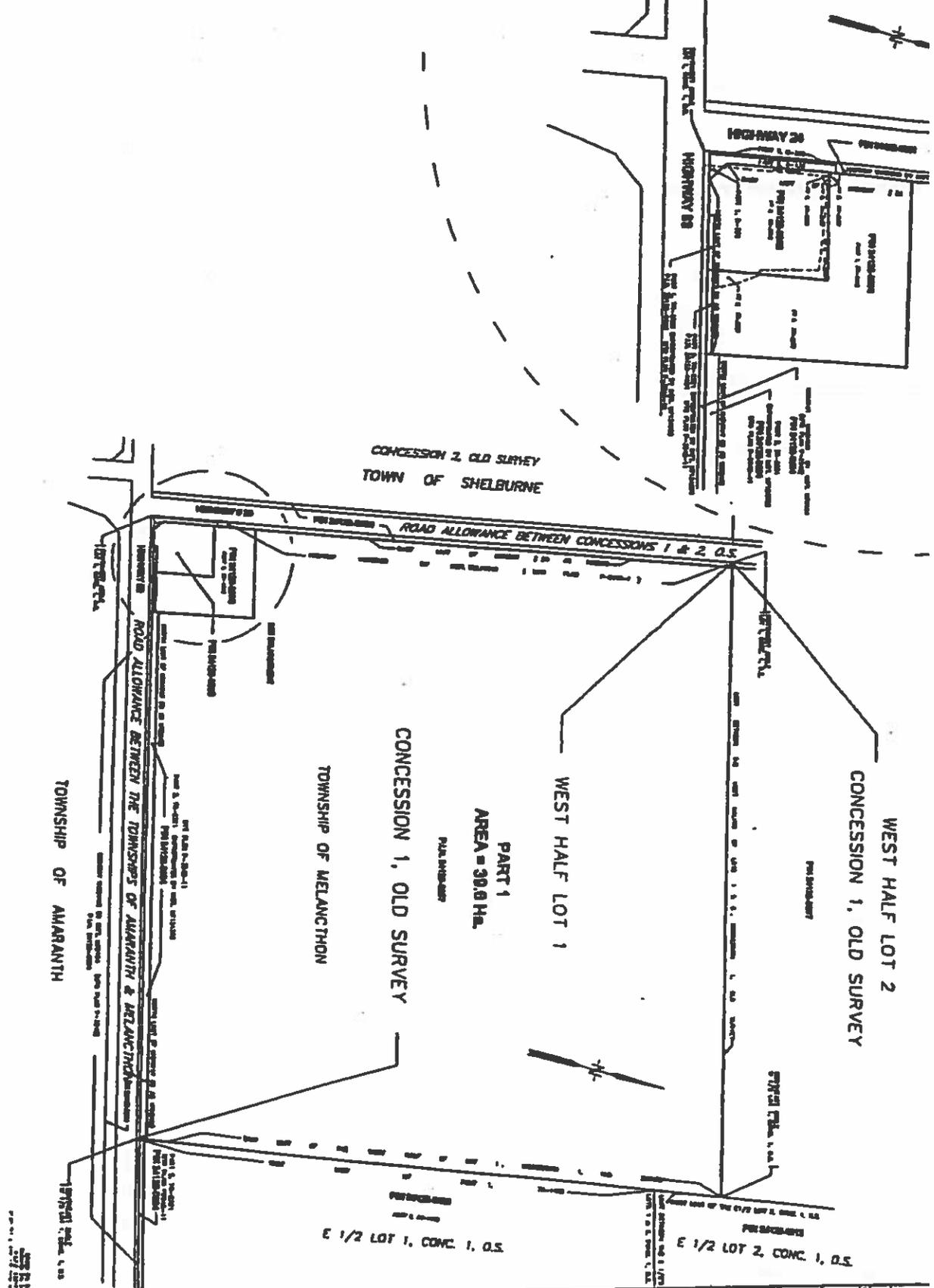
THE TOWN OF MELANCTHON
COUNTY OF DUFFERIN

APPROVED: [Signature]
DATE: [Date]

PLANNING ACT ONLY
1985 (chapter 190 of the Revised Statutes of Ontario)

2. J. WILLIAMS, ONTARIO LAND SURVEYOR
[Signature]
DATE: [Date]

PLANNING ACT ONLY
1985 (chapter 190 of the Revised Statutes of Ontario)



TOWNSHIP OF MELANCTHON	
CONCESSION 1, OLD SURVEY	
1	WEST HALF LOT 1
2	WEST HALF LOT 2
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...

COMPLETED PLAN OF PART OF THE WEST HALF OF LOT 1 CONCESSION 1, OLD SURVEY TOWNSHIP OF MELANCTHON COUNTY OF DUFFERIN

DATE: 1981

PREPARED BY: [Name]

SCALE: 1:500

DATE OF SURVEY: 1981

BY: [Signature]

FOR: [Name]

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of [Month] 1981.

Notary Public for Ontario

My Comm. Expires: [Date]

My Comm. No.: [Number]

My Comm. Issued: [Date]

My Comm. Issued At: [Location]

My Comm. Issued To: [Name]

My Comm. Issued For: [Purpose]

My Comm. Issued Under: [Regulation]

My Comm. Issued Pursuant To: [Act]

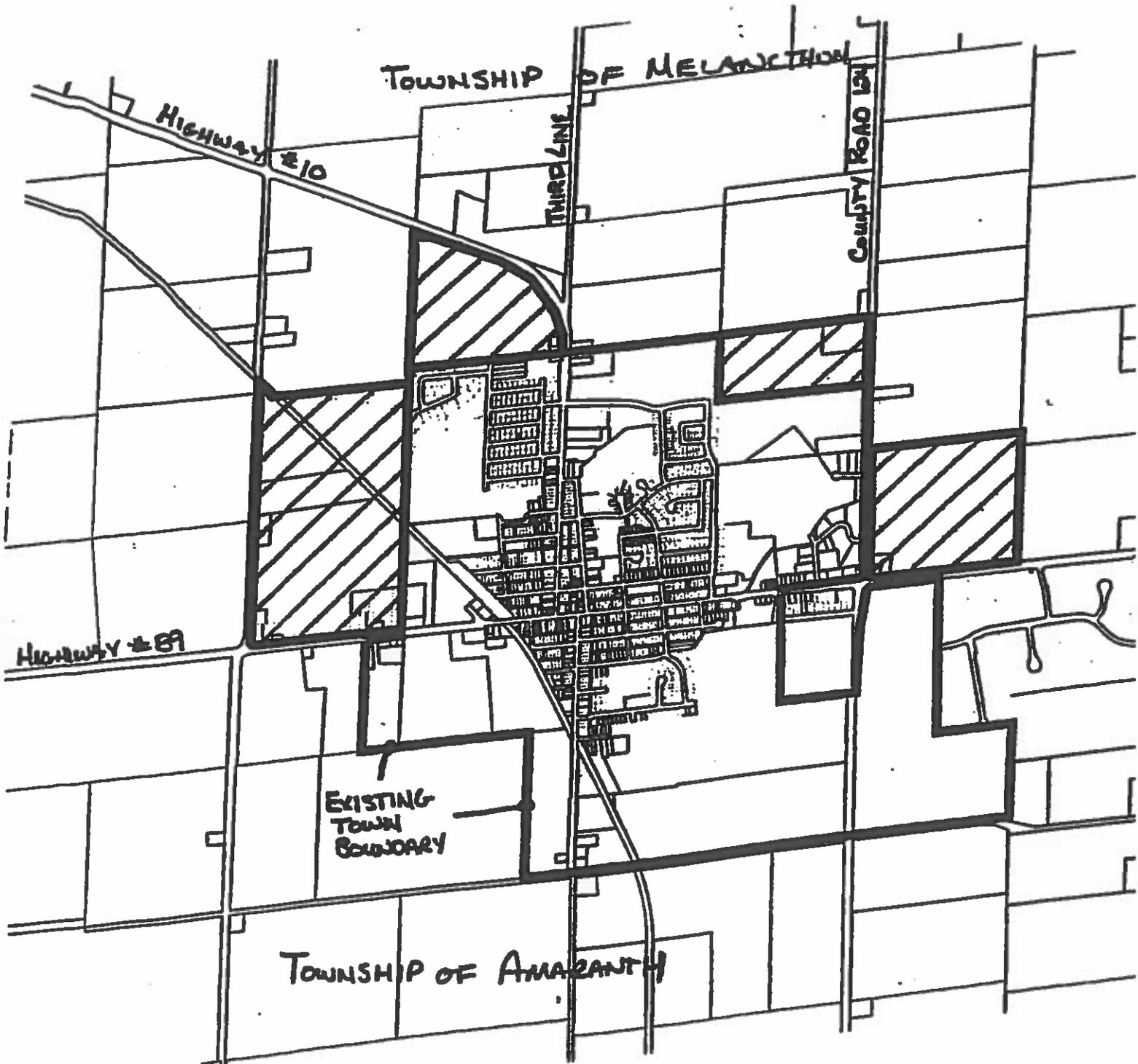
My Comm. Issued Pursuant To: [Section]

My Comm. Issued Pursuant To: [Section]

My Comm. Issued Pursuant To: [Section]

Appendix B

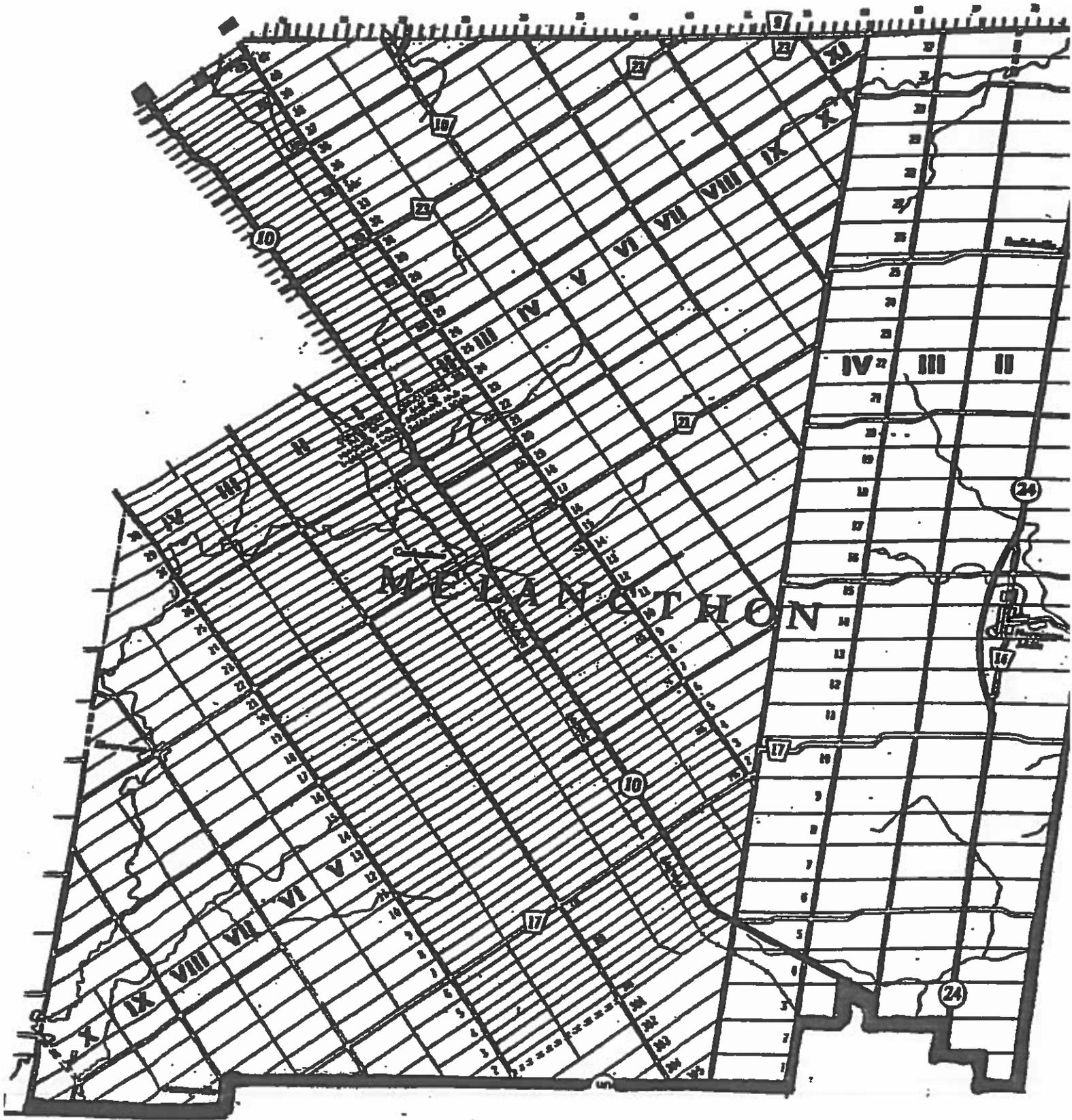
Corporation of the Town of Shelburne Boundary



 - LANDS SUBJECT TO PROPOSAL

Appendix C

Corporation of the Township of Melancthon Boundary



Appendix D

Certified Copies of Resolution in Support of Restructuring Proposal

Resolution of the Town of Shelburne

DATE: October 18, 2001

MOVED BY: Walter Benotto

SECONDED BY: Randy Chambers

Be it resolved that the Restructuring Proposal for the Corporation of the Town of Shelburne and the Township of Melancthon be amended as follows:

Page 3, Paragraph 1 – add at end - “which is estimated to be a 90/10 split Shelburne/Melancthon.”

Page 3, Paragraph 2 – add at end – “to be adjusted annually based on the C.P.I. (Consumer Price Index) as of December 31 of each year.”

And further that the Town of Shelburne now approves the restructuring proposal in its entirety.

Carried: J. Ed Crewson

Certified by: 
Joanne A. Oatman, Town Clerk

Date: October 19, 2001



TOWN OF SHELburne.

COUNCIL RESOLUTION

Date: October 15, 2001

Moved by: *[Signature]*

Seconded by: *[Signature]*

Whereas Section 25.2(2) of the Municipal Act authorizes a municipality, or local body in a locality, to make a restructuring proposal to restructure municipalities;

Now therefore be it resolved that the Town of Shelburne supports the attached restructuring proposal in its entirety.

Carried
Ed Crewson

I, Joanne A. Dufman Clerk of the Corporation of the Town of Shelburne do hereby under my Hand and Seal of the Corporation, Certify this to be a true copy of Resolution of Shelburne Council
Dated this 16 day of October, 2001
[Signature]
Signature

Recorded Vote Requested [] Yes No

	Yea	Nay
Councillor Ken Bennington	[]	[]
Councillor Tom Egan	[]	[]
Deputy-Reeve Geoff Dunlop	[]	[]
Councillor Walter Benotto	[]	[]
Councillor A.J. Cavey	[]	[]
Reeve Randy Chambers	[]	[]
Mayor Ed Crewson	[]	[]

Corporation of the Township of Melancthon

Moved by Bill Hill

Seconded by Ben Kumprey

Date Oct. 18 year 2001

Be it resolved that:

WHEREAS SECTION 25.2(2) OF THE MUNICIPAL ACT AUTHORIZES A MUNICIPALITY OR LOCAL BODY IN A LOCALITY TO MAKE A RESTRUCTURING PROPOSAL TO RESTRUCTURE MUNICIPALITIES;
NOW THEREFORE IT IS RESOLVED THAT THE TOWNSHIP OF MELANCTHON SUPPORTS THE ATTACHED RESTRUCTURING PROPOSAL IN ITS ENTIRETY AND THE REeve AND CLERK BE AUTHORIZED TO SIGN THE AGREEMENT AS AMENDED AND HERETOBY TO THE TOWN OF SHELBURNE AND TOWNSHIP OCT. 18 2001

CARRIED
Reeve Gary Meit

I, Denise B. Holmes, Clerk of the Corporation of the Township of Melancthon do hereby certify that this is a true copy of a motion passed by the Council on the 18th day of October, 2001.

Dated this 19th day of October, 2001.

Denise B. Holmes
Denise B. Holmes, AMCT



Dufferin County Council

November 8th, 2001

2001-254

Moved By:

[Handwritten signature]

Seconded By:

[Handwritten signature: Drew Brown]

"WHEREAS Section 25.2(2) of the Municipal Act authorizes a municipality or local body in a locality, to make a restructuring proposal to restructure municipalities;

NOW THEREFORE BE IT RESOLVED, that the County of Dufferin supports the restructuring proposal for the Corporations of the Town of Shelburne, and the Township of Melancthon in its entirety in accordance with the attached proposal."

[Handwritten signature: Daniel John E. Halman]

I, *Jim Hillock* Deputy Clerk of the Corporation of the County of Dufferin do hereby, under my Hand and Seal of the Corporation, Certify that this is a true copy of Motion No. *2001-254* passed in open Council on *Nov 8/01*

Dated this *30th* day of *NOV. 2001*

[Handwritten signature: Jim Hillock]
Deputy County Clerk

Appendix E

Example of Boundary Road Capital Improvement Cost Sharing Plan

SHELBURNE ANNEXATION

BOUNDARY ROAD COST SHARING CONSIDERATIONS

The following are generalized calculations for Council's considerations with regard to forming a basis for an intermunicipal agreement on the sharing of capital costs on the boundary road in the Shelburne annexation proposal.

1. Size of area to be annexed abutting the boundary road 200± acres
2. Assumed area to be developed residentially (75%) 150± acres
3. Approximate number of residences (at 5 units per acre) 750
4. Trips per day per residential unit (Institute of Traffic Engineers) 10
5. Trips per day from annexed area (750 x 10) 7,500
6. Trips per day on boundary road (assume 50/50 split) 3,750
7. Current trips per day on boundary road 260
8. Percentage distribution urban/rural trips 93.5/6.5

It is acknowledged that this analysis is comparing current rural trips with future trips from a fully developed urban area. However, in view of the restrictive planning policies in the rural area there is little likelihood of significant increase in rural generated trips on this boundary road. Also, a cost sharing arrangement based on, perhaps, a 90/10 Shelburne/Melancthon split would include a reasonable provision for some limited increase in rural generated traffic. It should also be noted that this very generalized analysis does not take into consideration the possibility of any future commercial or industrial uses being developed in this portion of the annexed lands.


G. W. Jorden, MCIP, RPP