

LOCAL AUTHORITIES BOARD

ORDER NO. 4192

FILE: C-20-A

MONDAY—THE TWELFTH DAY OF MAY, 1969

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 Roy Bolster for an-  
nexation of lot "A", plan 1681  
N.Y. to the City of Edmonton.

Pursuant to an application by Roy Bolster, requesting annexation of lot "A", plan 1681 N.Y. — being a part of the south-east quarter of section 33, township 52, range 25, west of the fourth meridian — to the City of Edmonton, the Board conducted a public hearing of the matter in the City of Edmonton on March 3, 1969.

Representing the applicant was Sol Estrin, barrister and solicitor.

The City of Edmonton was represented by Alan F. Macdonald, Q.C., O.B.E., city solicitor, with City Engineer Hodge and Chief City Planner Rogers called as witnesses.

R. N. Giffen, M.T.P.I.C., Executive Director of the Edmonton Regional Planning Commission, appeared for that Commission.

The County of Parkland No. 31 was represented by Deputy Reeve L. Miller and Councillor R. A. Bailey.

The applicant submitted that the surge of development in the area makes Lot "A" amenable to orderly and necessary urban development. He further represented that his clients proposed to build to the higher density proposed in the West Jasper Place Outline Plan prepared by the city. The applicant stated that annexation would effectively bridge the time gap up to actual commencement of development, by allowing a period for planning orderly development. The applicant stated that his clients are prepared to negotiate sale of land to the city for required roads at the price of \$4,500.00 per acre, which price the city established at the time it annexed sections 21 and 28, township 52, range 25, west of the fourth meridian. Finally, the applicant said that his clients were not pressing for the city to prematurely extend sewer and water facilities to the property by mere reason that the lands were made a part of the city.

The City of Edmonton opposed annexation of lot "A" to the city on the basis that addition of the land — a 40-acre parcel — was premature to city requirements for development lands in the area. The city submitted that sewer and water facilities were not likely to reach the south part of section 33, township 52, range 25, west of the fourth meridian — in which section lot, "A" is situate — until 1972 at the earliest. Finally, the city represented that the granting of the application would lead to further piecemeal annexation applications which should not be considered until the city decides on a longer range annexation plan.

The County of Parkland No. 31 opposed the application because of its piecemeal nature, believing that the whole of section 33, township 52, range 25, west of the fourth meridian should be annexed to the city.

The Edmonton Regional Planning Commission opposed the application on the basis of its policy to support annexation only where an outline plan for development of the area has been accepted by the annexing municipality.

The Department of Highways offered no opposition to the application being granted.

After considering all the evidence presented to it at the public hearing and other documents filed with the Board in respect to the application, the Board has concluded that:

1. the applicant who desires to use the land for urban-type residential development established the fact before the Board, that it was reasonable to anticipate urban development of section 28, township 52, range 25, west of the fourth meridian, to the south within the next few years, and that such development and services would then naturally extend into section 33, including lot "A".
2. the applicant further convinced the Board that the city had already carried out sufficient planning studies in the general West Jasper Place area to indicate that his clints' lands would be used and useful for comparatively short-range urban-type development.
3. the Board is of the opinion that the granting of the application will aid the owners in planning their eventual development of the area.
4. the Board believes that annexation of lot "A" will not provide the city with land areas in excess of that which it will require in the next few years and that it is desirable that the city now be given direct planning control of the land.

It is ordered, therefore:

I. That lot "A", plan 1681 N.Y., being a part of the south-east quarter of section 33, township 52, range 25, west of the fourth meridian be annexed to the City of Edmonton and thereupon be separated from the County of Parkland No. 31.

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

II. That any taxes owing to the County of Parkland No. 31 as at December 31, 1969 in respect of the annexed property shall transfer to and become payable to the City of Edmonton, together with the amount of any lawful penalties and costs levied thereon; however, upon the city collecting any or all of the said taxes, penalties or costs, such collections shall forthwith be paid by the city to the county.

III. That the assessor for the City of Edmonton shall for taxation purposes in the year 1970, re-assess the lands and any assessable improvements thereon which are by this Order annexed to the city, so that the assessment thereof shall be fair and equitable with other related lands and assessable improvements in the City of Edmonton.

IV. 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 1970, 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 aforementioned lot "A", so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

V. That the effective date of this Order shall be the 1st day of January, 1970.


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

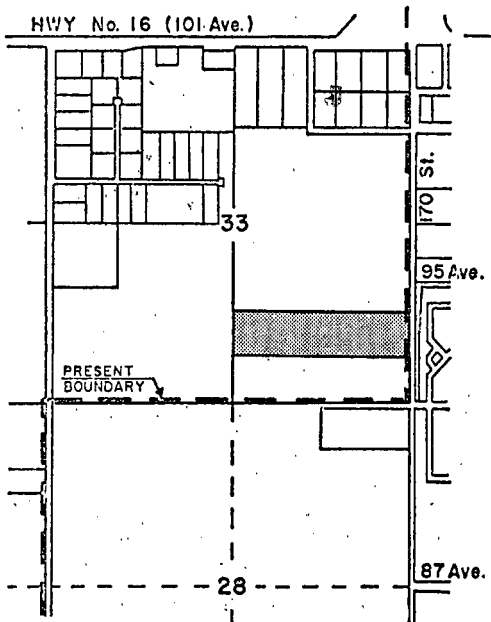
Certified a true copy,  
W. C. ELLIOTT (Secretary).

# SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION  
OF THE AREAS AFFECTED BY ORDER No. 4192  
EFFECTIVE DATE - JANUARY 1, 1970



 AFFECTED AREA(S)



T52 R.25 W. 4 M.

EDMONTON