

**IN THE MATTER OF THE** "*Municipal Government Act*" (the "Act").

**AND IN THE MATTER OF** an application by the City of Camrose (the "City") to annex certain adjacent territory from the County of Camrose (the "County").

**BEFORE THE MUNICIPAL GOVERNMENT BOARD (the "MGB"):**

Members

L. Lundgren, Presiding Officer  
W. Morgan, Member  
A. Holland, Member

Secretariat Advisor

D. Hawthorne

**PROPOSAL**

The City is proposing an annexation of approximately 1,335 acres of territory from the County. There are six distinct areas involved in the proposal, generally described as follows:

Area A - comprises 160 acres on the northwest side of the City. This area is intended to allow for residential development. The adjacent land in the City is currently developed with residential land use.

Area B - comprises 320 acres on the west side of the City. The City requires this land in order to provide for the future development of a combination of Highway Commercial and medium and lower density residential land uses. This area also encompasses Highway 13 and the City requires control to create a safe, functional and attractive west entrance into the City.

Area C - comprises 350 acres on the southwest side of the City. This area is intended primarily for medium and low density residential land uses. This area will also form an integral part of the City's storm water management plan.

Area D - comprises 300 acres on the southeast side of the City. This area is intended for future industrial development.

Area E - comprises 120 acres on the east side of the City. This area is intended for Highway Commercial and Industrial lands uses in association with the significant transportation



MUNICIPAL GOVERNMENT BOARD

**BOARD ORDER: MGB 051/01**

corridor created with Highways 13 and 13A. This area will also accommodate the expansion of the Camrose Regional Exhibition grounds.

Area F - comprises 85 acres on the north side of the City. This area is required to consolidate the site and runways of the Camrose Airport. This airport is owned and operated by the City.

## **GENERAL AGREEMENT**

The City and the County have successfully negotiated an annexation agreement subject to certain conditions being imposed on the annexation Order in Council. All of the landowners involved have consented to the proposed annexation. Following the publication of an advertisement by the MGB in the local newspaper, no objections or comments were received.

## **BACKGROUND**

The City initiated the annexation process in 1996 and has met with the County, the landowners and the general public over the past five years. As a result of the meetings and negotiations, the City has revised its original proposal by eliminating those parcels of land where the County and/or the landowner object to annexation.

The purpose of this annexation application is to allow for short-term growth and to improve the management of land use for the City. A second annexation proposal is anticipated over the next year in order to accommodate future plans for the extension of the infrastructure for long-term growth.

In the past several years the City has experienced rapid growth. Since 1995, the City has sustained an average annual population growth rate of 1.3%. This persistent growth pattern has now pushed development to the present boundaries in certain areas of the City and has prompted the City to make the proposal for the following reasons:

- to provide an adequate supply of serviceable land to accommodate the short term growth requirement for residential, industrial, and highway commercial land uses;
- to provide for the orderly and logical extension of municipal utility services and infrastructure required for future growth areas; and
- to consolidate certain areas of existing uses with adjacent uses or facilities presently located within the City.

## **PLANS AND SERVICES**

The City has adopted a Municipal Development Plan identifying long term growth directions and the need for a 25 year land supply in order to justify major infrastructure servicing expenditures. The City and County are presently working together to identify those fringe areas which need to

be protected through the joint adoption of an Inter-Municipal Development Plan (the "IDP"). While the IDP has not been finalized, committees of both Councils are actively involved in identifying issues of mutual interest and policies that will help avoid intermunicipal conflict in the future.

With respect to servicing, the City has identified the areas where water, sanitary sewer, storm sewer and transportation routes will need upgrading and extension in order to accommodate the anticipated growth. The City's Municipal Development Plan also identifies the need to monitor the operation of other services such as refuse disposal, electricity, gas and telecommunication, fire protection, police protection, emergency medical services. The Municipal Development Plan also states that the provision and extension of these services will be evaluated and considered through coordination with the County.

### **PUBLIC CONSULTATION PROCESS**

Due to the relatively small number of landowners in the annexation area, the City chose to consult with the landowners on an individual basis. Several of the owners approached the City requesting that their lands be annexed. Each landowner was contacted by phone or letter and meetings were held with those owners expressing concerns. Where the landowner objected to being included in the annexation area, the lands were deleted from the application.

An open house for the landowners was held on October 2, 2000. The evening allowed the landowners to meet City Council and administration, and discuss any concerns about annexation. Two landowners attended the open house and raised no concerns. A general open house, advertised in both local newspapers, was held on October 4, 2000. Approximately 15 people attended the open house and expressed interest in the process, however no negative comments were received.

At both open houses exhibits were displayed documenting the history of annexation in Camrose, the current annexation proposal, the development of the City shown through aerial photos, a preliminary growth study, and a map showing the proposed second phase of the annexation. Numerous infrastructure studies were also available to show the expansion of facilities needed in order to accommodate urban growth.

As part of the public consultation process, Canadian National Railways (the "CNR") was asked to support the City annexing trackage in certain areas. CNR supports the proposal. Alberta Infrastructure has also given support for the necessary annexation of certain portions of Highways 13 and 13A.

## **SUMMARY OF NEGOTIATIONS WITH THE COUNTY**

### Roadway Maintenance

The City and County have come to an agreement on the long-term maintenance responsibilities for roadways around and near the City. The agreement specifies which municipality is responsible for which roadways.

### Assessment and Taxation

The City has agreed to remit to the County any tax arrears that are payable to the County as of the date of annexation.

### Treatment of Annexed Properties

The City and County have agreed that the treatment of annexed properties is an issue between the City and the affected property owners. It is the City's intention that the properties annexed into the City will be treated in the following fashion:

- The annexed lands and/or improvements on the annexed lands will continue to be assessed and taxed in the same manner and at the same mill rate as if they had remained in the County for the period ending December 31, 2005. This assessment and taxation arrangement will no longer apply if the parcel of land is to be subdivided or rezoned.
- Any existing private water systems can continue to operate after annexation.
- The City will not normally extend municipal water and sanitary sewer until such time as development occurs.
- The City will ensure that, pending urban development, agricultural operations existing at the date of annexation can continue.
- The City will permit the expansion of building required by farming operations existing at the date of annexation, subject to the receipt of the appropriate permits and other authorizations.

## **FINDINGS**

After reviewing and considering the negotiation report and annexation agreement between the City and the County and after reviewing and considering the input of the landowners and the general public, the MGB finds:

1. There is general agreement with the proposed annexation.
2. The City requires the land in order to accommodate future urban growth.

**RECOMMENDATION**

In consideration of the above, the MGB makes the following recommendations for the reasons set out below:

- (a) Effective January 1, 2001, the land described in Appendix A and shown on the sketch in Appendix B, be separated from the County of Camrose No. 22 and annexed to the City of Camrose.
- (b) Any taxes owing to the County of Camrose No. 22 at the end of December 31, 2000 in respect of the annexed lands are transferred to and become payable to the City of Camrose together with any lawful penalties and costs levied in respect of the those taxes, and the City of Camrose upon collecting those taxes, penalties or costs shall pay them to the County of Camrose No. 22, and
- (c) The assessor for the City of Camrose shall assess for the purpose of taxation in 2001, the annexed land and the assessable improvements to it.

and makes the Order in Appendix C.

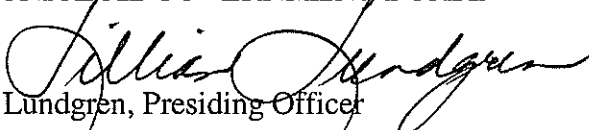
**REASONS**

The goal stated in Part 3 of the Provincial Land Use Policies is to foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments and/or other jurisdictions in addressing planning issues and in implementing plans and strategies. The City, the County, the landowners, the general public and the affected government departments have worked together in a cooperative manner to achieve agreement on all aspects of the proposed annexation.

Through its Municipal Development Plan and its growth studies, the City has identified the most efficient and effective directions for growth, including the location of future land uses and the infrastructure necessary to serve future growth. The MGB is satisfied that the City's annexation plans have been carefully considered and are in keeping with normal growth strategies for municipalities in Alberta.

Dated at the City of Edmonton, in the Province of Alberta, this 26th day of April 2001.

MUNICIPAL GOVERNMENT BOARD

  
L. Lundgren, Presiding Officer

**APPENDIX "A"**

**DETAILED DESCRIPTION OF THE LANDS RECOMMENDED FOR SEPARATION  
FROM THE COUNTY OF CAMROSE AND ANNEXED TO THE CITY OF CAMROSE**

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION FOUR (4),  
TOWNSHIP FORTY-SEVEN (47), RANGE TWENTY (20) WEST OF THE FOURTH  
MERIDIAN, WHICH LIES NORTH OF RAILWAY PLAN C & E NO. 10;

LOT 1, PLAN 832 2618;

LOT 2, PLAN 832 2618;

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION FOUR (4),  
TOWNSHIP FORTY-SEVEN (47), RANGE TWENTY (20), WEST OF THE FOURTH  
MERIDIAN WHICH LIES SOUTH OF RAILWAY PLAN C & E NO. 10;

THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-SIX  
(46), RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN.

LOT 1, PLAN 902 3334

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE  
(29), TOWNSHIP FORTY-SIX (46), RANGE TWENTY (20), WEST OF THE FOURTH  
MERIDIAN WHICH LIES EAST OF THE NORTH EAST LIMIT OF RAILWAY PLAN 3978Z  
AND THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION TWENTY-NINE  
(29), TOWNSHIP FORTY SIX (46), RANGE TWENTY (20), WEST OF THE FOURTH  
MERIDIAN WHICH LIES EAST OF THE NORTH EAST LIMIT OF RAILWAY PLAN 3978  
Z;

THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP FORTY-  
SIX, RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN;

LOT 1, PLAN 792 1199;

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION TWENTY-SIX (26),  
TOWNSHIP FORTY-SIX (46), RANGE TWENTY (20), WEST OF THE FOURTH  
MERIDIAN THAT PRESENTLY LIES OUTSIDE THE BOUNDARIES OF THE CITY OF  
CAMROSE;

THE NORTHEAST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FORTY-SIX (46), RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN;

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP FORTY-SIX (46), RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH OF THE SOUTH BOUNDARY OF THE ROAD RIGHT-OF-WAY OF HIGHWAY 13;

THAT PORTION OF THE NORTH HALF OF SECTION ELEVEN (11), TOWNSHIP FORTY-SEVEN (47), RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN AS DESCRIBED LEGALLY IN CERTIFICATES OF TITLE 762-160-396 AND 762-160-397 AS AT TITLE SEARCH DATE 18/05/2000;

CERTAIN ROADWAYS LYING WITHIN RANGE TWENTY (20), WEST OF THE FOURTH MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LYING EAST OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP FORTY-SIX (46);

LYING EAST OF THE NORTHEAST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FORTY-SIX (46);

LYING WEST OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP FORTY-SIX (46);

LYING EAST OF THE NORTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP FORTY-SIX (46);

LYING EAST OF THE SOUTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP FORTY-SIX (46);

LYING SOUTH OF THE SOUTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP FORTY-SIX (46);

LYING SOUTH OF THE SOUTHWEST QUARTER OF SECTION FOUR (04), TOWNSHIP FORTY-SEVEN (47);

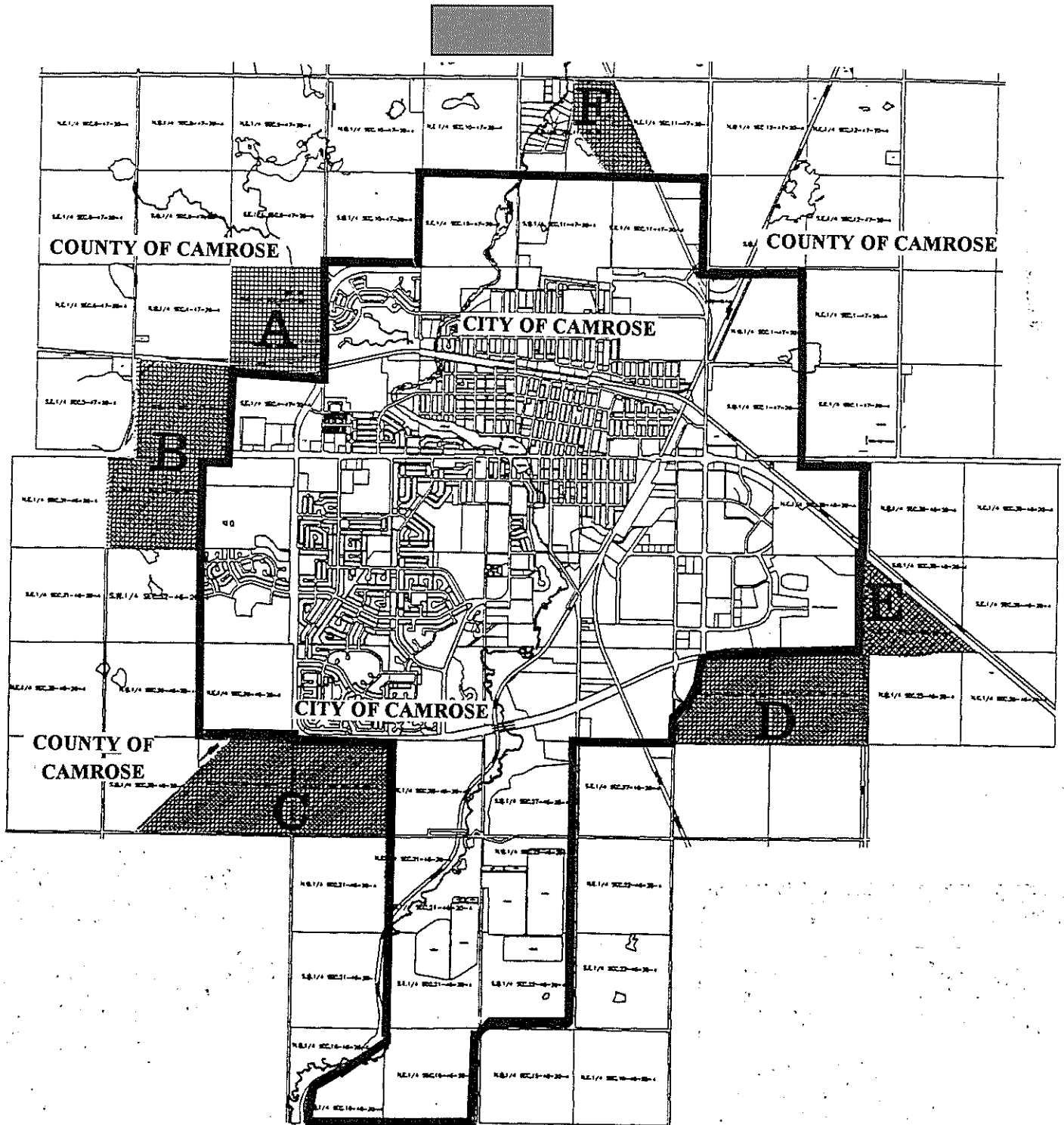
LYING SOUTH OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP FORTY-SIX;

LYING SOUTH OF THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP FORTY-SIX (46);

ALL OTHER INTERVENING ROADWAYS, RAILWAYS AND UTILITY RIGHTS-OF-WAY BETWEEN THE ANNEXATION AREAS AND BETWEEN THE ANNEXATION AREAS AND THE PRESENT BOUNDARIES OF THE CITY OF CAMROSE.



**APPENDIX B**  
**A SKETCH SHOWING THE GENERAL LOCATION OF AREAS**  
**ANNEXED TO THE CITY OF CAMROSE**  
**AFFECTED AREA**



**APPENDIX C**

**ORDER**

1. In this Order "annexed land" means the land described in Appendix A and shown on the sketch in Appendix B.
2. For taxation purposes in 2001 and later years up to and including 2005, the annexed land and the assessable improvements to it must
  - (a) be assessed by the City of Camrose on the same basis as if they had remained in County of Camrose No. 22, and
  - (b) be taxed by the City of Camrose in respect of each assessment class that applies to the annexed land and the assessable improvement to it using the tax rate established by County of Camrose No. 22.
3. Section 2 ceases to apply to a portion of the annexed land and the assessable improvement to it in the taxation year immediately following the taxation year in which
  - (a) the portion becomes a new parcel of land created as a result of subdivision or separation of title by registered plan of subdivision or by instrument or any other method that occurs at the request of, or on behalf of, the landowner,
  - (b) the portion becomes a residual portion after a new parcel referred to in clause (a) has been created and the residual portion is 3 acres or less, or
  - (c) the portion is, at the request of, or on behalf of, the landowner, redesignated by an amendment to the City of Camrose Land Use Bylaw
4. After section 2 ceases to apply to a portion of the annexed land in a taxation year, the portion of the annexed land and the assessable improvements to it must be assessed and taxed for the purposes of property taxes in that year on the same basis as the assessment and taxation of property of the same assessment class in the City of Camrose.