



Annexation in Alberta: What it means to Beaumont

This article is the first in a series of three that will explore annexation in relation to Beaumont. Our first article focuses on building an understanding of annexation in Alberta, explaining what annexation is, why municipalities annex, and the legislative process. The second article will focus specifically on annexation in Beaumont, when and why the Town has annexed, along with details surrounding the City of Edmonton's interest in annexing Beaumont's lands. Finally, the third article will explain the purpose and functions of Beaumont's new Municipal Development Plan, *Our Complete Community*, in addition to examining the plan's approval process, and the role of the Capital Region Board.

Annexation within Alberta is a provincially legislated process where a municipality changes or expands its jurisdictional boundaries. In general, the reason that municipalities annex lands is for the purpose of accommodating future population growth. Annexation also sometimes occurs to accommodate natural environmental divisions, roadways, or infrastructure.

The Municipal Government Board is an independent and impartial quasi-judicial board established under the *Municipal Government Act* by the Province of Alberta. Board members are appointed by the Government of Alberta, on the recommendation of the Minister of Municipal Affairs, and signed off by the Lieutenant Governor of Alberta. The Municipal Government Board reviews annexation proposals, conducts public hearings, and prepares recommendations to the Minister of Municipal Affairs.

The process and rules for annexation are outlined in the *Municipal Government Act* and on the Alberta Municipal Affairs website (http://www.municipalaffairs.alberta.ca/abc_MGB_annexations). Here are the basics of how it works:

1. The municipality proposing the annexation ("the initiating municipality") submits a *Notice of Intent to Annex* to the Municipal Government Board and to the municipality from where the lands are being annexed ("the responding municipality"). This *Notice of Intent to Annex* must include a description of the lands to be annexed and a proposal for public consultation.
2. The initiating municipality commences negotiations in good faith with the responding municipality.
3. If the initiating municipality and the responding municipality reach a complete agreement and there is support from landowners, the annexation is considered uncontested. If the initiating municipality, the landowners, and the responding municipality do not agree, the annexation is considered contested.
4. If the initiating municipality and the responding municipality do not agree, mediation must be attempted.
5. A report, including the outcomes of public consultation and negotiation, is then prepared by the initiating municipality and formal application is made to the Municipal Government Board.
6. If the annexation is major or contested, the Municipal Government Board will advertise the proposal.



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7. If the annexation is contested or objections are received when the proposed annexation is advertised, the Municipal Government Board will conduct a public hearing.
8. After the public hearing, the Municipal Government Board prepares a recommendation report which is provided to the Minister of Municipal Affairs for consideration. If the annexation is recommended for approval or approval in-part, the Municipal Government Board report will advise the Minister to proceed to the Alberta Cabinet with an Order-in-Council to gain approval from his/her Cabinet colleagues.
9. The Alberta Cabinet considers the Municipal Government Board's report. If the annexation is approved or approved in-part, the Lieutenant Governor of Alberta signs the Order-in-Council.

While the outlined process for annexation appears pretty straightforward, in practice it can be very complicated, involving formal and informal negotiations with many different stakeholders, from impacted landowners to other affected agencies. It can also result in substantial financial costs for the municipalities involved, regardless of whether the annexation is contested or uncontested.

Alberta Municipal Affairs and the Municipal Government Board encourages municipalities to engage in joint-planning exercises, such as preparing an Intermunicipal Development Plan, prior to proposing an annexation. Consultants specialized in land-use, economics, finance, and engineering are often contracted by the municipalities for these joint-planning exercises.

If the annexation is uncontested, there are often paid annexation experts, facilitators, and lawyers that help the municipalities involved achieve agreement.

If the annexation is contested, there are costs related to mediation and the public hearing conducted by the Municipal Government Board. The public hearings can involve lawyers and expert testimony from land-use planning consultants, engineering consultants, and other specialists that assist each municipality in making their case. Extensive reports that address growth, sustainability, land-use, engineering infrastructure, are also prepared by the initiating and responding municipalities.

Members of the public and landowners are often invited to participate in the municipal joint-planning exercises that occur prior to a proposed annexation. They are also informed and formally consulted by the initiating municipality once a *Notice of Intent to Annex* is submitted to the Municipal Government Board. Written responses of support or non-support can be sent to the Municipal Government Board once a proposed annexation is advertised. There is also an opportunity to present and speak at the public hearings.

So there you have it, the basics of annexation in Alberta. Next week, we'll explore what annexation means to Beaumont, our past and our future.

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