



Province of Alberta
Order in Council

O.C. 57/2003

FEB 26 2003

DUPLICATE

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

The Lieutenant Governor in Council orders that

- (a) effective January 1, 2003, the land described in Appendix A and shown on the sketch in Appendix B is separated from Red Deer County and annexed to the Town of Sylvan Lake,
- (b) any taxes owing to Red Deer County at the end of December, 2002 in respect of the annexed land are transferred to and become payable to the Town of Sylvan Lake together with any lawful penalties and costs levied in respect of the those taxes, and the Town of Sylvan Lake upon collecting those taxes, penalties and costs must pay them to Red Deer County, and
- (c) the assessor for the Town of Sylvan Lake must assess, for the purpose of taxation in 2003, the annexed land and the assessable improvements to it,

and makes the Order in Appendix C.

CHAIR

Alberta

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(sections 125 and 138)

APPENDIX A

DETAILED DESCRIPTION OF THE LANDS SEPARATED FROM RED DEER COUNTY AND ANNEXED TO THE TOWN OF SYLVAN LAKE

THE SOUTHWEST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTY-EIGHT (38), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN

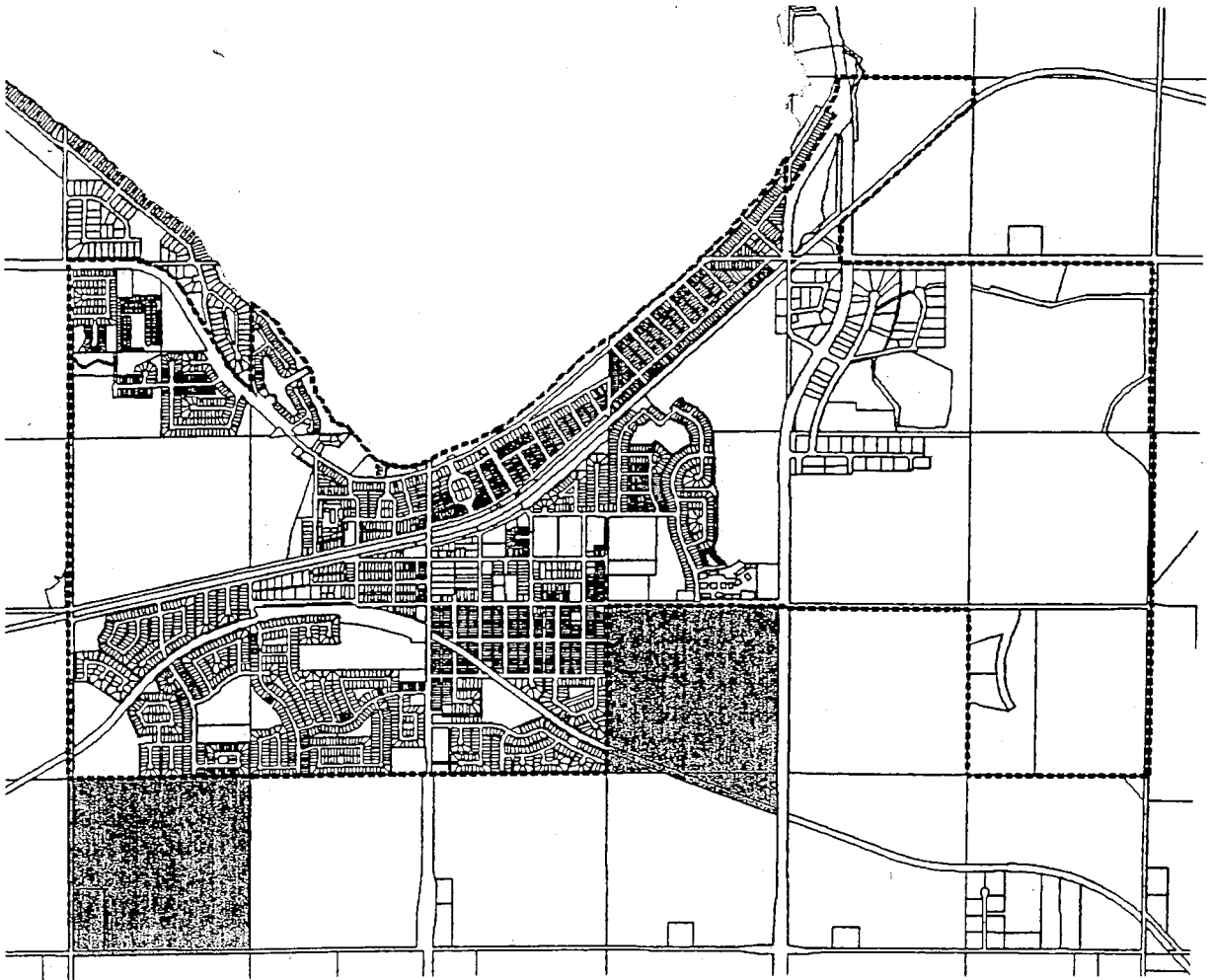
THOSE PORTIONS OF THE ROAD ALLOWANCES LYING ADJACENT TO THE WEST AND SOUTH BOUNDARIES OF THE SOUTHWEST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTY-EIGHT (38), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN

THE NORTHEAST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN LYING NORTH OF THE SOUTHERLY BOUNDARY OF RAILWAY RIGHT-OF-WAY PLAN 748AF

APPENDIX B

A SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS ANNEXED TO THE TOWN OF SYLVAN LAKE



AREAS ANNEXED FROM RED DEER COUNTY
TO THE TOWN OF SYLVAN LAKE

APPENDIX C

ORDER

- 1 In this Order, “annexed land” means the land described in Appendix A and shown on the sketch in Appendix B.
- 2 For taxation purposes in 2003 and later years, the annexed land and the assessable improvements to it
 - (a) must be assessed by the Town of Sylvan Lake on the same basis as if they had remained in Red Deer County, and
 - (b) must be taxed by the Town of Sylvan Lake in respect of each assessment class that applies to the annexed land and the assessable improvements to it using the tax rate established by Red Deer County for the year 2002.
- 3(1) Where, in any taxation year, a portion of the annexed land
 - (a) becomes a new parcel of land created as a result of subdivision or separation of title by registered plan of subdivision or by instrument or any other method that occurs at the request of, or on behalf of, the landowner,
 - (b) becomes a residual portion of 16 hectares or less after a new parcel referred to in clause (a) has been created,
 - (c) is redesignated at the request of or on behalf of the landowner under the Town of Sylvan Lake Land Use Bylaw to another designation, or
 - (d) is connected to the water or sanitary sewer services provided by the Town of Sylvan Lake,section 2 ceases to apply at the end of that taxation year in respect of that portion of the annexed land and the assessable improvements to it.
- (2) Notwithstanding subsection (1)(a), section 2 does not cease to apply in respect of the subdivision of an existing farmstead from a previously unsubdivided quarter section of the annexed land.
- (3) Notwithstanding subsection (1)(c), section 2 does not cease to apply in respect of a portion of the annexed land that is redesignated under the Town of Sylvan Lake Land Use Bylaw to the designation “Urban Reserve District (UR)”.
- 4 After section 2 ceases to apply to a portion of the annexed land in a taxation year, that portion of the annexed land and the assessable improvements to it must be assessed and taxed for the purposes of property taxes in that year in the same

manner as other property of the same assessment class in the Town of Sylvan Lake is assessed and taxed.

5(1) In this section, "compensation amount" means the amount of taxes payable to the Town of Sylvan Lake under Part 10 of the Municipal Government Act in respect of the annexed land for the 2003 taxation year.

(2) The Town of Sylvan Lake must pay to Red Deer County

- (a) 100% of the compensation amount on or before December 31, 2003,
- (b) 80% of the compensation amount on or before July 31, 2004,
- (c) 60% of the compensation amount on or before July 31, 2005,
- (d) 40% of the compensation amount on or before July 31, 2006, and
- (e) 20% of the compensation amount on or before July 31, 2007.

6(1) Any application for subdivision filed with Red Deer County before January 1, 2003 must be decided by Red Deer County.

(2) An appeal from a decision made by Red Deer County pursuant to subsection (1) must be made to the Red Deer County Subdivision and Development Appeal Board unless there is authority under section 678(2)(a) of the Municipal Government Act to make the appeal to the Municipal Government Board.