



Annexation FAQs



1. Q: What is annexation?

A: Annexation is the process for a municipality to expand its boundaries in order to accommodate future growth. Properties within an annexation area would change from being in one municipality to being in another. Annexation does not change ownership rights, and owners are not required to develop or sell their property. Whereas expropriation is a process for a municipality to take ownership of land against an owner's wishes, annexation is simply a change of jurisdiction from one municipality to another. Black Diamond is proposing annexation, NOT expropriation.

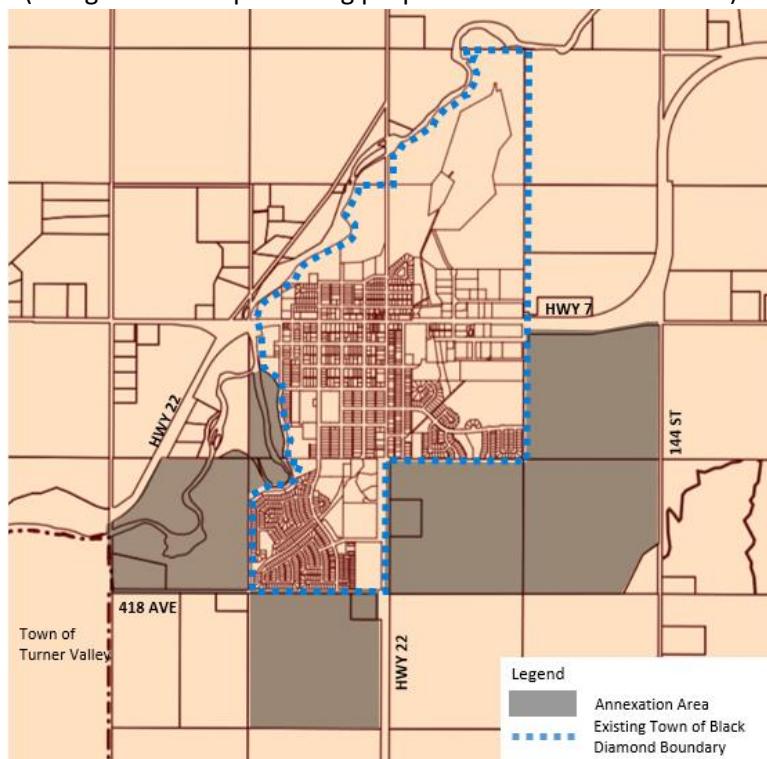
2. Q: Why is Black Diamond proposing annexation?

A: Black Diamond is running short of land for future growth. In order to grow in an efficient, orderly, and sustainable manner, it is necessary to plan land uses, transportation routes, and water, sewer, and stormwater infrastructure necessary to accommodate the projected growth of the Town. Annexation will allow Black Diamond to invest in long term planning and engineering strategies with confidence by ensuring the lands required for future growth are within its jurisdiction.

Annexation is necessary not only to allow Black Diamond to plan for its growing population, but also to provide opportunities for commercial and industrial development, and to accommodate a mix of land uses that will provide a diverse and sustainable municipal tax base into the future.

3. Q: How much land is Black Diamond proposing to annex?

A: Black Diamond is proposing to annex 779 acres (approximately 5 quarter sections), as shown on the map below (a larger scale map showing proposed land uses is attached).



Parcels within SE 16-20-2 W5	Certificate of Title	Area (acres)
SE 16-20-2 W5 N1/2	941 259 859	78.47
SE 16-20-2 W5 S1/2	111 072 568	53.39
Lot 1, Block 1, Plan 0513035	071 036 979	9.6
Parcels within NE 9-20-2 W5	Certificate of Title	Area (acres)
NE 9-20-2 W5	101 236 396 +1	150.98
Parcels within SE 9-20-2 W5	Certificate of Title	Area (acres)
SE 9-20-2 W5	101 236 396	150.49
Parcels within SW 9-20-2 W5	Certificate of Title	Area (acres)
SW 9-20-2 W5	101 216 209	146.85
SW 9-20-2 W5	001 110 623 +2	10.3
Parcels within NE 5-20-2 W5	Certificate of Title	Area (acres)
NE 5-20-2 W5	001 110 623 +3	150.23
Plan 475LK	121 275 486 +4	5.74
Parcels within NE 8-20-2 W5	Certificate of Title	Area (acres)
NE 8-20-2 W5	891 104 921	15.8
NE 8-20-2 W5	161 260 885	15.8
Parcels within SE 8-20-2 W5	Certificate of Title	Area (acres)
SE 8-20-2 W5	161 260 885 +1	5.8
Parcels within NW 8-20-2 W5	Certificate of Title	Area (acres)
NW 8-20-2 W5	971 378 878	1.2
Parcels within SW 8-20-2 W5	Certificate of Title	Area (acres)
Block 1, Plan 8010142	801 015 653	24.41
Lot 1, Block 2, Plan 1113505	111 311 965	14.16
SW 8-20-2 W5	111 311 965 +1	87.24
Total Area (acres)		779

4. Q: Why is Black Diamond annexing these particular lands?

A: This annexation proposal takes into account input from landowners and the public, in addition to information in various plans and studies, including the *Intermunicipal Development Plan*, the *Turner Valley & Black Diamond Joint Growth Strategy*, and the *Black Diamond Annexation Lands Servicing Review*. The land use concept for the annexation area allows for the extension of existing commercial, industrial and residential areas in an efficient manner that allows for the cost effective extension of roads and services. The annexation area allows for greater connectivity in the road, water and sewer networks, resulting in better performance and efficiency in each of these systems.

The lands to the west of Town are included largely for the strategic purpose of achieving a contiguous border between Black Diamond and Turner Valley, as this will help facilitate the amalgamation of the two towns, should they choose to do so in the future. The proposed annexation area also includes the former site of Black Diamond's water treatment plant on the north side of the Sheep River, which is currently being developed for a ball diamond.

5. Q: Is annexation addressed in the Intermunicipal Development Plan?

A: In June, 2002, the *Town of Black Diamond, Town of Turner Valley, and MD of Foothills No. 31 Intermunicipal Development Plan* (IDP) was adopted by each municipality. The NE 9-20-2 W5, SW 9-20-2 W5, and NE 5-20-2 W5 are identified for future urban growth in the current IDP. The IDP can be viewed at the Black Diamond Town Office, the Foothills Joint Administration Building in High River, and is available on both municipalities' websites.

6. Q: Is there capacity in the water and sewer systems to serve the area proposed for annexation?

A: Sewage treatment is provided by the Westend Regional Sewage Services Commission. The treatment lagoon located in Black Diamond is nearing capacity, and the Commission has been working with the Province to obtain approvals and funding to upgrade the system.

Water treatment is provided by the Sheep River Regional Utility Corporation. The water treatment plant in Turner Valley has capacity to service a population of 9160 (shared between the Towns of Black Diamond and Turner Valley, and Foothills County), which is expected to be reached in 2035.

The water and sewer pipes in Black Diamond have limited capacity to support additional growth and new mains and associated infrastructure will be necessary. Future development will be required to contribute towards the cost of new infrastructure.

For further detail regarding the infrastructure necessary to support development of the annexation area see the Black Diamond Annexation Lands Servicing Review online at http://town.blackdiamond.ab.ca/DocumentCenter/View/1745/Annexation-Servicing-Study_Revised

7. Q: What stage is the process at now?

A: Black Diamond and Foothills have been in discussions for several months, and Black Diamond has consulted with directly affected landowners. Public consultation included a media release, a public open house, a survey, and a dedicated webpage. The annexation area has been revised in response to input from landowners and the public. A second public open house will be held April 2, 2019, 4-8 pm, at the Black Diamond Council Chambers.

- ✓ STEP 1: Notice of Intent to Annex submitted to Municipal Government Board
- ✓ STEP 2: Black Diamond/Foothills discussions
- ✓ STEP 2a: Black Diamond engagement with directly affected landowners (ongoing)
- STEP 3: Public engagement (public open house, information mailed to residents, press release, website updates, online survey, etc.)

STEP 4: Black Diamond and Foothills finalize Annexation Agreement

STEP 5: Foothills Council and Black Diamond Council hold public hearing prior to approving the Annexation Agreement

STEP 6: Annexation Agreement (Application) is submitted by Black Diamond to MGB

STEP 7: MGB advertises the Application to the public

STEP 8: MGB holds Public Hearing (if objections are received)

STEP 9: MGB makes recommendation to Provincial Government

STEP 10: Provincial Government makes decision on Application

8. Q: How long will the annexation process take?

A: The Town and the County have been discussing annexation for over a year. They hope to finalize an agreement and submit it to the Province this spring, and have the annexation take effect January 1, 2020.

9. Q: What opportunities will landowners and the public have to participate in the annexation process?

A: In September and October 2018 the Town and County issued a joint press release regarding the proposed annexation, and held a Joint Annexation Open House. Information was made available on the Town's website, and letters were mailed to directly affected landowners, and to landowners in close proximity to the annexation area. The annexation proposal has been revised to reflect feedback from landowners.

The Town and County are hosting another Annexation Open House on April 2, 2019, at the Black Diamond Town Office from 4 – 8pm. Updated information is available on the annexation webpage (<http://town.blackdiamond.ab.ca/433/Annexation>).

Both Black Diamond Council and Foothills Council will hold public hearings prior to endorsing the annexation agreement. In addition, if an objection is raised to the proposed annexation, the Municipal Government Board will hold a public hearing as part of its decision-making process. This will allow the opportunity for any landowner, resident, business, or agency to make representations either verbally or in writing to the board.

10. Q: What are the next steps?

A: Town and County administration will prepare a formal Annexation Agreement that will be presented to their respective Councils at a Public Hearing. Once the agreement receives approval from each Council, the Annexation Agreement will be submitted to the Province. If there are objections to the annexation, the Municipal Government Board will hold a hearing.

11. Q: Who makes the final decision?

The Alberta Municipal Government Board (MGB) will assess the Annexation Agreement and will hold a public hearing if there is disagreement amongst the parties or if an objection is raised by a landowner, a member of the public, or other affected party. The Municipal Government Board will make a recommendation on the application to the Provincial Government, which makes the final decision.

12. Q: Will services Foothills currently provides me be affected?

A: Black Diamond will work with Foothills to provide the same level of service to the annexed lands as Foothills is currently providing.

13. Q: Will my taxes be affected?

A: Black Diamond will continue to tax and assess land and improvements at the County of Foothills rates for 25 years, unless a 'triggering event' is undertaken by the landowner, which will result in the property being subjected to Town taxation and assessment rates.

Triggering events include the following:

- Subdivision
- Land Use Bylaw Redesignation
- Connection to Town of Black Diamond water or sewer services

The Town will offer an early tax payment discount of 6% to properties in the annexation area for 25 years, or until a triggering event occurs.

14. Q: If I'm annexed will I be able to use my land as I currently do now?

A: Black Diamond will ensure existing legal uses can be continued once the lands are annexed into Black Diamond.

15. Q: How will the annexation affect my land use district?

A: Black Diamond will acknowledge existing land use districts and maintain the development rights currently available under the current district in Foothills Land Use Bylaw until an application is made to redistrict or subdivide your property.

16. Q: Will I be able to continue to keep pets and livestock if annexed into Black Diamond?

A: Any legal or permitted livestock would be allowed to continue to be kept and reared on your property, as your existing land use would be maintained. If you chose to develop or subdivide your property, this may affect your ability to continue keeping livestock on your property as the number of animals allowed is often determined by the property size and zoning.

Black Diamond requires that all dogs be licensed. Cats and other pets do not require licensing.

17. Q: I have an existing Home Based Business on my property, how will being annexed into Black Diamond impact my business?

A: Any legal and approved uses would be permitted to continue as approved but would require an updated approval if any changes occur. You will not be required to obtain a new approval from Black Diamond until such time that you wish to expand your business or further develop your property. Black Diamond will accept a valid Foothills business license until it expires. Upon expiration, a Black Diamond business license will be required.

18. Q: Will I receive Town services once annexed? (ie. water, sewer, garbage pick-up)

A: Existing dwelling will not be required to connect to municipal water or sewer services. Most services are installed or constructed at the time of development of property. When a landowner chooses to subdivide and/or develop their property, they are responsible for constructing necessary roadways, and installing necessary utility services such as water and wastewater, gas, electrical, and telecommunications.

Black Diamond will not provide garbage pick-up service to annexed properties. Black Diamond is a member of Foothills Regional Services Commission which operates Foothills Regional &

Resource Recovery Centre, and residents of the annexation area may continue to haul their garbage there. Once annexed lands have been developed to town density, the new neighbourhood would be added to the garbage pick-up routes; however, garbage trucks are not able to attend individual acreages or home sites.

The Oilfields Recycling Centre in Turner Valley, and the Black Diamond Waste Transfer Station remain available for use by all residents.

19. Q: How would the annexation impact fire, emergency and protective services for me and my property?

A: Black Diamond will provide fire services to all properties in Town, including the annexation area, and will continue to provide and receive fire services from neighbouring municipalities under the terms of the current Mutual Aid Agreement. Bylaw enforcement will be by Black Diamond Officers rather than Foothills Officers.

20. Q: Who is negotiating on behalf of each municipality?

A: Three elected officials from each municipality sit on the Annexation Negotiation Committee. These individuals include the Mayor and Reeve, as well as two Councilors from each of the respective municipalities. Staff from both municipalities support the work of the committee.

21. Q: How will being annexed into Black Diamond change or impact my property value?

A: Determining property value is a very complex process with many factors. It is often assumed that being within a town will increase your property value as there is greater potential to access town services, it may also make your property more desirable to developers as there may be more potential to develop at a higher density. The local and regional economy has a significant impact on property values.

More Information

Updates will be posted to the Town of Black Diamond and Foothills County websites.

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Town of Black Diamond Proposed Annexation Area

