



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.

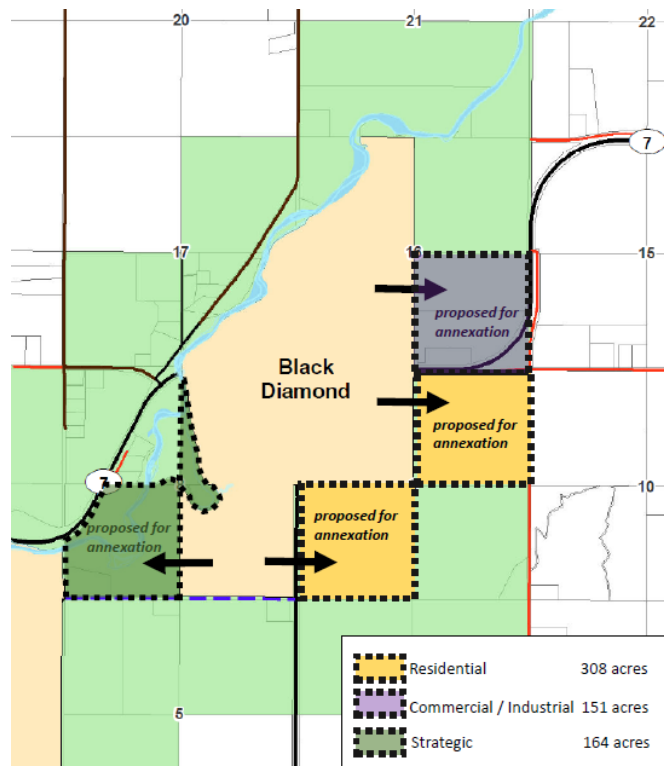
2. Q: Why is Black Diamond proposing annexation?

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, and why?

A: Black Diamond is proposing to annex 614 acres (approximately 4 quarter sections), as shown on the map below.



Parcels within SE 16-20-2 W4	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 W4	Certificate of Title	Area (acres)
NE 9-20-2 W5	101 236 396 +1	150.98
Parcels within SW 9-20-2 W4	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 8-20-2 W4	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 W4	Certificate of Title	Area (acres)
SE 8-20-2 W5	161 260 885 +1	5.8
Parcels within NW 8-20-2 W4	Certificate of Title	Area (acres)
NW 8-20-2 W5	971 378 878	1.2
Parcels within SW 8-20-2 W4	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)		614

	Total Area	Years of Supply
Residential	308	30 - 40
Commercial / Industrial	151	50+
Strategic	164	n/a

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

A: In March 2018 the Towns of Black Diamond and Turner Valley each adopted the *Turner Valley & Black Diamond Joint Growth Strategy*, which forecasted the future population growth and corresponding land requirements of the two towns over the next 60 years. A number of growth scenarios were developed, with both Councils supporting a scenario whereby the Towns eventually grow together. The lands identified for annexation are consistent with the preferred growth scenario outlined in this strategy.

The quarter section north of Hwy 7 (SE 16-20-2 W5), shown in grey, is intended for a business park, to provide opportunities for goods, services, and employment. This location was chosen for its access and visibility to Hwy 7, and it allows for the extension of the existing business park within Black Diamond.

The quarter section south of Hwy 7 (NE 9-20-2 W5), and the quarter section east of Hwy 22 (SW 9-20-2 W5), shown in yellow, are intended primarily for residential development, and were selected to allow for the extension of roads and services from existing residential communities within Black Diamond.

The lands to the west of Town, shown in dark green, 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, which is currently being developed for a ball diamond, thereby allowing Black Diamond's Peace Officers to provide bylaw enforcement at this facility.

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. Both the NE 9-20-2 W5 and SW 9-20-2 W5 are identified for future urban growth in the current IDP. The IDP also identifies that Black Diamond's desired industrial growth direction will be to the east of the sewage treatment lagoons. 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: There is existing capacity in Black Diamond's water and sewer systems to support some growth, but they will both require eventual expansion and upgrading in order to serve the entire annexation area. Black Diamond will coordinate these upgrades with our municipal neighbours. Black Diamond is undertaking a study to determine the extent, timing, and cost of the necessary improvements.

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. Now Black Diamond and Foothills are seeking input from residents, and the general public.

✓ 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

➔ 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 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 annexation process can occur quickly when all parties are in agreement but can take longer (up to 2+ years).

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

A: Black Diamond's public consultation process includes press releases, website updates, brochure mail-outs, a public open house, and direct meetings with landowners. 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: In addition to landowners, Black Diamond has formally notified Foothills, provincial agencies, school boards, the health authority, and utility operators of Black Diamond's annexation proposal. Each of these agencies have the opportunity to comment and/or participate in the annexation process. Landowners are welcome to contact Black Diamond directly to ask questions and discuss concerns.

11. Q: Who makes the final decision?

Black Diamond and Foothills will negotiate an annexation agreement. Once an agreement is reached, or negotiations and, if required, mediation has concluded, Black Diamond will submit an official 'Application to Annex Lands' to the Alberta Municipal Government Board (MGB), which will assess the application 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: Common practice regarding the taxation of annexed lands is to provide landowners a period of time (a number of years) where they would continue to be taxed at Foothills rate, unless a 'triggering event' is undertaken by the landowner. An example of a triggering event used in other annexations is a landowner subdividing or rezoning their land or connecting to Town water or sewer systems. The duration of time that annexed landowners will be taxed at Foothills rate, and what will constitute a 'triggering event' will be negotiated by Black Diamond and Foothills, in consultation with landowners, and will ultimately be decided on by the province.

While annexed properties may be taxed at Foothills rate, Black Diamond's discounts and penalties will be in effect. Foothills' discount for early tax payment will not apply once lands are annexed into the Town.

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 is undertaking a servicing study to address the servicing requirements for the annexed lands if you chose to develop.

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 Black Diamond's and Foothills websites.

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