

Potential Annexation of a Portion of 101 St SW – Response to Request from Rocky View County

RECOMMENDATIONS:

The Intergovernmental Affairs Committee recommend that Council:

- 1) Support, in principle, Rocky View County's proposal for the annexation of a portion of 101 Street SW (Attachment 2) by pending confirmation of the terms of annexation;
- 2) Direct Administration to work with Rocky View County to advocate to the Minister of Municipal Affairs to use Section 125 (b) to enable the annexation; and
- 3) Request that Mayor Gondek, either individually or jointly with the Mayor of Rocky View County, send a letter in support of the potential annexation to the Minister of Municipal Affairs.

RECOMMENDATIONS OF THE INTERGOVERNMENTAL AFFAIRS COMMITTEE, 2023 FEBRUARY 16:

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2. Direct Administration to work with Rocky View County to advocate to the Minister of Municipal Affairs to use Section 125 (b) to enable the annexation; and
3. Request that Mayor Gondek, either individually or jointly with the Mayor of Rocky View County, send a letter in support of the potential annexation to the Minister of Municipal Affairs.

HIGHLIGHTS

- Rocky View County is proposing annexing a portion of 101 Street SW (approximately 2.6 hectares) from The City of Calgary to Rocky View County. It is also proposing that the municipalities jointly advocate to the Minister of Municipal Affairs to consider using of Section 125 (b) of the *Municipal Government Act* to enact the annexation in an efficient and timely manner.
- What does this mean to Calgarians? This portion of 101 Street SW is rarely used by Calgarians, but The City of Calgary is responsible for its maintenance and operation. There is the potential for operational cost savings by allowing Rocky View County to annex the portion of the road.
- Why does this matter? An opportunity exists to work collaboratively to better meet the needs of both municipalities in a cost-efficient manner.

DISCUSSION

The construction of the Southwest Calgary Ring Road has necessitated changes in the road network in the area. Upon completion of the ring road, a portion of 101 Street SW will solely provide access to parcels in Rocky View County.

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In 2022 May, Rocky View County (The County) Administration inquired if The City of Calgary (The City) would have a position on the potential annexation of a portion of 101 Street SW by The County. The subject lands are shown in Attachment 2.

The County noted that:

With the severing of 101st ST SW from HWY 8 and the construction of the West Calgary Ring Road, the City would need to traverse Rocky View County roads in order to access this portion of 101st for maintenance. Additionally, the County, in partnership with the Province, is intending to advance a drainage project which would use the roadside ditch of 101st Street SW. Having this infrastructure within City right-of-way may pose long term operational challenges between the municipalities.

The County has proposed that these issues could be at least partly mitigated through the annexation of the lands to The County from The City. The County is additionally requesting that The City consider supporting this annexation to occur through the simplified Order in Council process as opposed to the typical annexation process.

A formal request to support this annexation and advocacy to the Minister of Municipal Affairs was received by letter from General Manager Byron Reimann to General Manager Stuart Dalgleish on 2022 November 03 (Attachment 1).

Administration has not identified any significant concerns with the potential annexation of the land by The County in this preliminary review (Attachment 3). It is also understood that Alberta Transportation has not identified any initial concerns with the change in jurisdiction.

A response to the letter by General Manager Stuart Dalgleish to General Manager Byron Reimann was provided 2023 January 24 coming The City of Calgary's intent to bring forward this report to Intergovernmental Affairs Committee for direction.

Annexation Process

The annexation process in Alberta is provided in Division 6 of the Municipal Government Act. Section 125 of the Municipal Government Act gives the Lieutenant Governor in Council the power to make an annexation order either (a) after considering the report of the Tribunal or (b) at any time on the recommendation of the Minister of Municipal Affairs ("Order in Council").

Should The City support the potential annexation, the municipalities could advocate that it occur through an Order in Council. This would eliminate the need for City Administration and Council Members to participate in a full annexation process (including steps such as setting up a formal annexation negotiation committee) which is time and resource intensive. (Note: The City of Calgary and Rocky View County currently have an Annexation Negotiation Committee established for the SE Industrial lands.)

Should Council support the potential annexation and the advocacy strategy, Administration would work with Rocky View County to seek to gain the support of the Minister of Municipal Affairs to use an Order in Council.

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Should advocacy to the Minister of Municipal Affairs not be successful, Rocky View County may elect to initiate an annexation as described in Section 116 of the Municipal Government Act.

EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | | | |
|--------------------------|---|-------------------------------------|---|
| <input type="checkbox"/> | Public engagement was undertaken | <input checked="" type="checkbox"/> | Dialogue with interested parties was undertaken |
| <input type="checkbox"/> | Public/interested parties were informed | <input type="checkbox"/> | Public communication or engagement was not required |

IMPLICATIONS

Social

Support for the annexation has the potential to provide opportunities for better collaboration between Rocky View County and The City of Calgary.

Environmental

Not applicable

Economic

Not applicable

Service and Financial Implications

No anticipated financial impact

There is a potential for a small reduction in operation expenses for The City of Calgary associated with road maintenance should the road be transferred to Rocky View County.

RISK

Using an Order in Council would eliminate the public engagement that is typically associated with annexations. Given the small land area being considered and that all the lands being annexed are municipally owned there is likely less risk associated. Should The City not support the potential annexation, it may negatively affect our relationship with Rocky View County or result in a more onerous and expensive annexation process.

ATTACHMENT(S)

1. Letter from Rocky View County, dated 2022 November 02
2. Map of Subject Lands
3. Preliminary Evaluation of Proposal
4. Letter from GM Stuart Dalglish to Rocky View County, dated 2023 January 24

**People, Innovation and Collaboration Services Report to
Intergovernmental Affairs Committee
2023 February 16**

**ISC: UNRESTRICTED
IGA2023-0104
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Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Chris Arthurs	People, Innovation and Collaboration Services	Approve
Stuart Dalgleish	Planning and Development Services	Consult
Michael Thompson	Infrastructure Services	Inform
Doug Morgan	Operations	Inform