

Before:

The Local Authorities Board
for the Province of Alberta.

In the matter of The Municipal
Government Act:

And in the matter of The Local
Authorities Board Act:

And in the matter of an appli-
cation by the City of Edmonton
for annexation of certain terri-
tory lying immediately adjacent
thereto in the County of Park-
land No. 31.

Pursuant to an application by the City of Edmonton petitioning for annexation of the lands described in Schedule "B" attached to this Order, the board conducted a public hearing of the matter in the city on the 29th day of November, 1971.

The city was represented by Alan Macdonald, Q.C., City Solicitor who called as witnesses City Commissioner George Hughes and Planning Director S. C. Rodgers.

The County of Parkland No. 31 was represented by its Counsel William Hurlburt, Q.C. who called witnesses Reeve Leslie Miller and Councillor R. A. Bailey.

Interested landowners and members of the general public who also made representations to the Board included James Bond, William Boytzun, M.T.P.I.C. for Kruger Property Developments Ltd.; Roy Fletcher for self and City Lumber/Rosen Construction; Mrs R. R. McElhinney; John Nizoil; Donald L. Pinckston; Terence Sargent for self and 15 Lands-downe area petitioners; Dr. Sherman; D. Yarko.

The City of Edmonton stated in its application to the Board that it wished to annex the subject lands for the following reasons:

(1) to provide the city with sufficient area of land on the western limit of the city to permit gradual development of the city to the west on a non-piecemeal basis which will permit planning of roads, utility extensions and the development of housing, school sites and business and recreation areas on a regional basis.

(2) City Council anticipate such an area — if granted — would provide an adequate expansion area on the western city limit for some years into the future.

The County of Parkland at the outset of the hearing through Reeve Miller, advised the Board that the County did not raise objection to the granting of the city's annexation application. He stated that the "annexation area" or "proposed western boundary" had been negotiated between the city and the county and that it was the county's understanding that the area if granted for the city's western expansion would suffice "for some time to come".

The Edmonton Regional Planning Commission approved the City of Edmonton's annexation application at a meeting on October 6, 1971.

With the two concerned municipalities in agreement on the matter of the annexation, the hearing allowed concerned landowners and residents of the annexation area an opportunity to question municipal authorities from the City of Edmonton and the County of Parkland No. 31 on a wide range of concerns relating to "unurbanized areas" — i.e. schools, extension of water and sewer systems; road maintenance; snow plowing; re-zoning; re-subdividing; policing; farm land buildings; non-conforming improvements; subdivision cancellations; road alignments; property assessment and taxation; fire protection; etc.

The city offered the new area at least equal services to that it enjoyed prior to annexation.

The Board is of opinion that the officials in attendance were generally able to supply satisfactory answers to the many inquiries directed to them.

Certain specific individual requests were made to have the Board (a) fix a certain zoning; (b) to direct the sending of children to a specific school; (c) to order the installation of water lines and fire hydrants.

These matters are responsibilities of planning, school and municipal authorities respectively — and are not within the purview of this Board, as the individuals were advised at the hearing.

The Board received a request from the County of Parkland — and from the owners of certain farm lands in the annexation area — requesting "protection" from assessment and taxation of farm buildings should the application be granted, so long as the lands continue to be used for agricultural purposes.

After considering all the evidence placed before it, the Board considers that the application of the City of Edmonton should be granted in full for the general reasons outlined in the city's application.

It is ordered therefore as follows:

I. That there be annexed to the City of Edmonton and thereupon be separated from the County of Parkland No. 31, all of the lands described in detail on Schedule "B" attached to this Order.

(A sketch showing the general location of the annexed lands is attached hereto as Schedule "A").

II. That any taxes owing to the County of Parkland No. 31 as at December 31st, 1971 in respect of the aforementioned annexed properties shall transfer to and become payable to the City of Edmonton, together with the amount of any lawful penalties and costs levied thereon in respect of such taxes; however, upon the City of Edmonton

collecting any or all of the said taxes, penalties or costs, such collections shall forthwith be paid by the city to the County of Parkland No. 31.

III. That the Assessor for the City of Edmonton shall for taxation purposes in the year 1972, re-assess or re-value, the annexed lands and assessable improvements thereon, other than the properties described in clause IV hereunder so that the assessment or valuation thereof shall be fair and equitable with other lands and assessable improvements in the city.

IV. That the Assessor for the City of Edmonton shall for the years 1972, 1973 and 1974, re-assess any annexed parcel of land comprising a farm unit or part thereof, as referred to in The Municipal Taxation Act, and the farm buildings thereon used in connection with the raising or production of crops or livestock or both, or in connection with fur production or beekeeping, on the same basis of assessment as would be applicable to them had such land and farm improvements remained in the County of Parkland No. 31, provided, however, that if:

- (a) the said land or a part thereof is further subdivided; or if
- (b) the city, by Resolution of Council, or the owner or other interested person in writing, establishes before the Board, that for other good and sufficient reason the provisions of clause IV should be varied,

application may be made to the Board for an Order to implement such a variation.

V. That the City of Edmonton shall for taxation purposes in the years 1972, 1973 and 1974 tax the properties described in clause IV at the appropriate county mill rate.

VI. That the Chief Provincial Assessor, appointed pursuant to the provisions of The Municipalities Assessment and Equalization Act, shall for taxation or grant purposes commencing in the year 1972, re-assess or re-value, as the case may be, all properties that are assessable or subject to valuation under the terms of The Electric Power and Pipe Line Assessment Act and The Municipal and Provincial Properties Valuation Act and which lie within the areas that are by this Order annexed to the City of Edmonton, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

VII. The effective date of this Order shall be the 1st day of January, 1972.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 24th day of January, 1972.


LOCAL AUTHORITIES BOARD,
C. G. MACGREGOR (Chairman)
A. B. WETTER (Member)

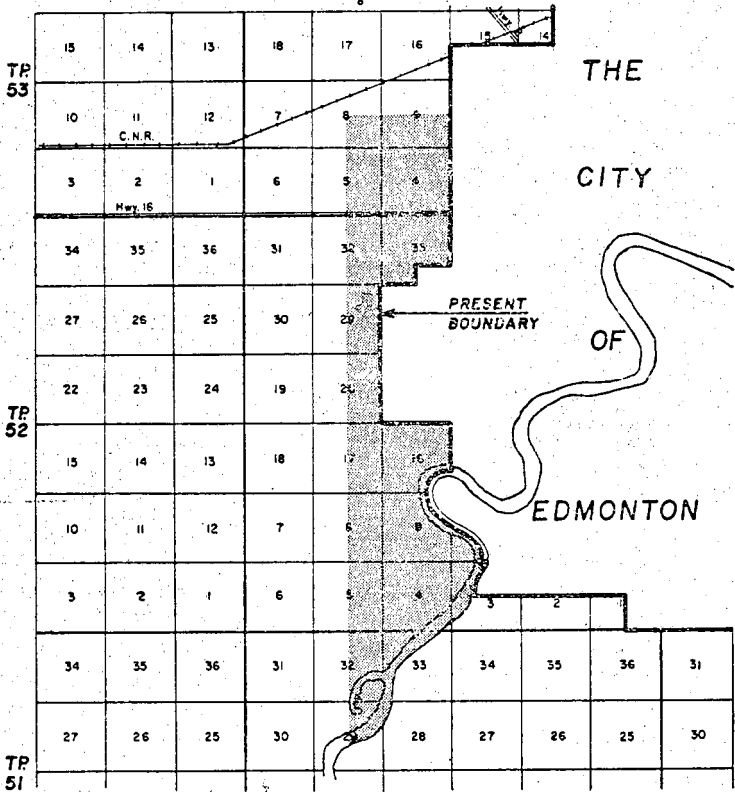
Certified a true copy,
W. C. ELLIOTT (Secretary).

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION
 OF THE AREAS AFFECTED BY ORDER No. 5526
 EFFECTIVE DATE - JANUARY 1, 1972



 AFFECTED AREA(S)



R.25

W4M.

SCHEDULE "B"

Detailed description of the lands which were sought for annexation by the City of Edmonton pursuant to an application to the Board.

Firstly:

All those portions of the north-east quarter of section 29, east half of section 32, north half of section 33 and the intervening government road allowances, all in township 51, range 25, west of the fourth meridian in the said Province lying generally West of the right bank of the North Saskatchewan River.

Secondly:

All of the east halves of sections 5, 8, 17, 20, 29 and 32 in township 52, range 25, west of the fourth meridian in the said Province.

All those portions of the south-west quarter of section 10 and all of sections 9 and 16 in township 52, range 25, west of the fourth meridian in the said Province lying generally west of the centre line of the North Saskatchewan River together with all of the west half of section 3 and all of section 4 in the said township and range lying generally west of the right bank of the said river.

All of section 33, township 52, range 25, west of the fourth meridian in the said Province not presently lying within the limits of the City of Edmonton.

All of the intervening government road allowances lying within the above described portions.

Thirdly:

The east half of section 5, all of section 4 the south-east quarter of section 8, the south half of section 9 and the intervening government road allowances all in township 53, range 25, west of the fourth meridian in the said Province.
