

LOCAL AUTHORITIES BOARD

ORDER NO. 8109

File: L.A. 4715(A)3

Before:

The Local Authorities Board
for the Province of Alberta

In the matter of The Municipal
Government Act:

And in the matter of an appli-
cation by the majority of the
registered owners of certain terri-
tory lying east of and immediately
adjacent to the Town of Spruce
Grove, Alberta, petitioning for
annexation of the said territory to
the said town.

Pursuant to an application by the majority of the registered owners of the territory described in schedule "A" attached to this Order and which territory lies immediately adjacent to the Town of Spruce Grove, Alberta, petitioning for annexation of the said territory to the Town of Spruce Grove, in the Province of Alberta, and its separation from the County of Parkland No. 31, the Board held a public hearing of the matter in the Town of Spruce Grove on Monday, March 24th, 1975.

Representing the petitioners were Mr. Pat Payne, district manager for Carma Developers Ltd.; Mr. Bob Fraser, solicitor; Mr. Bill Bruyer of Renton Bruyer and Partners; Mr. Larry Newton, planner for Renton Bruyer and Partners; and Mr. O. Wasiuta of Hu Harries and Associates Ltd. Property owners H. Schwindt and W. Daly were also present.

The Town of Spruce Grove was represented by Mayor Ken Howery; town solicitor, Gary Wetsch; secretary-treasurer John Stasiuk; planner John Hilliard; J. Peers and Dr. Earl Snider of the University of Alberta, acting as consultants; and councillors Johnson, Kupp and Phelps.

Representing the County of Parkland No. 31 were Reeve L. Miller; Deputy Reeve M. McCullagh; Secretary-treasurer O. Schuster; and M. Goerzen, school division planning officer.

The Edmonton Regional Planning Commission was represented by director, N. Giffen.

Mr. T. Cowan and F. Schute represented the Department of Environ-
ment.

Other interested parties present were Mr. R. Young, vice-president of Land Development and Mr. J. Butler, solicitor, of Melton Real Estate Ltd.; and citizens Mrs. Hunt, M. Walmsley and J. Charlton.

The Department of Highways and Transport was not represented at the hearing but submitted a letter dated September 24, 1974, signed by the chief highway engineer, stating opposition to "any further urban development along Highway 16 due to traffic and noise problems, which would require an arterial street and new free-flow interchange and buffer strip and noise attenuation structure, all constructed at the devel-
opers cost".

Carma Developers Ltd., developers of the proposed annexation area, through their representative, Mr. P. Payne and supporting witnesses, submitted that:

1. There is a need to make residential land available in the Town of Spruce Grove.

2. The proposed development will allow the town to plan for growth in an orderly fashion on a long term basis and to make rational growth decisions based upon areas within their control.

3. The proposed development forms a logical and desirable extension of the Town of Spruce Grove and is compatible with the surrounding land uses.

4. There is a need to develop and maintain a competitive land market within the town.

5. There is a demonstrated desirability of residential, commercial and industrial facilities in community satellites to the City of Edmonton, and Spruce Grove is one of these satellites.

6. The proposed growth is economically viable and will not be detrimental to the town.

7. There is only sufficient land presently within the town limits to meet demands for between two to four years and, therefore, the proposed land is needed immediately to ensure a future supply.

8. The proposed annexation area is well suited to residential development, being relatively flat, easily serviceable and readily accessible.

9. The conceptual land use plan submitted by Carma Developers Ltd. allows for logical and systematic development and guarantees the highest order of residential environment for future residents of Spruce Grove.

The Town of Spruce Grove represented by Mayor Howery and Solicitor G. Wetsch and other expert supporting witnesses generally stated that:

1. The general consensus of the citizens of Spruce Grove, determined through correspondence and public meetings, was that they were against large scale annexation and the resultant population growth as proposed by the applicant.

2. The town council has voted unanimously against supporting the annexation application.

3. The conceptual plan for the proposed annexation area provides for predominantly residential growth and the town should not accept the economic burden imposed by the migration of new residents without also expecting at least a 25% increase in industrial and commercial assessments.

4. The town requires more time to plan for the future and solve current problems relating to water supply and sewage disposal.

5. The Regional Plan for Growth in the Edmonton area is being prepared by the Edmonton Regional Planning Commission and any annexation in the Spruce Grove area is premature until this report is completed.

6. At the maximum growth rate adopted by the town, the proposed area will support residential growth for the next 45 years, which is considered excessive.

7. The town has sufficient land within the present boundaries to house at least 5,000 more persons and, therefore, needs no more land at this time.

The County of Parkland No. 31 submitted that the application was premature, as numerous planning problems, particularly those relating to school sites, had not been solved.

The Edmonton Regional Planning Commission Director stated that the commission was opposed to the proposed annexation at this time for the following reasons:

1. The position of Spruce Grove as a future growth centre in the Edmonton Region has not yet been established and will be included in a growth policy report to be released later this year, therefore, an annexation of this magnitude is premature.

2. The land proposed for annexation is high quality agricultural land and the commission has a policy of opposing use of land of this type.

The Department of Environment submitted that they were opposed to the proposed annexation because the area abutts on Highway 16 and would thus create traffic problems and require noise buffering considerably in excess of that proposed by the developer. In addition, part of the area drains into a new drainage basin which the department considers undesirable.

After considering all the evidence presented to it, the Board has reached the following conclusions:

1. The town council and some proportion of the residents of the Town of Spruce Grove do not desire the annexation, as proposed by Carma Developers Ltd. at this time.

2. The town has not had sufficient time to consider future growth rates and patterns of growth with a view to determining its desired pace and direction of growth.

3. The town has sufficient land available within its present boundaries to meet expected demand for perhaps the next 10 years, but the town also has problems relating to future water supply and sewage disposal which have not yet been solved.

4. Because the Town of Spruce Grove is a satellite community in the Edmonton Region which has not prepared itself for the rapid growth contemplated by developers, it is the Board's opinion that any major eastward annexation should not take place until the Edmonton Regional Growth Study is completed or until the town has had an opportunity to evaluate the advantages and disadvantages of eastward and westward annexations along the highway to the town.

5. The area proposed for annexation poses as yet unsolved problems relating to traffic access and noise reduction along Highway 16.

It is ordered, therefore, that the application filed by Carma Developers Ltd. for annexation of all of the north half of section 2, township 53, range 27, west of the fourth meridian and that portion of the south half of section 2, township 53, range 27, west of the fourth meridian lying north of the north limit of the road as shown on plan 1076 L.Z. to the Town of Spruce Grove be and the same is hereby refused.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 8th day of September, 1975.

Certified a true copy,

B. CLARK,
Secretary.

LOCAL AUTHORITIES BOARD.

D. A. BANCROFT,

Chairman.

I. MORRIS,

Member.

E. POWELL,

Member.

SCHEDULE "A"

TO BOARD NO. 8109

A detailed description of territory sought for annexation to the Town of Spruce Grove pursuant to Local Authorities Board Order No. 8109.

In township 53, range 27, west of the fourth meridian.

Firstly: All of the north half of section 2.

Secondly: That portion of the south half of section 2 which lies north of the north limit of the road as shown on plan 1076 L.Z.
