



Province of Alberta
Order in Council

O.C. 121/2021

APR 28 2021

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Order Annexing Land from Improvement District No. 349 to The Municipal District of Bonnyville No. 87 and Dissolving Improvement District No. 349 set out in the attached Appendix.

CHAIR

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(sections 126, 127, 135 and 137)

APPENDIX

Municipal Government Act

ORDER ANNEXING LAND FROM IMPROVEMENT DISTRICT NO. 349 TO THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87 AND DISSOLVING IMPROVEMENT DISTRICT NO. 349

1(1) In this Order,

- (a) “Act” means the *Municipal Government Act*;
- (b) “receiving municipal authority” means The Municipal District of Bonnyville No. 87.

(2) In Schedule 2 to this Order, “this Order” means the sections that precede Schedule 1.

Part 1 Annexation

2 In this Part, “annexed land” means the land described in Schedule 1.

3 Effective May 1, 2021, the land described in Schedule 1 is separated from Improvement District No. 349 and annexed to The Municipal District of Bonnyville No. 87.

4 Any taxes owing to Improvement District No. 349 at the end of April 30, 2021 in respect of the annexed land and any assessable improvements to it, together with any lawful penalties and costs levied in respect of those taxes, are transferred to and become payable to the receiving municipal authority and must be distributed by the receiving municipal authority in accordance with section 7.

5 For the purpose of taxation in 2021 and in each subsequent year up to and including 2045, the annexed land and assessable improvements to it

- (a) must be assessed by the receiving municipal authority, and
- (b) must be taxed by the receiving municipal authority
 - (i) in the case of property in the non-residential assessment class, at a rate equivalent to 70 per cent of the municipal tax rate established by the receiving municipal authority for property in the non-residential assessment class, and
 - (ii) in the case of property in any other assessment class, at the rate established by the receiving municipal authority for property of the same assessment class.

6 For the purpose of taxation in each year subsequent to 2045, the annexed land and assessable improvements to it must be assessed and taxed by the receiving municipal authority using the same assessment classes and tax rates applicable to other property in the receiving municipal authority.

7 The Municipal District of Bonnyville No. 87 shall, on or before each December 31 subsequent to the annexation date, pay to each of the following municipal authorities the amount determined in accordance with Schedule 2 for that municipal authority:

- (a) the City of Cold Lake;
- (b) the Town of Bonnyville;
- (c) the Village of Glendon.

8 The Minister may give directions respecting the determination of the population of a municipal authority for the purposes of Schedule 2.

Part 2 Dissolution

9 In this Part, “former area of the improvement district” means the land in Improvement District No. 349 before the dissolution date, as described in Schedule 1.

10 Effective May 1, 2021,

- (a) Improvement District No. 349 is dissolved as a result of the annexation under Part 1,
- (b) the former area of the improvement district becomes part of The Municipal District of Bonnyville No. 87,
- (c) all liabilities of Improvement District No. 349, whether arising under debenture or otherwise, and all assets, rights, duties, functions and obligations of Improvement District No. 349 are vested in the receiving municipal authority and may be dealt with in the name of the receiving municipal authority,
- (d) bylaws and resolutions of Improvement District No. 349 continue to apply in the former area of the improvement district until the bylaws or resolutions are repealed, amended or replaced by the council of the receiving municipal authority, and
- (e) a reference to Improvement District No. 349 in any order, regulation, bylaw, certificate of title, agreement or any other instrument is deemed to be a reference to the receiving municipal authority.

11 The Minister may decide any other matter relating to the rights, obligations, liabilities, assets or any other thing in respect of the former area of the improvement district resulting from the dissolution of Improvement District No. 349.

Schedule 1

Land Description

ALL THOSE LANDS SITUATED WEST OF THE FOURTH (4) MERIDIAN AND LYING IN THE PROVINCE OF ALBERTA DESCRIBED AS FOLLOWS,

EXCLUDING THEREOUT ALL THOSE AREAS LYING WITHIN THE BOUNDARIES OF ANY TOWN, VILLAGE, SUMMER VILLAGE, INDIAN RESERVE OR MÉTIS SETTLEMENT:

IN TOWNSHIP SIXTY-SIX (66):

IN RANGE ONE (1), THE NORTH HALF OF SECTION TWENTY-SIX (26) AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SIXTY-SEVEN (67):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SIXTY-EIGHT (68):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SIXTY-NINE (69):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SEVENTY (70):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SEVENTY-ONE (71):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SEVENTY-TWO (72):

ALL OF RANGES ONE (1) TO EIGHT (8) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE, ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE, ALL OF SECTIONS TWENTY-TWO (22) TO TWENTY-SEVEN (27) INCLUSIVE AND ALL OF SECTIONS THIRTY-FOUR (34) TO THIRTY-SIX (36) INCLUSIVE.

IN TOWNSHIP SEVENTY-THREE (73):

ALL OF RANGES ONE (1) AND TWO (2) INCLUSIVE.

IN RANGE THREE (3), ALL OF SECTIONS ONE (1) TO TWENTY-EIGHT (28) INCLUSIVE AND ALL OF SECTIONS THIRTY-THREE (33) TO THIRTY-SIX (36) INCLUSIVE.

IN RANGES FOUR (4) TO EIGHT (8) INCLUSIVE, ALL OF SECTIONS ONE (1) TO EIGHTEEN (18) INCLUSIVE.

IN RANGE NINE (9), ALL OF SECTIONS ONE (1) TO THREE (3) INCLUSIVE AND ALL OF SECTIONS TEN (10) TO FIFTEEN (15) INCLUSIVE.

IN TOWNSHIP SEVENTY-FOUR (74):

ALL OF RANGES ONE (1) AND TWO (2) INCLUSIVE.

IN TOWNSHIP SEVENTY-FIVE (75):

ALL OF RANGES ONE (1) AND TWO (2) INCLUSIVE.

Schedule 2

Revenue Sharing

1 In this Schedule,

- (a) “administration costs allowance”, in respect of a year, means an amount equivalent to 3% of tax revenue for that year;
- (b) “aggregate population” means the population of all the eligible municipal authorities combined;
- (c) “base amount” means \$1 500 000;
- (d) “eligible municipal authority” means the City of Cold Lake, the Town of Bonnyville or the Village of Glendon;
- (e) “population”, in respect of an eligible municipal authority, means the population of the eligible municipal authority as determined in accordance with the directions of the Minister under section 8 of this Order;
- (f) “remaining revenue”, in respect of a year, means the amount of tax revenue that remains after deducting
 - (i) the administration costs allowance for that year,
 - (ii) the road costs allowance for that year, and
 - (iii) the base amount;
- (g) “road costs allowance” means \$2 200 000;
- (h) “tax revenue”, in respect of a year, means the amount of property tax received in that year by The Municipal District of Bonnyville No. 87 from the annexed land and assessable improvements to it, excluding the amounts required to pay the requisitions referred to in section 326(1)(a) of the Act.

2 For the purpose of section 7 of this Order, the amount of the payment owed to an eligible municipal authority in a year is to be calculated in accordance with the following formula:

$$A + \left(\frac{B}{C} \times D \right)$$

where

- A is \$500 000;
- B is the remaining revenue for the year;
- C is the aggregate population;
- D is the population of the eligible municipal authority.