

ANNEXATION APPLICATION SUMMARY

EXECUTIVE SUMMARY

This report supports the City of Edmonton's ("the City") Annexation Application for land under the jurisdiction of Sturgeon County ("the County"), as defined in the City's September 2014 Notice of Intent to Annex. The annexation area encompasses 16 hectares located north of the Transportation Utility Corridor ("TUC") where the Anthony Henday Drive¹ and 66 Street NW interchange is located.

This annexation is uncontested by Sturgeon County as the two municipalities reached an Annexation Agreement in June of 2018.² The terms of annexation are straightforward given the minor nature of the proposal, with continued commitment to collaborate on matters along our shared boundary. The City is the sole landowner of the proposed annexation area; therefore no landowner opposition to the annexation will emerge.

The City's Annexation Application is comprised of the following documents and information, which are summarized in the body of this report:

1. Legal description of the proposed annexation area, including boundary roads
2. Compliance with governing legislation and annexation principles
3. Alignment with relevant statutory and non-statutory plans and bylaws
4. Land inventory summary of the proposed annexation area
5. Information on the proposed land uses and supporting infrastructure
6. A financial impact assessment with respect to impacts on the City and Sturgeon County
7. Summary of the City's public consultation process
8. Details from the City's negotiations and supporting discussions with Sturgeon County
9. Details on the City's transition plan for taxes, land use and development, and services
10. List of agreed upon conditions for annexation

¹ Note: Anthony Henday Drive (Highway 216) represents the roadway itself. The Transportation Utility Corridor represents the entire right of way owned by the Province of Alberta (Alberta Infrastructure). The two terms may be used interchangeably throughout this report.

² *Appendix B.ii: City of Edmonton - Sturgeon County Annexation Agreement*

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The City respectfully requests that the Municipal Government Board (“MGB”) recommend to the Lieutenant Governor in Council that this Annexation Application be accepted in its entirety for the reasons set out within this report and supporting documents.

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APPENDICES

- A. Notice of Intent (September 2014)**
- B. Negotiation Documents**
 - i. Certificate on the Report on Negotiations Between the City of Edmonton and Sturgeon County
 - ii. City of Edmonton - Sturgeon County Annexation Agreement
 - iii. Council Motions
 - iv. Correspondences between City of Edmonton and Sturgeon County
- C. Public Engagement Documents**
 - i. Notification Letters
 - ii. Open House Materials
 - iii. Advertisements
 - iv. Responses from Authorities and Key Stakeholders
- D. Land Titles and Supporting Documents**
 - i. Land Titles
 - ii. Caveats
 - iii. Sales Agreement
 - iv. Memorandum of Understanding between Alberta Transportation and City of Edmonton
- E. Statutory Plans (excerpts)**
 - i. Edmonton Metropolitan Region Growth Plan
 - ii. City of Edmonton Municipal Development Plan (The Way We Grow)
 - iii. Sturgeon County Municipal Development Plan
 - iv. Edmonton Energy and Technology Park Area Structure Plan
- F. Bylaws and Regulations**
 - i. Edmonton Garrison Heliport Zoning Regulations
 - ii. City of Edmonton Zoning Bylaw 12800
 - iii. Sturgeon County Land Use Bylaw 1385/17
 - iv. City of Edmonton Arterial Roads for Development Bylaw 14380
- G. City of St. Albert v. Sturgeon County Board Order No. MGB 123/06**
- H. Approved Subdivisions**

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1. INTRODUCTION

Edmonton is Alberta's capital city and the core municipality of the Edmonton Metropolitan Region. Edmonton is a growing city both in terms of residential and non-residential growth. The proposed annexation supports several strategic goals within the City's Municipal Development Plan, *The Way We Grow*, which include Sustainable Urban Form, Supporting Prosperity and Working Within Our Region.³ The proposed annexation facilitates industrial growth opportunities within the southwest portion of the Edmonton Energy and Technology Park, which is the Edmonton's largest undeveloped area for future industrial development and forms part of the Alberta Industrial Heartland, which spans five municipalities.⁴

The City of Edmonton and Sturgeon County have reached an agreement for the entire proposed annexation area, currently under the County's jurisdiction (16 hectares). Further, both parties commit to continue collaborating on boundary related issues.⁵

³ *Appendix E.ii: The Way We Grow*, p. 8

⁴ *Appendix E.iv: Edmonton Energy and Technology Park Area Structure Plan*, p. 7

⁵ *Appendix B.ii: City of Edmonton - Sturgeon County Annexation Agreement*

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2. PURPOSE

The City's Annexation Application is submitted to the MGB pursuant to the annexation provisions of the *Municipal Government Act*, RSA 2000, c M-26 (the "MGA" or the "Act").

2.1. Compliance with Relevant Provisions of the MGA

The City has fully complied with Sections 116-119 of the MGA in preparing and advancing the Annexation Application, as set out in this report.

2.2. MGB Bulletins

MGB Annexation Bulletin No. 1 - Annexation Conditions Relating to Assessment and Taxation (October 1, 2005)

The assessment and tax transition is not applicable in this circumstance because the City owns all the land within the proposed annexation.

MGB Annexation Bulletin No. 2 - Annexation Crossing Primary (Provincial) Highways (May 20, 2008)

The proposed annexation does not include any Provincial highways. Highway 216 (Anthony Henday Drive) is adjacent to the proposed annexation and is currently within the City's jurisdiction.

2.3. Compliance with the MGB Principles of Annexation

As a result of the negotiations which culminated in the Annexation Agreement between the City and the County on June 18, 2018 ("Annexation Agreement"),⁶ both of the municipalities have complied with every principle of annexation.⁷

The principles and their application are described in detail below.

⁶ Appendix B.ii: City of Edmonton - Sturgeon County Annexation Agreement

⁷ Appendix G: City of St. Albert v. Sturgeon County Board Order No. MGB 123/06

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- 1. Annexations that provide for intermunicipal cooperation will be given considerable weight. Cooperative intermunicipal policies in an intermunicipal development plan will be given careful consideration, weight and support so long as they do not conflict with Provincial policies or interests.**

Even though the City of Edmonton and the County do not have an approved intermunicipal development plan, the two municipalities have been working cooperatively on boundary related matters in support of this annexation such as the alignment of 66 Street from Anthony Henday Drive to Highway 37, and permitting the City to purchase lands within the County's jurisdiction. There is commitment on both sides to continue dialogue addressing boundary related issues when necessary.

- 2. Accommodation of growth by all municipalities (urban or rural) must be accomplished without encumbering the initiating municipality and the responding municipality's ability to achieve rational growth directions, cost effective utilization of resources, fiscal accountability and the attainment of the purposes of a municipality described in the Act.**

The proposed annexation is very small and is not located near any of the County's growth nodes. This application will accommodate logical access to the City's adjacent industrial area without causing any detrimental impacts on the County.

- 3. An annexation or annexation conditions should not infringe on the local autonomy given to the municipalities in the Act unless provisions of the Act have been breached or the public interest and individual rights have been unnecessarily impacted.**

The proposed annexation will not infringe on the local autonomy of either municipality under the *MGA*.

- 4. An annexation must be supported by growth projections, availability of lands within current boundaries, consideration of reasonable development densities, accommodation of a variety of land uses and reasonable growth options within each municipality (initiating and responding municipality).**

Not applicable.

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The purpose of proposed annexation is to provide roadway access for developments within the Edmonton Energy and Technology Park. The annexation lands are restricted from development pursuant to the Edmonton Garrison Heliport Zoning Regulations⁸ and the Restrictive Covenant Agreement between the Government of Canada and Province of Alberta.⁹

5. An annexation must achieve a logical extension of growth patterns, transportation and infrastructure servicing for the affected municipalities.

The proposed annexation supports a logical transportation network to enable industrial development within the southwest corner of the Edmonton and Energy Technology Park.

6. Each annexation must illustrate a cost effective, efficient and coordinated approach to the administration of services.

As the landowner of the proposed annexation, the City has already assumed responsibility for maintaining 66 Street and surrounding lands.

7. Annexations that demonstrate sensitivity and respect for key environmental and natural features will be regarded as meeting provincial land use policies.

The City undertook an inventory analysis of the proposed annexation using aerial imagery from 2009 to 2017, LIDAR imagery from 2013 and a visit to the site.

Prior to construction of Anthony Henday Drive and 66 Street (2013), the lands were used for agricultural purposes under ownership by the Department of National Defence. There were some ephemeral drainage courses running through the area, but no indication of permanent water bodies.

Since 2013/2014, disturbances caused by the construction of 66 Street to the west and the grading of private property abutting the annexation area to the east, has led to the creation of at least two wetlands/water bodies. The larger one is located

⁸ *Appendix F.i:* Edmonton Garrison Heliport Zoning Regulations

⁹ *Appendix D.ii:* Caveat 142168137 - Restrictive Covenant Agreement between Her Majesty the Queen in Right of Canada and Her Majesty the Queen in Right of Alberta

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east of 66 Street approximately halfway between the southern annexation boundary and Valour Avenue¹⁰ and located where a future collector road will be constructed linking 66 Street with future industrial development.

The long term future of the wetlands has yet to be determined, however, the City will work with Alberta Environment and Parks to obtain the necessary approvals under the *Water Act* should any wetlands need to be removed to accommodate local development.

See Section 5 for the complete Land Inventory Assessment.

- 8. Coordination and cost effective use of resources will be demonstrated when annexations are aligned with and supported by intermunicipal development plans, municipal development plans, economic development plans, transportation and utility servicing and other related infrastructure plans.**

The primary objective of the proposed annexation is to facilitate and accommodate economic growth and business employment development, which aligns with the objectives and intent of the *Edmonton Metropolitan Region Growth Plan* on Policy Area 1: Economic Competitiveness and Employment, and the City's municipal development plan, *The Way We Grow* on prosperity and intermunicipal planning.

The proposed annexation is outside of *Edmonton Energy and Technology Park Area Structure Plan's* ("ASP") plan area, but the ASP does include the annexation area when illustrating the arterial road network that serves the southwest portion of the plan area. The ASP acts as the defacto infrastructure plan for the annexation.

The proposed annexation does not interfere with the County's growth intentions, as per the *Sturgeon County Municipal Development Plan*, which identifies the area as alternative jurisdiction because the lands were owned by the Department of National Defence when the plan was developed in 2014.

Section 4 provides a complete summary of how the proposed annexation complies with relevant statutory plans.

¹⁰ Note: Valour Avenue (Township Road 542) and 195 Avenue NW are the same east-west roadway, Valour Avenue is within the County's jurisdiction while 195 Avenue NW is within the City's jurisdiction.

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9. Annexation proposals fully consider the financial impact on the initiating and responding municipality.

A simple Financial Impact Assessment (Section 7) was prepared by the City studying the financial impacts on the City and the County. The assessment concluded that the annexation will have no discernible impact to the County's finances and the impact to the City is minimal since, as the landowner, the capital and operating costs to manage these lands are already budgeted.

10. Inter-agency consultation, coordination and cooperation is demonstrated when annexations proposals fully consider the impacts on other institutions providing services to the area.

The City notified and sought input from affected organizations and institutions. All known concerns have been addressed.

11. Annexation proposals that develop reasonable solutions to impacts on property owners and citizens with certainty and specific time horizons will be given careful consideration and weight.

Not applicable.

The City is the sole landowner of the proposed annexation area, and therefore, any long-term tax protection, or other mitigations, are not necessary. The City is already maintaining the local roadway infrastructure (66 Street).

12. Annexation proposals must be based on effective public consultation both prior to and during any annexation hearing or proceedings.

The City has engaged in a public consultation process with the general public and affected stakeholders as appropriate for this annexation proposal. A report of the public consultation process and outcomes can be found in Section 9.

13. Revenue sharing may be warranted when the annexation proposal involves existing or future special properties that generate substantive and unique costs to the impacted municipality(s) as part of the annexation or as an alternative to annexation.

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No revenue sharing is contemplated in the Annexation Agreement between the County and the City as there are no unique or special properties that will generate substantive costs or revenues in the annexation area.

14. Annexation proposals must not simply be a tax initiative. Each annexation proposal must have consideration of the full scope of costs and revenues related to the affected municipalities. The financial status of the initiating or the responding municipality(s) cannot be affected to such an extent that one or the other is unable to reasonably achieve the purposes of a municipality as outlined in Section 3 of the Act. The financial impact should be reasonable and be able to be mitigated through reasonable conditions of annexation.

This annexation proposal is not a tax initiative as no property tax related revenues will be generated from lands for which the City is already the owner. As noted in the response to Annexation Principle 9, the financial impacts to both the City and the County are minimal.

15. Conditions of annexation must be certain, unambiguous, enforceable and be time specific.

The proposed annexation conditions are set out at Section 11 and meet the requirements of this principle.

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3. ANNEXATION AREA

The City of Edmonton has applied to the MGB to annex approximately 16 hectares from Sturgeon County located north/northeast of the Anthony Henday Drive and 66 Street interchange. The proposed annexation consists of three titled parcels, two of which make up 66 Street NW between the Transportation and Utility Corridor and Valour Avenue. These parcels were originally subdivided from quarter section NW11-54-24-4. Legal descriptions of the three titles are:

- Plan 1121688, Area “A”;
- Plan 1123582, Area “B”; and
- Plan 1322333, Area “C”.

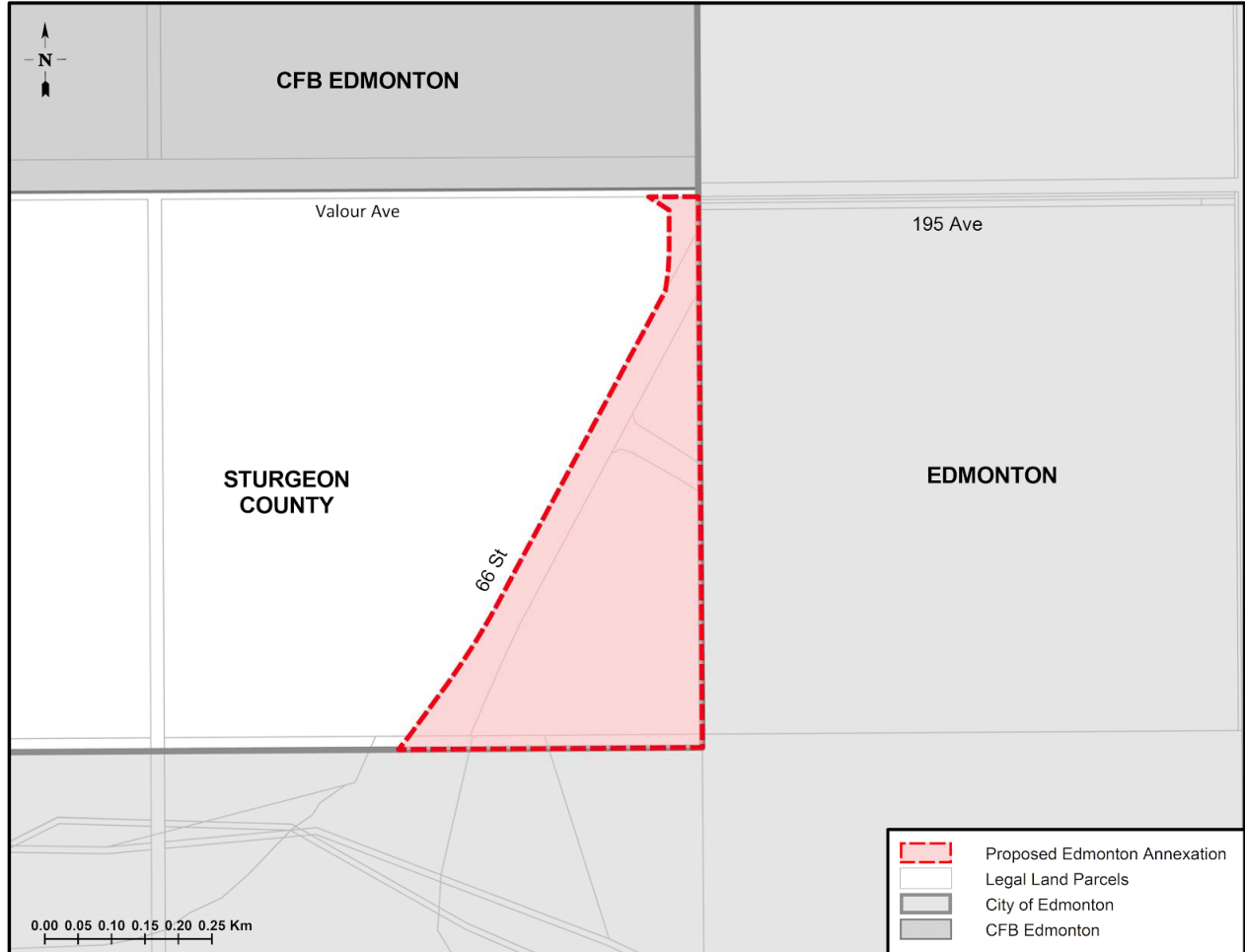
Land Title Certificates and associated caveats can be found in Appendices D.i through D.ii.

The area is bounded by the Transportation and Utility Corridor to the south, land owned by the Department of National Defence to the west, Valour Avenue to the north and privately owned in Edmonton to the east. The annexation does not include Valour Avenue.

Map 1 shows the proposed annexation area with the legal land parcels. Map 2 highlights the road (66 Street NW) that is included in the proposed annexation.

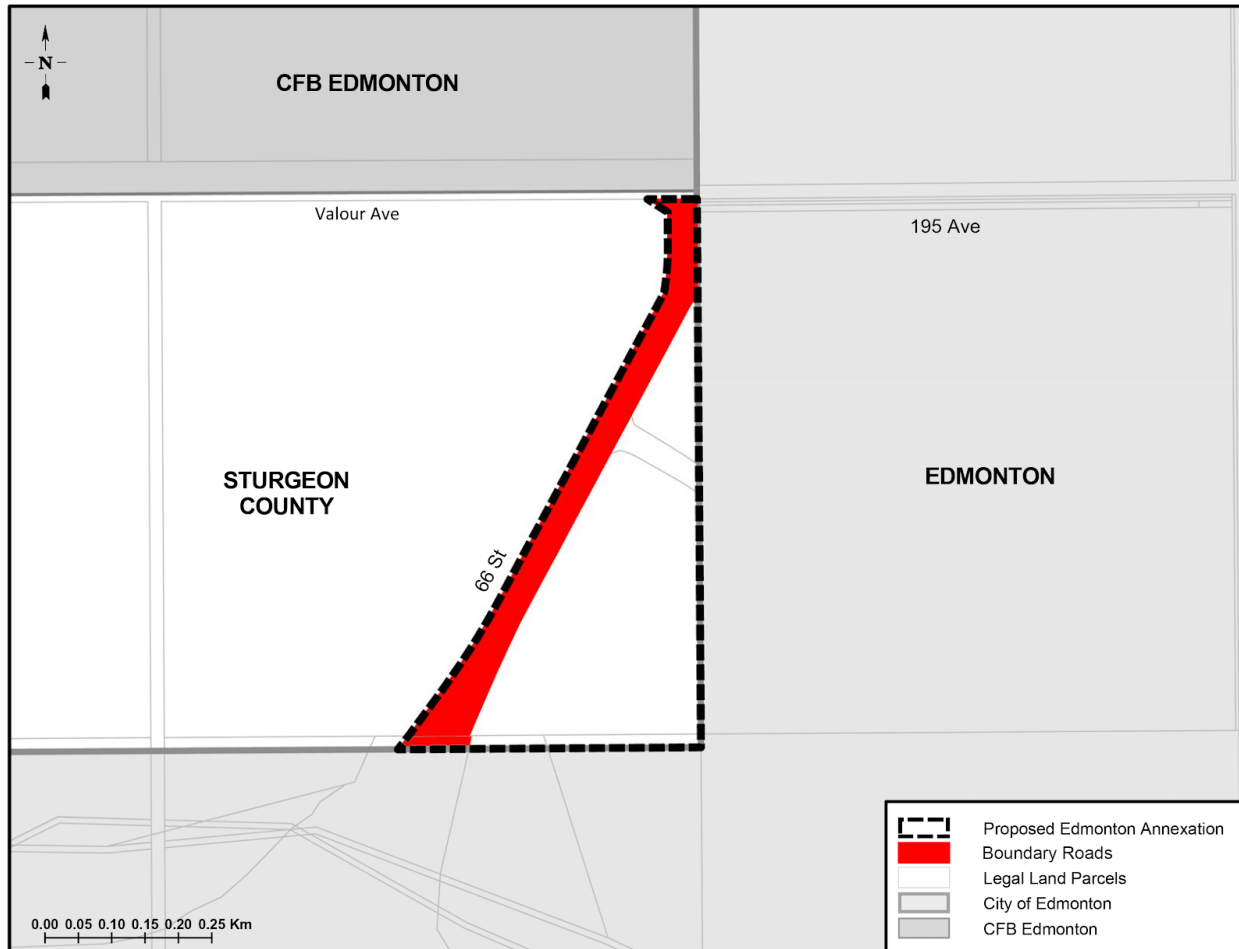
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Map 1: Proposed Annexation Area



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Map 2: Proposed Annexation Area with Boundary Roads Identified



3.1. Annexation Area Landowner Information

All three properties are owned by the City of Edmonton as of November 21, 2017. Copies of the Land Title Certificates, along with applicable caveats and restrictive covenants, can be found in Appendix D.

After conducting an online search using Service Alberta’s Alberta Land Titles Spatial Information System (SPIN 2), it was determined there are no subsurface owners attached to the three properties within the proposed annexation.

4. RELEVANT STATUTORY AND NON-STATUTORY PLANS AND BYLAWS

The annexation area is currently occupied by agricultural and country residential uses. All statutory and non-statutory plans and bylaws relevant to the annexation area are detailed below. Excerpts of the plans and bylaws are attached in Appendix E.

4.1. Edmonton Metropolitan Region Growth Plan

The *Edmonton Metropolitan Region Growth Plan* was approved by the Provincial Government in October 2017.¹¹

The Edmonton Metropolitan Region Growth Plan (the Growth Plan) is structured into three tiers: Metropolitan Core, Metropolitan Area and Rural Area tiers. The proposed annexation area straddles the boundary between the Metropolitan Area and Rural Area tiers (see Schedule 2 of Growth Plan). The primary objective of the annexation aligns with the description of the Metropolitan Area tier, which includes:

- “Contiguous urban settlement pattern” and “Major employment areas...” under the Description of Table 1B; and
- “Support employment growth in major employment areas...” under the Growth Directions of Table 1B.¹²

The proposed annexation also aligns with the Growth Plan’s Policy Area 1: Economic Competitiveness and Employment, specifically the policies identified under “Objective 1.2: Promote job growth and the competitiveness of the Region’s employment base.” The annexation area is adjacent to a major employment area, Edmonton Energy and Technology Park, as illustrated in Schedule 3A: Major Employment Areas.¹³

¹¹ Appendix E.i: Edmonton Metropolitan Region Growth Plan

¹² Appendix E.i: Edmonton Metropolitan Region Growth Plan, p. 22-27

¹³ Appendix E.i: Edmonton Metropolitan Region Growth Plan, p. 32-34, 36-37

4.2. Municipal Development Plans

City of Edmonton MDP

Municipally, the proposed annexation is supported by the policies within the City's municipal development plan, *The Way We Grow*, Chapter 6: Prosperity. Those policies include:

- Policy 6.3.1.4: Undertake and facilitate development for industrial areas to ensure development opportunities are continually available; and
- Policy 6.3.1.7: Build infrastructure and provide services to support land development, goods movement and ongoing business operations.¹⁴

The process undertaken to annex these lands from the County are in compliance with *The Way We Grow's* policies on Section 8.2 Intermunicipal Planning which include, but are not limited to:

- Policy 8.2.1.1: Build and maintain open and effective channels of communication with our intermunicipal planning partners at political and administrative levels;
- Policy 8.2.1.2: Nurture cooperative and collaborative relationships for resolving issues that acknowledge the shared destiny of our neighbours; and
- Policy 8.2.2.1: Establish effective relationships with our intermunicipal planning partners municipally (Sturgeon County) and non-municipal neighbours (CFB Edmonton).¹⁵

Sturgeon County MDP

The proposed annexation does not negatively impact the County's growth intentions, as per the *Sturgeon County Municipal Development Plan*, which identifies the area as alternative jurisdiction because the lands were owned by the Department of National Defence when the plan was developed in 2014.¹⁶

¹⁴ Appendix E.ii: *The Way We Grow*, p. 58

¹⁵ Appendix E.ii: *The Way We Grow*, p. 82-83

¹⁶ Appendix E.iii: *Sturgeon County Municipal Development Plan*, Map 12: Neighbourhood G - Context Map, p. 110. Proposed annexation area is located in the far southeast corner of the area designated as Other Jurisdiction (CFB Edmonton).

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4.3. Area Structure Plans

Edmonton Energy and Technology Park Area Structure Plan

The proposed annexation is outside of *Edmonton Energy and Technology Park Area Structure Plan's* (the ASP) plan area, but the ASP does include the annexation area when illustrating the arterial road network that serves the southwest portion of the plan area. Figure 14: Arterial Road Network map includes the portion of 66 Street NW from Anthony Henday Drive through the annexation area to 195 Avenue NW. The map does show 66 Street's alignment shift eastward just south of 195 Avenue NW as it follows a northeasterly direction until it aligns with the current 50 Street NW road right-of-way alignment.¹⁷

The ASP acts as the defacto infrastructure plan for the annexation. It is intended that the proposed annexation area will eventually be incorporated into the ASP's plan area through a future plan amendment.

Sturgeon County Area Structure Plans in effect

The County has no area structure plans that include the proposed annexation area.

4.4. Zoning and Land Use Bylaws

Sturgeon County Land Use Bylaw

Sturgeon County's *Land Use Bylaw 1385-17* was adopted by Council on July 10, 2017. Under that bylaw, the proposed annexation area is currently zoned AJ - Alternative Jurisdiction District because the lands were owned by the Department of National Defence when the land use designation was placed on this area.¹⁸

The General Purpose of the AJ District is to provide for lands that do not require a development permit when falling under the jurisdiction of federal or provincial jurisdiction. Given that the lands are now owned by the City, the General Purpose and associated Development Regulations of this District do not align with the present

¹⁷ *Appendix E.iv*: Edmonton Energy and Technology Park Area Structure Plan, p. 69-70, 75.

¹⁸ *Appendix F.iii*: Sturgeon County Land Use Bylaw 1385/17, AJ District, p. 125 and Schedule 1 - Land Use District Map, p. 175.

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situation. Assuming the annexation application is supported by Provincial Cabinet, the lands will eventually be rezoned to an appropriate zone under the City's Zoning Bylaw 12800 to accommodate future intended use(s) on the site. Otherwise, the City would eventually file for a rezoning application with the County to a district appropriate for future intended use(s) for the land, which have not yet been determined.

City of Edmonton Zoning Bylaw 12800

City of Edmonton's *Zoning Bylaw 12800* includes an (AJ) Alternative Jurisdiction Zone that serves the same General Purpose as Sturgeon County's *Land Use Bylaw's* Alternative Jurisdiction District. As noted above, the City owns the land and therefore will rezone the land for future intended uses.¹⁹

4.5. Other Applicable Bylaws and Regulations

City of Edmonton Arterial Roads for Development Bylaw 14380

City of Edmonton's *Arterial Roads for Development Bylaw 14380* regulates the collection of Arterial Roadway Assessments from surrounding developers and landowners within a specified catchment area to pay for the construction of new and upgraded arterial roadways. Schedule "Z" - Edmonton Energy and Technology Park - Catchment and Associated Roadways of Bylaw 14830, already includes the portion of 66 Street NW between the Transportation and Utility Corridor and 195 Avenue NW. This means developers within the catchment area of 66 Street NW are already required to pay their share of the costs to construct 66 Street NW to its ultimate 4-lane configuration.²⁰

Edmonton Garrison Heliport Zoning Regulations

The *Edmonton Garrison Heliport Zoning Regulations (EGHZR)* fall under the federal *Aeronautics Act* and limit the extent of development that can occur within the vicinity of CFB Edmonton. The EGHZR also includes regulations to limit bird activity near CFB Edmonton. The proposed annexation area is subject to these regulations.²¹

¹⁹ *Appendix F.ii*: City of Edmonton Zoning Bylaw 12800, Section 560 (AJ) Alternative Jurisdiction Zone

²⁰ *Appendix F.iv*: City of Edmonton Arterial Roads for Development Bylaw 14380, Schedule "Z".

²¹ *Appendix F.i*: Edmonton Garrison Heliport Zoning Regulations

5. LAND INVENTORY ASSESSMENT

The purpose of this section is to summarize the recent history of the proposed annexation area, its current state in terms of land use and natural features, and future steps outlining how the City will manage the area going forward. Given that the proposed annexation area is relatively small and uncomplicated, a high level land inventory assessment of the proposed annexation lands was performed in-house by City staff. The resources used to conduct the analysis included aerial photos from 2009 to 2017 used for the City's internal mapping system, LIDAR data from 2013, a helicopter flyover in 2015, and a site visit in June 2018.

5.1 Background

The three titled parcels that make up the proposed annexation were initially created through subdivision in 2011 and 2013 from quarter section NW11-54-24-4. These lands were owned by the Department of National Defence at that time. The lands form part of CFB Edmonton, but were used for agricultural purposes, not for any known military operations.

The 2011 aerial photo shown below was taken before construction of 66 Street NW between the Transportation and Utility Corridor (Anthony Henday Drive) and Valour Avenue was constructed. As noted above, the principal use for these lands was agriculture. Visible in the aerial photo, there are two ephemeral drainage paths running through the annexation area in a northeasterly direction. There was, and still is, a small tree stand along the eastern boundary of the annexation area.

The construction phase of 66 Street between the TUC and Valour Avenue occurred between 2011 and 2013. The land along and around future 66 Street was elevated to accommodate the road as it approached the interchange with Anthony Henday Drive to the south and the intersection with Valour Avenue/195 Avenue to the north.

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Map 3: 2011 Aerial Photo of Annexation Area



Lands abutting the annexation area to the east are owned by Walton PS Industrial Ltd.²² In 2014 and 2016, two subdivision applications were approved by the City of Edmonton Subdivision Authority to create seven industrial lots, a stormwater management facility lot and an environmental reserve lot, the latter two located on the west side of 50 Street.²³ As a condition of subdivision, a collector road between 66 Street and Walton’s land must be constructed. It appears, based on aerial photos, that these lands have been graded in preparation for future development.

²² Note: Walton PS Industrial Ltd. is one of multiple corporate entities under the Walton banner. Going forward, all entities will be referred to as “Walton” for sake of simplicity.

²³ *Appendix H: Approved Subdivisions*

5.2 Scan of Annexation Area (2018)

Disturbances from the construction of 66 Street and the grading within the Walton lands has altered the land within the proposed annexation area. The lands in between these two disturbances are lower in elevation, which has allowed water to pool that otherwise would have naturally drained away from the area in a northeasterly direction.

At least two new wetlands have formed since 2013, likely Class II ephemeral wetlands as estimated using remote sensing techniques. A small wetland immediately east of 66 Street, approximately 100 metres north of the southern annexation boundary, was detected in 2015 when the City completed a city wide remote sensing exercise for wetlands combining a depression analysis (2012 Lidar) and wetland vegetation classification (Normalized Difference Vegetation Index from 4 band imagery).



Based on annual aerial photos, a larger wetland formed in 2014 within the central portion of the annexation area and appears to have standing water with wetland vegetation and the presence of birds and frogs.

The first photo was taken from a helicopter in 2015 showing the locations of the two wetlands. The second photo, taken during the June 2018



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site visit, of the larger wetland with Walton's land in the background, which illustrates how Walton's land is elevated higher than the fence line separating the City's property with Walton's.

Exclusive of 66 Street NW, the lands within the annexation area are left in a natural state with occasional maintenance to keep the grasses from growing too high.

5.3 Implications and Recommendations

When the City approved the subdivision to allow for future industrial development east of the annexation area, there was no indication that there was or would be a new wetland in the path of a future collector road. The infrastructure to support the future intersection of 66 Street NW and future collector road is already in place. Therefore, it is highly improbable that the collector road could be relocated. Thus the wetland will need to be partially or fully filled in to accommodate the road. Assuming the collector road does need to be constructed in its planned alignment, the City will need to consult with Alberta Environment and Parks and ultimately apply for approvals to fill in the wetland under the *Water Act* before the road could be constructed.

Another factor determining the wetlands' long term future is federal regulation *Edmonton Garrison Heliport Zoning Regulations*,²⁴ which also has jurisdiction over these lands. Birds are a major concern for helicopters as they approach and leave CFB Edmonton. The annexation area is situated under the flightpath of the Base's main runway. EGHZR includes a regulation where specified environmental sensitive areas or natural significant areas cannot be improved to increase the attractiveness for birds. These wetlands were not listed in the EGHZR because they did not exist prior to the creation of said regulations. Going forward, the City will engage with representatives from CFB Edmonton to discuss the future of those wetlands in compliance with the EGHZR.

Another legal mechanism that could determine the wetlands' long term future is a Restrictive Covenant Agreement placed on the proposed annexed land titles (Caveat number 142168137).²⁵ That agreement includes a restriction on uses and activities that could attract birds and potentially create a hazard to aviation safety.

²⁴ *Appendix F.i: Edmonton Garrison Heliport Zoning Regulations*

²⁵ *Appendix D.ii: Caveat 142168137 - Restrictive Covenant Agreement between Her Majesty the Queen in Right of Canada and Her Majesty the Queen in Right of Alberta*

6. LAND USE & INFRASTRUCTURE PLANNING

6.1 Land Use Constraints

Restrictive Covenant Agreement

The *Restrictive Covenant Agreement*, dated September 20, 2013, between the Government of Canada and Province of Alberta is in effect for 999 years and registered as Caveat 142168137 for all three titles within the proposed annexation area.²⁶ The Agreement states that the purpose of these lands are for roadway infrastructure, prohibits any use that exceeds the height restrictions specified in the *Edmonton Garrison Heliport Zoning Regulations* and prohibit any use that would attract birds and create a hazard to aviation safety.

Edmonton Garrison Heliport Zoning Regulations

As previously noted in Sections 7.3 and 8.1.1, the *Edmonton Garrison Heliport Zoning Regulations* limits the height of developments and natural growth within a specified area near CFB Edmonton, prohibits uses that would increase the attractiveness for birds thus creating a safety hazard for the aviation activity.²⁷

6.2 Future Land Uses

The proposed annexation lands will primarily be used for roadway infrastructure with no current plans to develop the remaining areas. The City may re-evaluate future use opportunities if and when the *Edmonton Energy and Technology Park Area Structure Plan* is amended to include the annexation area. Converting the land from vacant to another use will be in compliance with Federal and Provincial laws and regulations and with City policies, and CFB Edmonton will be consulted before any proposed changes occur on these lands.

²⁶ *Appendix D.ii: Caveat 142168137 - Restrictive Covenant Agreement between Her Majesty the Queen in Right of Canada and Her Majesty the Queen in Right of Alberta*

²⁷ *Appendix F.i: Edmonton Garrison Heliport Zoning Regulations*

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6.3 Infrastructure Planning

At this time, only minor transportation infrastructure upgrades are planned for within the proposed annexation area. That includes the eventual widening of 66 Street NW to four lanes and realigning the road slightly to the east just south of 195 Avenue so it continues in a northeasterly direction until it aligns with 50 Street further north.

There are no plans to service the annexation area for water and wastewater since there are no planned developments within the area. Should the plans change, the area will connect with the future local water and wastewater lines east of the annexation area. The area will not connect with the regional wastewater line under Alberta Capital Region Wastewater Commission's jurisdiction just north of the annexation area along Valour Avenue/195 Avenue NW.

Stormwater infrastructure within the proposed annexation area presently consists of a drainage ditch along the west side of 66 Street NW. The stormwater flows north along 66 Street NW then east along Valour Avenue/195 Avenue NW into Edmonton. There is no commitment at this time to upgrade stormwater system in this area. The City and EPCOR will review the situation, which includes the wetlands mentioned in Section 5 - Land Inventory Assessment, then determine whether any modifications to the system are required.

7. FINANCIAL IMPACT ASSESSMENT

7.1 Background

The three titles that form the City's proposed annexation were created by subdivision in 2011 and 2013 from parent parcel NW-11-54-24-4 and subsequently transferred ownership to the Province in 2014. The lands were subsequently purchased by the City in 2017.

7.2 Financial Impacts on the City of Edmonton

Purchase of Lands

The City, as represented by the Real Estate Branch, Financial and Corporate Services, and the Province of Alberta (the Province), as represented by the Minister of Infrastructure, executed an *Agreement for Purchase and Sale* to transfer ownership of three titled parcels from the Province to the City, which account for the entire annexation area.²⁸ The Agreement was executed on October 13, 2017 and the titles were transferred over to the City on November 21, 2017. The purchase price for those lands was [REDACTED] (exclusive of GST).

Capital Investment

Prior to 2011, 66 Street NW was a rural road between 167 Avenue NW and Valour Avenue in the County. The lands north of the Transportation Utility Corridor (TUC) were owned by the Government of Canada (Department of National Defense) at the time and used for agricultural purposes. To accommodate construction of the northwest leg of the Anthony Henday, 66 Street NW (a ring road connector) was realigned to its present configuration and upgraded to a two-lane arterial. The City paid for and constructed the portion of 66 Street between the Transportation Utility Corridor and 195 Avenue NW between 2011 and 2013 at an estimated cost of \$3.3 million.

Later in 2018, the City will complete minor upgrades to the road by raising the road surface by 50 millimetres. The estimated cost to complete the work is approximately \$386,000.

²⁸ Appendix D.iii: Sales Agreement between the Province of Alberta and City of Edmonton.

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Eventually, as development intensifies within the southwest portion of the Edmonton Energy and Technology Park, there will be a need to expand and realign 66 Street to configuration illustrated in Figure 14, Arterial Road Network, within the Edmonton Energy and Technology Park Area Structure Plan²⁹ and Schedule “Z” of Bylaw 14380 Arterial Roads for Development.³⁰ Timing and cost for upgrades have not yet been determined. Upgrades will be paid for by Arterial Roadway Assessments, an off-site levy, applied to developments within the catchment area.

Operating Expenses

Even though the proposed annexation lands are within the County’s jurisdiction, the City has already assumed responsibility for maintaining 66 Street NW and surrounding lands in compliance with the July 10, 2013 letter from Sturgeon County, which states their conditions to support the City purchasing the land.³¹ General maintenance for the roadway includes, but is not limited to, street cleaning, sanding, snow removal and minor road repairs such as filling in potholes at an estimated expense of \$31,196 per year. Maintenance of the ditches next to 66 Street NW and land to the east includes mowing the grass and fields three or four times a year at approximately \$2,000 per cut plus the possibility to perform noxious weed control when necessary. The total estimated annual cost to operate and maintain the proposed annexation area is approximately \$40,000 plus potential expenses to address weed control.

Future Revenues

Pursuant to Section 362(1)(b) of the Municipal Government Act, properties held by a municipality are exempt from taxation provided the property (i) does not generate revenue which is not operated as a public benefit, or (ii) operates as a public benefit but annual revenue does not exceed annual operating costs. The lands not to be used as roadway infrastructure are currently undeveloped and projected to remain undeveloped in compliance with the 2013 Restrictive Covenant Agreement between the Government of Canada and the Province.³² Therefore, no revenues will be received by the City within the proposed annexation area.

²⁹ *Appendix E.iv*: Edmonton Energy and Technology Park Area Structure Plan, p. 75

³⁰ *Appendix F.iv*: City of Edmonton Arterial Roads for Development Bylaw 14380

³¹ *Appendix B.iv*: Letter from Sturgeon County (July 10, 2013)

³² *Appendix D.ii*: Caveat 142168137 - Restrictive Covenant Agreement between Her Majesty the Queen in Right of Canada and Her Majesty the Queen in Right of Alberta

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While the annexation area itself may not generate revenues, a successful annexation will benefit the City financially over the longer term as it allows for a logical transportation access point for industrial development to occur immediately east of the annexation area.

7.3 Financial Impacts on Sturgeon County

The proposed annexation is projected to be financially neutral for the County. The annexation area has generated no revenues from property taxes for the County since the lands have always been owned by government. All three levels of government were exempt from paying property taxes on these lands as per Sections 362(1)(a) and 362(1)(b) of the Municipal Government Act.

As previously mentioned above, the City has been the municipality that paid for construction of 66 Street NW and maintaining it since it was opened for traffic. Therefore, the County has not incurred any known capital or operational related costs within the proposed annexation lands since the titled parcels were created.

Based on the above, the proposed annexation has no discernible impact to the County's finances.

7.4 Conclusion

By the end of 2018, the City has invested approximately \$3.86 million in capital costs to purchase the proposed annexation lands, construct and upgrade 66 Street NW between the Transportation and Utility Corridor and Valour Avenue. The City is spending an additional \$40,000 annually in operating related costs to maintain 66 Street NW and surrounding lands. The proposed annexation lands will not generate any revenues for the City. The County will not lose any revenues from the annexation nor gain any savings from operating related expenses.

Given these considerations, the City proposed that no financial compensation be offered to the County, which the County accepted and is included within the terms of the Annexation Agreement.³³

³³ Appendix B.ii: City of Edmonton - Sturgeon County Annexation Agreement

8. REPORT ON NEGOTIATIONS BETWEEN THE CITY OF EDMONTON AND STURGEON COUNTY

8.1 Introduction

The following report on negotiations related to the proposed annexation by the City and the County is prepared in accordance with Sections 118 and 119 of the Municipal Government Act (the MGA).

8.2 Background

In 2011, prior to any preliminary discussion on annexation with the County, the City and Alberta Transportation (AT) signed a Memorandum of Understanding (MOU) For Land Purchases Along 66 Street from 180 Avenue to 195 Avenue with the City of Edmonton (NW11-54-24-W4M).³⁴ The to be acquired lands would accommodate the extension of 66 Street NW from the Transportation and Utility Corridor north to 195 Avenue NW (also known as Valour Avenue and Township Road 542 in the County). The purpose of this MOU was to set out the respective roles for AT and the City. AT would purchase the lands from the Government of Canada and subsequently transfer the lands to the City upon request. The land was transferred to the Province of Alberta as three separate titles on June 4, 2014.

In 2013, the City made its initial request with the County to obtain permission to acquire the land within the County's jurisdiction. Through Council Motion 271/13, the County expressed a willingness to enter into an agreement that would allow the City to take ownership of these lands provided that the following six conditions are met:³⁵

1. The City of Edmonton to provide at least one access to the orphaned land located west of the planned 66 Street;
2. The City of Edmonton to provide future engineering detailed design for the County inputs;

³⁴ *Appendix D.iv*: Memorandum of Understanding between Alberta Transportation and City of Edmonton

³⁵ *Appendix B.iv*: Correspondences between the City of Edmonton and Sturgeon County.

Note: Copies of all correspondences referenced in Section 10 of this report can be found in *Appendix B.iv*.

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3. The City of Edmonton to take full responsibility for future operation and maintenance costs;
4. The City of Edmonton to assume the responsibility of road authority;
5. The City of Edmonton to design the connection of 66 Street to 195 Avenue (TWP Rd 542) to a standard that is acceptable for both parties (City and County), including traffic signal installation; and
6. The City of Edmonton to indicate on Schedule A, the alignment of 66 Street to show Sunnyside Road (North End) connecting to the new alignment of 66 Street.

Conditions #1 through #4 were quickly agreed to by the City; Condition #5 was ultimately waived as the design and construction of 66 Street NW was already complete; and Condition #6 was addressed through updates to the Highway 37 Concept Plan and subsequent amendments to the Edmonton Energy and Technology Park Area Structure Plan. On November 22, 2016, the County's Council unanimously approved a motion providing consent for the City to acquiring the subject properties within the County's jurisdiction.

On June 26, 2014, the City made a formal request to the County to initiate the annexation process for the same lands the City is seeking to acquire. On July 8, 2014, the County's Council passed a motion authorizing their administration to initiate the annexation process with the City. On September 23, 2014, the City filed its formal Notice of Intent to Annex lands from the County to the Municipal Government Board (MGB).

8.3 Negotiations

The City and the County agreed that the two Administrations would lead discussions to develop the terms of annexation with reports to their respective Councils. Both parties agreed early in the process that negotiations on terms of annexation would be put on hold until the City took ownership of the subject lands, which was finalized on November 21, 2017.

The City re-engaged with the County in February 2018 to develop a work plan aiming toward a mid-2018 application to the MGB. The two months were spent exchanging information and updating the respective Councils.

Administration representing the City and the County had one in-person meeting on May 1, 2018 to specifically discuss annexation terms. Prior to the meeting, the City prepared

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the draft terms for discussion. All of the proposed annexation terms were agreed to at the meeting by the County with suggestive changes and additions, which were supported by the City. Emails were exchanged modifying the proposed annexation terms until both parties were satisfied.

The formal Annexation Agreement was approved by the two Administration on May 30, 2018 for the purpose of seeking Council endorsement. Both the City's Council and the County's Council had meetings on June 12, 2018 and approved the Annexation Agreement.³⁶ The Annexation Agreement was formally executed by Mayor Don Iveson and Mayor Alanna Hnatiw on June 18, 2018.³⁷

8.4 Public Consultation

The level of public consultation the City undertook was appropriate for this minor annexation. The City held two open houses (one jointly with the County), sent notifications to surrounding landowners and directly engaged with key stakeholders. No person, landowner or affect party has expressed concerns with the proposed annexation. A full summary of the City's public engagement program have been included with this annexation application in Section 11.

8.5 Signature and Certificate

Copies of this report have been sent to the County and appropriate local authorities as required in Section 119 of the MGA. Affected local authorities received the report when the complete annexation application was submitted to the MGB.

A certificate stating that this report accurately reflects the results of negotiations with respect to the annexation has been signed by the Chief Administrative Officers from the City and the County.³⁸

³⁶ *Appendix B.iii: Council Motions*

³⁷ *Appendix B.ii: City of Edmonton - Sturgeon County Annexation Agreement*

³⁸ *Appendix B.i: Certificate on the Report on Negotiations Between the City of Edmonton and Sturgeon County*

9. REPORT ON PUBLIC ENGAGEMENT

9.1 Introduction

This report summarizes the actions undertaken by the City to deliver a public engagement program in fulfillment of the *Municipal Government Act* (the MGA) requirements for an annexation process and is submitted as the Municipal Government Board's Annexation Application Checklist Item # 13: "Reference to any other relevant matter which arose during the annexation process prior to submission of the formal application" including "public consultation activities" and "public consultation summary."

The City's consultation process was undertaken to satisfy the Municipal Government Board's Annexation Principle #12: "annexation proposals must be based on effective public consultation both prior to and during any annexation hearing or proceedings."

The goal of the public consultation process was to provide stakeholders with the opportunity to learn about the City's annexation proposal, to share their views and to provide valuable feedback to inform the City's proposed annexation.

Stakeholders

The City engaged a range of stakeholders throughout the multi-year annexation project. Key stakeholders included:

- Department of National Defence (Canadian Forces Base (CFB) Edmonton)
- Landowners adjacent to the proposed annexation area, including developers
- Alberta Capital Region Wastewater Commission
- Alberta Transportation
- Epcor Drainage
- School Boards
- The general public

Engagement Activities

To engage stakeholders throughout the various stages of the annexation process the City used a range of information-sharing and consultation strategies. These included:

- Letters to landowners and key stakeholders,
- Open houses,
- Website,

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- Local newspaper advertisements,
- Questionnaires, and
- Dedicated City of Edmonton project telephone number and email

9.2 Proposed Public Consultation Plan

The MGA requires a notice for annexation to include proposals for “consulting with the public about the proposed annexation” and “meeting with the owners of land to be annexed, and keeping them informed about the progress of negotiations.”

The City submitted a Notice of Intent to Annex that included an overview of a proposed public consultation program. A comprehensive account of the public consultation program proposed in the various notices of intent generally describe the following engagement tactics:

- Website,
- Mailing List,
- Open Houses,
- Newsletter Mail Outs, and
- Advertisements

9.3 Deviations from the Proposed Public Consultation Plan

As part of the application requirement for an annexation application, the Municipal Government Board (MGB) requires “an explanation of any differences between the public consultation process followed and that proposed in the notice filed with the Board under section 116.”

Website

FAQs were included when the project website was launched, but removed when the site was update in April 2018.

Open Houses

The City held a second open house in May 2018.

9.4 Engagement with the General Public

2014 Notification Letter and Open House

A notification letter was mailed out in November 2014³⁹ to the sole landowner within the proposed annexation area, the Province of Alberta represented by Alberta Infrastructure, and to adjacent landowners, specifically Alberta Transportation, CFB Edmonton and Walton Development and Management (Alberta) LP. The letter informed the recipients of the City's proposed annexation and invited them to the December 2, 2014 open house. No responses were received from the notification letter itself.

On December 2, 2014, the City and the County held a joint open house for the proposed annexation at the Slovenian Canadian Centre, 16703 66 Street NW in Edmonton.⁴⁰ Five attendees came to obtain more information about the proposal with none expressing any concerns.

Online Survey

In December 2014, the City had posted an online survey for the general public to fill out. Out of the 31 responses received, only three of the respondents provided any comments; one supported the annexation, one thought it was too minor to have any concerns, and the third asked what the land would be used for. No concerns were expressed through the survey.

2018 Notification Letter and Open House

When the second round of letters were mailed out in April 2018, the City had become the sole landowner of the proposed annexation area.⁴¹ The notification area was expanded to include landowners of properties further east to 50 Street. The letter invited the recipients to attend the May 9, 2018 open house. One response was received via telephone indicating attendance at the open house.

³⁹ Appendix C.i: Notification Letters

⁴⁰ Appendix C.ii: Open House Materials

⁴¹ Appendix C.i: Notification Letters

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On May 9, 2018, the City held a second open house at the Fairfield Inn & Suites, 581 Griesbach Parade NW in Edmonton.⁴² Three attendees came to obtain more information about the proposal with none expressing any concerns.

Communication with Walton

As the landowner to the abutting lands east of the proposed annexation area, Walton is a key stakeholder to the proposed annexation. In 2014, a subdivision was approved by the City's Subdivision Authority to create three industrial lots, which was amended to increase the number of industrial lots to six in 2016.⁴³ One of the terms of subdivision is that a collector road be constructed connecting the subdivision to 66 Street NW north of Anthony Henday Drive. This collector road provides the only access into the subdivision and is within the County's jurisdiction. Implementing the terms of subdivision has been on hold pending the annexation of the lands.

The City had email communication with Walton in July 2014 informing them that the City is pursuing an annexation with the County but could not provide a definitive timeline. There were follow up discussions with Walton in July and August 2015 to discuss progress and next steps.

The City re-engaged with Walton in February 2018, informing them that after some delays related to the purchase of the proposed lands, the annexation has restarted with the intent to submit the application to the MGB in 2018. The representative from Walton verbally expressed that Walton has no concerns with the proposed annexation. Walton sent a letter to the City on June 18, 2018 formally expressing their support.⁴⁴

9.5 Engagement with Authorities

The proposed annexation is small in size and impact compared to many other annexations in Alberta where the primary purpose is to accommodate growth and development within the applying municipality. Due to its smaller area, fewer public authorities are impacted by this annexation and therefore were not contacted. The authorities that were contacted

⁴² *Appendix C.ii: Open House Materials*

⁴³ *Appendix H: Approved Subdivisions*

⁴⁴ *Appendix C.iv: Responses from Authorities and Other Key Stakeholders*

Note: All correspondences from authorities identified in Section 11.5 and Walton stating their positions to the annexation can be found in *Appendix C.iv*.

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include Alberta Transportation, Alberta Capital Region Wastewater Commission, the Department of National Defence (CFB Edmonton), EPCOR and the various school boards. None of the named authorities expressed opposition or concern.

Alberta Transportation

Alberta Transportation was engaged by email, who indicated on May 7, 2018 that they have no concerns with the proposed annexation. A formal letter from Alberta Transportation was provided on June 27, 2018 confirming their position.

Alberta Infrastructure

Alberta Infrastructure was the sole landowner of the proposed annexation when the 2014 Notice of Intent to Annex was filed. There was an understanding through the 2011 Memorandum of Understanding between the City and Province where the Province would transfer ownership of the land to the City when appropriate.⁴⁵ That land transfer was completed in November 2017 through discussions that were outside of the annexation process.

Alberta Infrastructure were updated of the City's proposed annexation in June 2018.

Alberta Capital Region Wastewater Commission

The Alberta Capital Region Wastewater Commission was engaged by email and stated on March 29, 2018, that they cannot express support or opposition to the annexation. The City informed the commission that no development would occur within the proposed annexation area, and thus, no need to request a connection to the regional wastewater line from the annexation lands. The Commission made a request to comment on any technical reports that reference them or their rights-of-way. The City response was that technical reports, such as an infrastructure study, will not be produced in support of this annexation.

Department of National Defence

The Department of National Defence (DND) was engaged by email through two email chains. On March 26, 2018, DND stated they did not object to the proposed annexation, but did advise the following:

⁴⁵ *Appendix D.iv: Memorandum of Understanding Between Alberta Transportation and City of Edmonton*

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- that any potential developments within the proposed annexation would be in strict compliance with the Edmonton Garrison Heliport Zoning Regulations (EGHZR); and
- that all rezoning and development applications impacted by the EGHZR be circulated to DND for review.

The City responded by agreeing to those advisements and added that as landowner of the annexation lands, the City will also comply with the terms stated in the 2013 Restrictive Covenant Agreement between the Government of Canada and Province of Alberta, a statement reinforced through another email exchange on April 16 and 17, 2018.

EPCOR

As of September 1, 2017, drainage assets from the City were transferred to EPCOR. Up until then, EPCOR was not impacted by the proposed annexation. In June 2018, EPCOR was informed of the proposed annexation and of the constructed stormwater ditch along the west side of 66 Street NW. EPCOR does not have any concerns with the proposed annexation and any changes that may occur to the stormwater will be collaboratively planned between the City and EPCOR.

School Boards

Edmonton Public Schools, Edmonton Catholic Schools, Sturgeon Public School Division and Greater St. Albert Catholic Schools were all notified by email of the proposed annexation in June 2018. The responses from the school boards are as follows:

- Edmonton Public Schools responded by email expressing no concerns or objections while acknowledging that school district boundaries would align with municipal boundaries, and that annexation area will not have an impact on enrollment;
- Edmonton Catholic Schools responded by email stating they have no comments;
- Sturgeon Public School Division Board responded by email expressing they had no issues; and
- Greater St. Albert Catholic Schools responded by email expressing no concerns or objections while acknowledging that school district boundaries would align with municipal boundaries, and that annexation area will not have an impact on enrollment.

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Local Authorities Excluded from Engagement Program

The City did not directly reach out to the following local authorities and has provided reasons for the exclusions:

- Capital Region Northeast Water Services Commission does not have a regional water line within the vicinity of the proposed annexation in their inventory.
- Except for EPCOR, drainage branch, none of utility companies (local water, sewer, gas, electricity, etc.) have any major utility corridors located within the proposed annexation area. Installation of new local utilities will be addressed through subdivision and review of engineering drawings.

9.6 Future Engagement

The City will continue its engagement efforts with all affected stakeholders throughout the remainder of the annexation process, including up to and beyond the final decision from the Province. The City's annexation telephone number, e-mail address and website will remain operational for a reasonable period of time after the final decision has been made.

10. SERVICE TRANSITION

10.1 Tax Transition

All three titled parcels within the proposed annexation area are owned by the City, and therefore, the Annexation Application proposes that no tax transition be applied to these lands. The County agreed to this term and forms part of the Annexation Agreement between the City and the County.

10.2 Land Use and Development

The annexed land outside of the 66 Street NW corridor will remain in its current undeveloped state except for the future collector road linking 66 Street NW with the future industrial developments east of the annexation area. There are no plans at this time to rezone the lands from its current zoning of AJ - Alternative Jurisdiction District under the Sturgeon County Land Use Bylaw 1385/17.

10.3 Services

As landowner of the proposed annexation area, the City is presently providing road maintenance and snow clearing services for 66 Street NW and is mowing the grass adjacent to the road. These operational services will continue after the annexation.

All other City operational services are not impacted by this annexation.

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11. CONDITIONS OF ANNEXATION

Taking into consideration all of the foregoing, the City requests that the MGB recommend to the Lieutenant Governor in Council the following specific conditions for an Annexation Order:

1. In this Order:
 - a. “Annexation Lands” means the lands described in Appendix A and shown on the sketch in Appendix B [Map of Annexation Area].
 - b. “Effective Date” means January 1, 2019.
2. Effective January 1, 2019, the Annexation Lands shall be separated from Sturgeon County and shall be annexed to the City of Edmonton.
3. Taxation of Annexation Lands
 - a. For taxation purposes after the Effective Date and subsequent years, the Annexation Lands and any improvements to it shall be assessed and taxed by the City of Edmonton in accordance with the *Municipal Government Act*, RSA 2000, c M-26.

12. FILING OF ANNEXATION APPLICATION

The municipalities have agreed on all matters relating to the annexation, as set out in the Annexation Agreement dated June 18, 2018. All of the Conditions of Annexation in Section 11 of this Application are therefore mutually agreeable and made at the request of the municipalities, per Article 10.1 of the Annexation Agreement.

A copy of this Annexation Application will be delivered to the County immediately after it is filed with the MGB, and will also be made available on the City's website to external agencies and stakeholders after it has been filed.

The general public will be notified by way of media release.

13. CONCLUSION

The purpose of this annexation is to facilitate and accommodate transportation access for industrial development east of the annexation area. The County recognizes the logic of inclusion of 66 Street NW within the City's jurisdiction when its Council approved a motion on July 8, 2014 directing their Administration to engage with the City regarding the annexation. The process of the City purchasing the lands from the Province, which included seeking the County's consent to allow the purchase, was the sole reason why this relatively simple annexation process took four years.

Formal negotiations between the two municipalities were completed in a timely manner once discussions re-commenced in early 2018. The agreed upon conditions of the Annexation Agreement are clear, unambiguous and adhere to the MGB requirements for a future Order in Council. Not only are the terms of the annexation acceptable to all affected municipalities, they also comply with each principle of annexation. The agreements display the municipalities' continued commitment to the concept of intermunicipal cooperation.

The City completed the public consultation process that was appropriate given the small magnitude of the proposed annexation, ensuring affected stakeholders and the general public were properly informed of the proposal and the annexation process. The outcome of the consultation process is that there are no outstanding concerns or objections.

The City submits that this annexation should be recommended by the MGB to the Lieutenant Governor in Council.