

ORDER No. 10479

File: 22(A)6

Before:  
The Local Authorities Board  
for the Province of Alberta

In the matter of The Municipal  
Government Act:

And in the matter of an application by the  
majority of owners of certain territory lying  
immediately adjacent to the City of St.  
Albert, Alberta, petitioning for the  
annexation of the said territory to the City  
of St. Albert.

Pursuant to an application by St. Albert Investments Ltd., as owner, beneficial owner under an agreement for sale, agent or authorized representative of the majority of owners, petitioning for annexation of territory described in Schedule "B" attached to this Order from the Municipal District of Sturgeon No. 90 and to the City of St. Albert, the Board conducted a public hearing of the matter.

On December 21, 1976, the Board received a petition from the majority of owners to annex approximately 2,290 acres to the City of St. Albert. This area is located in the north sector of the City, being outlined by the Sturgeon River to the south, the west boundary of River Lot Thirty-one (31) and Highway No. 2 on the west and the north and east boundary of section 21 and river lot 38, and has been designated as "Bellerose Park".

The hearing commenced on Thursday, November 22, 1977 in St. Albert, to be adjourned after receiving the applicant's submission, to Tuesday, January 17, 1978.

The applicant's case was presented by M.D. MacDonald, Solicitor. Appearing on behalf of St. Albert Investments Ltd. was its President, L. Ulliak and J.N. Polonuk, Planner. Evidence on the applicant's behalf was given by M.V. Jones, W. Symonds and K. Driver, Planners; H.L. Robinson, Economist; and R. Savage, Engineer. The City of St. Albert was represented firstly by R. Byron, City Manager and W. Gordon, Planner, and later by M. Welsh, Solicitor.

The Municipal District of Sturgeon No. 90 was represented by A. Lefevre, Solicitor and K.C. Mackenzie, Planner. Mrs. L. Hole, Chairman, appeared on behalf of the Sturgeon School Division No. 24.

The City of Edmonton was represented by its City Solicitor, H. Wilson.

Owners E. Hole appeared and Walter Miss made an oral submission opposing the annexation.

Representing the Edmonton Regional Planning Commission was R.N. Giffen and B. Clarke.

L. Ulliak and J.N. Polonuk reviewed the history of the development, relating how the land was assembled. Negotiations with the City of St. Albert were detailed, dating back to 1971.

K. Driver explained the logic of the Bellerose Park annexation. He indicated that, to date, St. Albert's development had occurred on a quadrant basis — to the south-west, north-west and south-east, leaving Bellerose Park a wedge of undeveloped land bordered on two sides by the City. Reference was made to the territory's relationship to the proposed new regional shopping centre to be located east of Highway No. 2, north of the Sturgeon River and south of Bellerose Drive. He stated that if the land to the east was annexed to the City of St. Albert for industrial purposes and if these lands were developed, the access to these areas would be convenient and direct via Boudreau-Giroux Road and the north east by-pass.

Mr. Driver referred to the St. Albert Area Transportation Plan which contemplated bridges across the Sturgeon River and highway development. Bellerose Park's development would mean greater utilization of these roads, better cost sharing and easier planning if the territory was within the City. He also saw the proposed east by-pass road as being the logical boundary.

The topography was reviewed. With the Sturgeon River to the south, the river flood plain rising to the north to a steep incline, the land then progressed to a moderate southerly slope with the top plateau. He saw the southern slopes area as having an advantage with the treed areas protecting it from north winds.

K. Driver proposed three planning stages. Stage I to contain 590 acres and an estimated population of 8,600. Stage II would contain 416 acres with an estimated population of 6,100 and Stage III containing 516 acres with a population of 7,600 people. This total population of 22,300 would, he submitted, support one senior high school.

L. Robinson dealt with the question of population projections for the City of St. Albert. He pointed out that within the Edmonton Regional Planning Commission area the population of the towns and municipal districts increased in the five years of 1971 to 1976 much more rapidly than the City of Edmonton. In 1966 Edmonton had 80.8 percent of the Edmonton Regional Planning Commission regional population, in 1971 — 80.7 percent but in 1976 only 74.4 percent. The population of the towns and other municipalities in the Edmonton subregion is now more than twice what it was 10 years ago.

This population of the subregion was concentrated in the five communities of St. Albert, Fort Saskatchewan, Leduc, Sherwood Park and Spruce Grove. In 1961 they contained 23 percent of the subregion's population, by 1971 — 47 percent and in 1976 — 55 percent.

Mr. Robinson further stated that in 1961 to 1966 Edmonton accounted for 95 percent of the subregion's growth, while from 1971 to 1976 it accounted for only 27 percent with the above five centres obtaining 50 percent of the growth, other centres 7 percent and the balance of the area 17 percent. Therefore, whereas formerly the bulk of the subregion's population growth was by way of peripheral accretion to the City of Edmonton, which expanded its boundaries to accommodate the new population, this has recently changed and most of the subregion's growth is in satellite or outlying centres surrounding the City.

Referring to the City of St. Albert's Planning Department's "Population Background Paper" and the work done for it by the Population Research Laboratory, University of Alberta, for comparisons, he projected the following populations for St. Albert:

<i>Population</i>	<i>1981</i>	<i>1986</i>	<i>1991</i>	<i>1996</i>	<i>2000</i>
Low	34,000	46,000	59,000	73,000	89,000
High	36,000	50,000	66,000	84,000	104,000

Applying this to housing, he noted that the proportion of family households were falling, while non-family households rising. In the last 10 years, the average family size had declined from 3.85 in 1966, to 3.65 in 1971, to an estimated 3.35 in 1976. In contrast, household size was larger (indicating relatives, lodgers, etc.) but while large, also declined, i.e. 1961 — 4.07, 1966 — 4.05, 1971 — 3.85 and in 1976 — 3.50. Mr. Robinson, upon considering a number of variables and assuming the projection of 3.80 as the average household size during the years to 1996, noted the need to construct 12,700 new dwellings to 1996.

Within the City of St. Albert's General Plan area the potential new housing units are 6,850 — which would represent development of every parcel of residential land in the City. He pointed to present zoning which would require a mix of 62/38 single family to multiple family housing. The existing ratio is 86/14, while the General Plan advocates a mix of 80/20. Therefore, he contended, if the City of St. Albert were to restrict development to land currently within the City limits for the next ten years, the development emphasis would have to shift to multiple-family units. As this was not indicated in the General Plan, residential land for single detached housing would have to be annexed within the ten-year time period if St. Albert were to continue to provide single detached housing consistent with market experience and the City's expectations. He argued that the land now in St. Albert and the proposed Bellerose Park would be required in their entirety within a twenty-year time frame.

William Symonds outlined the conceptual plan of Bellerose Park for the proposed annexation territory and discussed in detail the boundaries, environment, soils, community structure, population estimates, housing and community facility needs and staging of development. River valley soils were classified by the Canadian Land Inventory as a mixture of 3, 5 and 1 soils with constraints due to wetness and topography. Plateau lands were Class 1 soils, but several parcels have had this top soil stripped. The floodline is established at the 2,150 foot contour, below which, together with certain ravines, some 137 acres cannot be developed. Through various housing mixes, the total territory could accommodate a population of 22,300. He estimated that to service this population, 3 public schools and 6 separate schools would be required for elementary grades. One junior high school would be required for public schools and 3 for the separate schools. Only one senior high school was envisioned for the separate schools.

Staging, he projected, would be done in three phases, the first being to the south-west, the second stage in the south-east and the third stage being in the north.

Transportation was reviewed by Robert Savage. Accepting total populations of 8,600, 14,700 and 22,300 as each stage is developed in Bellerose Park, he estimated that an addition of one arterial lane in each direction (to the south) would be required. He suggested that this could be accommodated by the north-east by-pass being constructed to freeway standards.

He pointed out that the St. Albert Area Transportation Study advocated, when growth exceeded a population of 50,000, an increase in bus transit to and from the Edmonton employment centres. If the present modal split were maintained, the peak hour volumes would exceed the capacity of the road systems in the City of Edmonton. A modal split of 30 to 50 percent to transit was suggested.

Internally in the City of St. Albert, he saw little difficulty in handling traffic problems.

In respect to utility servicing aspects, Mr. Savage pointed to the plans the City of St. Albert has for a new 36-inch water supply main from the City of Edmonton. This would have a capacity for a population of 100,000 or more. Feed mains within the City are planned, including the servicing to the proposed regional shopping centre. Within Bellerose Park there would be required a distribution system and storage facility with booster pumping being required for the later stages.

Sanitary sewage could be handled by connecting to the existing system, which with expansion, could service a population of 105,000. A lift station would be required to transport sewage across the Sturgeon River. Within Bellerose Park sanitary drainage would be by gravity.

The storm sewer system would be drained into the Sturgeon River by shallow gravity sewers. Natural surface drainage would continue to use ravines in the open space areas.

Cost of on-site improvements would be borne internally by the developer and off-site costs by a \$500 per lot development levy paid to the City of St. Albert.

Electricity, telephone, cablevision, gas and refuse disposal utilities would be feasible without any major undertaking of additional utility facilities.

L. Robinson analyzed the City of St. Albert's finances and the impact of the development of Bellerose Park on them. He pointed out that a feature of St. Albert's present assessment base is the high proportion of residential assessment, being much higher than in any other municipality in the Edmonton area. Even so, St. Albert's equalized assessment per capita is higher than five of these, equal to and lower than the remaining three. This, he suggested, would indicate a high residential standard and resulting high assessed value per dwelling and per capita. Between 1971 and 1976 total assessment increased two and one-half times, and per capita assessment by 31 percent. He saw this as 3/5th being due to increased growth, and 2/5 to higher assessments per capita.

As compared to the above, 70 percent of the increase in expenditures was due to population growth. St. Albert's revenues have, he argued, been rising rapidly to keep pace with expenditures — which resulted from rising population growth and development and rising revenues per capita to pay for higher levels of services and because of inflation. Total revenues, excluding the School Foundation Program levy, tripled and revenues per capita have doubled. He argued that the changes affecting St. Albert residents could be shown by estimating per capita taxes levied on residential assessment as rising about 45 percent between 1971 and 1976. On a net basis, and taking into account the effect of the refund in 1971 of part of the School Foundation Program levy in lowering the net taxes paid, residential taxes per capita increased by 65 percent. The tax levy per \$1,000 of residential assessment had risen by 7 to 8 percent during the six years. If the partial refund of the School Foundation Program levy was considered in net terms, the levy per \$1,000 of residential assessment had risen approximately 25 percent in 6 years. This, he argued, considering inflation and demands for services, was very good.

In respect to capital financing, he noted that the outstanding debentures in 1971 amounted to \$190 per capita, \$109 per capita in 1973, accelerating to \$341 at the end of 1976. Adding the public utilities debt, the total comes to \$421 per capita. Current revenue provides 9 percent of the total capital funds and grants 11 percent. The 1976 outstanding debentures amounted to \$10,054,463.00, of which \$8,145,120.00 or 81 percent of the total, was general debt. The balance of \$1,909,340.00 or \$80 per capita was public utilities debt.

General debt charges were \$24.45 per capita in 1971, \$17.48 in 1973 and \$36.68 in 1976. He estimated the City of St. Albert's future capital borrowing capacity by using two guidelines:

- (a) total outstanding debt of \$500 per capita, and
- (b) debt charges of \$50 per capita.

He concluded that, as the City's current policy requires new development to assume all capital costs as well as normal site development costs, it left only capital expenditures of a city-wide scope for St. Albert itself. As such, it would be fully capable of meeting the cost of future development, including Bellerose Park.

He reviewed school financing, concluding that the scale of future residential development in St. Albert will not have an appreciable adverse effect on the residential tax burden for school purposes.

Mr. M. V. Jones summarized the application. He suggested development of Bellerose Park would strengthen St. Albert as a regional centre. Internally, he saw a direct access from Bellerose Park to St. Albert's employment centres in the downtown commercial and office core and its industrial parks. Access to Edmonton's northwest industrial area would be obtained by use of its 149th Street and 156th Street; its city centre by 142nd Street and the north-east by-pass. He argued that regional transportation issues will have to be solved regardless of where growth takes place in St. Albert.

This area proposed for annexation, he submitted, was well suited to urban development and servicing can be adequately handled, at the developer's expense, from the City of St. Albert's existing utilities, roads and other municipal infrastructure.

Mr. Jones also pointed out that while St. Albert's General Plan projected residential development for only a 10-year span, it projected industrial development for a 20-year span. The same General Plan, while not contemplating development for 10 years in the Bellerose sector, does recognize it as one of the likely areas where long-term growth could occur.

He estimated the total area represented only one half of one percent of the total assessment of the Municipal District of Sturgeon, thus having a minimal adverse effect on its net revenue or expenditures. Further, he claimed that the applicant's financial analysis would indicate Bellerose Park's annexation and residential development would be within the City of St. Albert's financial capacity.

Hector Gervais, being one of the original land owners, reviewed the land use from 1928 to present. On River Lots 31 and 32, commencing in 1955, topsoil was stripped from 136 acres out of 236. At the time there were no restrictions, and 18 inches to 3 feet of black soil were removed, leaving approximately 3 inches. About 30 acres had been stripped from Lot 33, with Lot 34 being stripped completely of all but 8 inches. The land was still used for crops.

Edward Hole owns a part of River Lot 32 and the top portion of Lot 33, consisting of some 185 acres, none of which had been stripped. While he had not signed the petition in favour of annexation, he did see the urban development of the lands as inevitable.

Cross-examination was commenced January 17, 1978. A panel of the applicant's witnesses were placed before the Board consisting of R. Savage, L. Robinson, M.V. Jones, W. Symonds and K. Driver.

On the question of schools, it was estimated that upon full development of Bellerose Park, a total of 13 schools would be required which would add a debt charge of \$1,000,000 to the City or annual debt charge of \$303,000 to the total school district, including new residents.

The witnesses answered that of the 28 owners, 18 had signed the petition, of whom 8 lived on the land. Ten did not. St. Albert Investments Ltd. represented companies controlling some 1,455 acres of the proposed annexation area.

Walter Miss appeared on his own behalf, as the land owner of the south-east quarter of section 21, township 54, range 25, west of the fourth meridian. He opposed the annexation as the development proposed located the Villeneuve Road and its interchange with the east by-pass on his land. This, he felt, would sterilize his lands and isolate his home from his farm land, which he desired to retain as a unit.

Further, he anticipated a noise hazard from the effects of Highway No. 2 on the west, Villeneuve Road to the south and the east by-pass. He submitted his land would be difficult to develop as there was a wet area or swamp in the north. The existing trees were not taken into consideration, i.e., spruce stand — oak trees in the proposed plan. As development of his lands would not take place for 15 to 20 years, was it not too early to be making commitments about them now? Further, he submitted that in the north and east portion of the area proposed for annexation, the petitioners were in the minority.

Barry Clarke, representing the Edmonton Regional Planning Commission, presented a resolution dated November 2, 1977 to the effect that the Commission did not support the application, giving the following reasons:

1. The application is not in conformity with the Preliminary Regional Plan, Metropolitan Part, the St. Albert General Plan or the Municipal District of Sturgeon General Plan.
2. Agreement has not been reached between Alberta Transportation, St. Albert and Edmonton on the provision of regional transportation services adequate to service this territory in addition to lands already committed to residential development within St. Albert.

Copies of the staff's position to the Commission were also submitted as an exhibit to the Board, pointing out that the Board had conducted three other hearings on major annexations in 1977 in the north-west Edmonton metropolitan sector, one in which the City of St. Albert proposed to annex substantial territory for industrial, open space, institutional and other uses.

"At the present time nearly all residential development in St. Albert is based on . . . commuting beyond municipal boundaries to find employment. This application is no better or worse than any other proposed residential development in St. Albert in terms of accessibility to regional employment centres . . ."

"Information indicates that regional utilities services are, or would be, available . . ."

Wayne Gordon of the City of St. Albert's Planning Department, set forth his City's position in opposing the application. St. Albert proposed to reduce growth rates from previous high levels. The General Plan, as adopted by Council, has set a maximum population size of 50,000 persons. A growth rate of 7 percent compounded was anticipated with no specific date set for the 50,000 figure. Adopted was a 80/20 split of single family to multiple-family housing units. A high proportion of multiple-family housing units would be permitted in specific areas of the City, but not in the area proposed for annexation. A community vote had been held in February, 1977 on the question of the application by B.A.C.M. Ltd. and St. Albert Investments Ltd. for annexation, at which time 85 percent of the citizens participating voted against the proposals.

"While the probability of community growth beyond 50,000 population is recognized in this General Plan, it is considered that the potential residential expansion areas as contained in the B.A.C.M. and St. Albert Investments applications will not be required for urban use until such time as the City's population exceeds 50,000 persons".

Mr. Gordon submitted that household sizes would not decline, and that housing demands would decrease. Building permits in 1977 were down to 476 units and he saw this stabilizing between 400 to 450 units per year.

He pointed out that in spite of large lot inventories in the past, prices had risen. While St. Albert had approximately 10 percent of the metropolitan market, competition in the past had not necessarily meant lower housing costs in St. Albert.

Mr. Huntingford, an economist with the City of St. Albert, stated that he had done an impact study of the effects of the annexation of Bellerose Park on St. Albert. Presently in school construction, there is a short fall between what the Foundation Program Fund would support and the actual cost of construction of approximately \$3.50 per square foot for elementary and \$17.00 per square foot for high schools. He estimated this would mean annually an unsupported debt payment of \$300,000 or a 5 percent increase in the school supplementary requisition against the City's tax base.

Mr. K. Foster dealt with the question of transportation. Reference was made to the St. Albert Area Transportation Study (1976) which indicated that unless there was a very substantial increase in the internal employment base within St. Albert, the level of congestion on the inter-city corridor would reach unacceptable levels by the time St. Albert's population was 50,000 to 55,000 persons, even if the modal split from auto to transit increased from 10 percent to 30 percent. That population was the number of persons who could be accommodated in the existing St. Albert boundaries. If St. Albert could develop its own employment base, the maximum population that could be accommodated without causing severe congestion would be approximately 70,000 persons. Growth beyond 70,000 would require a modal split of 50 percent to transit, therefore, the annexation of Bellerose Park is only feasible if St. Albert could generate its own employment base. Even so, transportation problems would limit the population to 70,000 and not 90,000 which would likely occur if the applications of B.A.C.M. Ltd. and St. Albert Investments Ltd. were both approved and fully developed.

He indicated that the development of the Bellerose area would mean using basically the same road system as the industrial area proposed by St. Albert. This would mean 156th, 170th and 184th Streets in Edmonton would be under-utilized, while 127th Street and 153rd Avenue would be over-utilized. He, therefore, preferred the B.A.C.M. Ltd. application.

The City of Edmonton, through its solicitor, H. Wilson, entered a certified copy of a resolution dated November 8, 1977, pursuant to section 67 of The Local Authorities **Board Act**, by which the Council deemed it in the interest of the public in the City of Edmonton to become a complainant or intervenant in these hearings.

M. McCullough for the City of Edmonton pointed out the two other annexation applications before the Board, which if granted in full, would add 6,800 acres to St. Albert in addition to this application of 1,728 acres. The City of Edmonton is concerned about the severe traffic congestion in the north-west quadrant of the City of Edmonton. This, he stated, is primarily attributable to the extensive commuting done by the residents of St. Albert to Edmonton.

He claimed that development and boundary expansion to the magnitude proposed was premature because:

- (a) St. Albert has now sufficient area undeveloped which could accommodate a population of 50,000 and thus a new annexation would exceed that which is required for orderly and economical urban expansion;
- (b) Such an annexation is inconsistent with St. Albert's General Plan and that of the Municipal District of Sturgeon; and
- (c) It could result in premature loss of prime agricultural land.

The Provincial Department of Transportation, in a written submission, offered no objection to the proposed annexation, provided the territory was planned to accommodate a main arterial road in a manner compatible with the road system in the region as a whole. "The proposed north-west freeway system passes through the area and the right-of-way and suitable connections will have to be incorporated in the overall plan".

The Sturgeon School Division No. 24 submitted a written argument against the annexation, in which the primary concern was the effect of all the three applications for annexation to St. Albert plus the Speedway Park annexation application to Edmonton. While admitting the Division's boundaries had been altered to include portions of the County of Thorhild, and in spite of this increase in territory and assessment base, it still opposed the application.

Bellerose Park annexation would mean a loss of approximately \$150,000 in assessment or \$16,000 per student, as the area now contains 9 students.

Unsupported debt burden, because of new school construction, the School Board contended, had increased sharply in recent years and would continue to mount as school projects are completed and debenture payments come due. Sturgeon School Division cannot afford to lose any of its assessment, as this would mean that either an equivalent corresponding amount of tax levy would have to be shouldered by the remaining ratepayers or cutbacks to the education system made. Charts showed the unsupported debenture principal outstanding as follows:

1977	1978	1979
\$393,528.00	\$3,527,106.00	\$3,380,476.00

Using 1976 assessment for comparisons, loss of assessment for the territories proposed for annexation would amount to \$2,143,770.00. The School Board pointed out that School Foundation Fund support had dropped from 90 percent of the total educational cost to 79 percent. Therefore, the School Division could not afford to lose any tax base as every loss would mean a heavier burden being borne locally by the remaining community.

K.C. Mackenzie, appearing as a witness on behalf of the Municipal District of Sturgeon, observed there was a question of cost comparisons with the proposed B.A.C.M. Ltd. application, which comparisons, he suggested, would appear to favour the B.A.C.M. Ltd. application. Certain oversized utilities there are now in place to serve future development. There was also the question of where the by-pass roads would be located. He agreed that the area applied for by St. Albert Investments Ltd. was suitable for urban development, but at the appropriate time.

R. Savage, in rebuttal, compared utility servicing as between B.A.C.M. Ltd. lands and Bellerose Park, and pointed out that even with oversizing of the sanitary sewers, a second syphon was required by B.A.C.M. Ltd. developments, which was also required by Bellerose Park. Storm sewers would require a half-mile extension to the river for serving B.A.C.M. Ltd. lands. However, it was less for the Bellerose Park. A water reservoir would be required to service both developments and the water feeder mains would service Bellerose Park also. He stated the first stage of Bellerose Park would not require oversizing of services and servicing would be easy because of its proximity to the Sturgeon River.

Mr. M. V. Jones argued that the City should prepare for the ultimate population as projected by the growth studies, i.e., 100,000. It was better to plan for a larger population and not have it occur, than it was to prepare for a smaller population and have the larger projection occur. He also pointed out that the by-pass could be in place before the second and third stages of development take place, and thus knowledge of roadway location was not necessary at this time.

Mr. M. D. MacDonald, solicitor for the applicants, argued that the applicants had shown the feasibility of the area being developed in an urban environment. In the long term, all of the territory would be required by the City for growth. On-site cost of development would be paid by the developers and would be of minimal effect financially upon the City. In respect to transportation, if growth is to take place anywhere in the Edmonton Region, there will be transportation problems and resulting costs to solve them. These lands, if annexed, would give the City of St. Albert sufficient area for planning control for the next 20 to 25 years.

Mr. Welsh, solicitor for the City of St. Albert, summarized his conclusions with a number of "what ifs":

"What if the industrial development planned for failed to occur?"

"What if shared industrial assessment came into being?"

While one should not take the bleakest view and a community must progress, he contended that one cannot see into the future and, therefore, it must take a conservative stand. He agreed with M. V. Jones that St. Albert should have sufficient lands for long range planning, but revenues must offset expenditures and transportation problems must be solved. He argued that there were no hard and fast statements to contradict the applicant, as much in the future will depend on political factors and decisions made beyond the municipal boundaries.

A. Lefevre, solicitor for the Municipal District of Sturgeon, argued that the application was premature and must be viewed with the other applications to annex land to the City of St. Albert. The Municipal District of Sturgeon favoured a neighbourhood by neighbourhood annexation approach. He saw the applicants as willing now to settle for less than the whole application.

Bellerose Park, he agreed, was a logical development of St. Albert, but not now. These lands would not disappear and could be developed when required.

Mr. Lefevre pointed to certain uncertainties, including the by-pass and the transportation problems in the corridor which had not been solved. Rounding out of boundaries, he contended, did not apply to Bellerose Park as it did to the B.A.C.M. Ltd. application. Further, if all the applications were granted, it would mean a loss of assessment on 9,000 acres to Sturgeon. Mr. Lefevre, in conclusion, pointed out that no support to the application had been received from the municipalities or from the Edmonton Regional Planning Commission.

The Board, having considered the evidence presented to it at the hearing, has reached the following conclusions:

1. **The applicant has established to the Board's satisfaction that parts of the territory it has requested to annex have been recognized by the City of St. Albert, the Municipal District of Sturgeon and the Edmonton Regional Planning Commission as lands potentially suitable for urban residential use.**
2. The Board acknowledges, in view of St. Albert being part of the Edmonton regional setting and economy, that it will continue its growth. The Board, therefore, accepts as reasonable the projected population of between 75,000 to 83,000 by the year 1997 for the City of St. Albert.
3. The Board acknowledges the City of St. Albert should have within its jurisdiction sufficient residential land for a 20-year supply. The City of St. Albert has now within its jurisdiction sufficient land to provide for several years of growth, but not sufficient for long term forward planning of growth or for transportation planning.

4. Transportation problems now exist between St. Albert and the City of Edmonton's downtown core. Withholding of the granting of annexation on the grounds of the non-resolution of these transportation problems is not a strong argument because:

- (a) "Annexation" does not mean development or 'use' of the annexed territory until the City of St. Albert's Council decides to permit the development to proceed; and
- (b) Continued growth within the City of St. Albert's present boundaries will demand a resolution of the transportation problems.

5. The City of St. Albert has utility plant capacity, or can at moderate cost acquire additional capacity to handle further population growth.

6. A strong objection was received to the annexation of these lands in the north of the territory which would be included in Stage III of the proposed development. Further the applicants were in a minority in that area, an area which would not be developed for some time. The Board is of the consensus that all of section 21 and portions of section 16 should be excluded from the territory to be annexed.

7. Portions of river lot 37 and all of river lot 38 should also be excluded from the territory to be annexed because:

- (a) much of the land is not suitable for development, it being low and marshy, and
- (b) the usable lands are too distant from the existing City of St. Albert and would not be developed for some time.

Therefore, subject to the approval of the Lieutenant Governor in Council, IT IS ORDERED:

I. That there be annexed to the City of St. Albert, in the Province of Alberta, and thereupon be separated from the Municipal District of Sturgeon No. 90, the territory described on Schedule "C" attached hereto.

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

II. That any taxes owing to the Municipal District of Sturgeon No. 90 as at December 31, 1978, in respect of the aforementioned properties shall transfer to and become payable to the City of St. Albert together with any lawful penalties and costs levied thereon in respect of such taxes; however, upon the City of St. Albert collecting any or all of such taxes, penalties or costs, such collections shall forthwith be paid by the City to the Municipal District of Sturgeon No. 90

III. That the assessor for the City of St. Albert shall for taxation purposes in the year 1979, re-assess the annexed lands and assessable improvements thereon, which are by this Order annexed to the City so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the City of St. Albert.

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 1979, 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 St. Albert, 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, 1979.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 11th day of May, 1978.

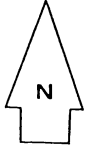
Certified a true copy  
B. CLARK, Secretary

LOCAL AUTHORITIES BOARD  
D.A. BANCROFT, Chairman.  
T.J. LAUDER, Member.  
J.A. HAMMOND, Member.

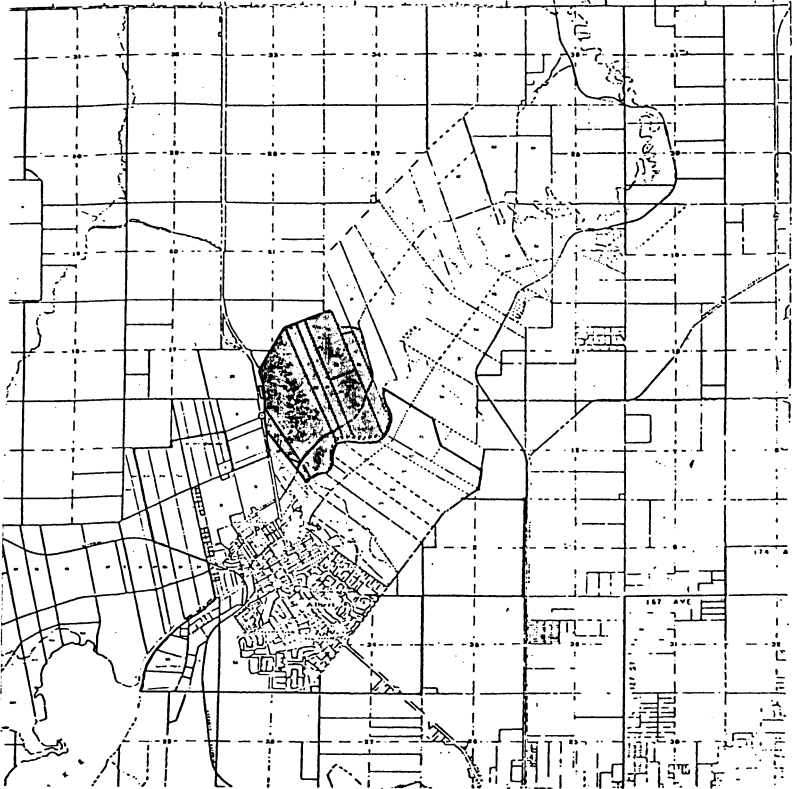
# SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE  
AREAS AFFECTED BY BOARD ORDER No. 10479

EFFECTIVE DATE: JANUARY 1, 1979



AFFECTED AREA(S)



SCHEDULE "B"

A DETAILED DESCRIPTION OF TERRITORY SOUGHT FOR  
ANNEXATION TO THE CITY OF ST. ALBERT, ALBERTA.

River lot 31 of the St. Albert Settlement excepting thereout: Road Plans 2288 E.U. and 1884 L.Z.

River lot 32 of the St. Albert Settlement excepting thereout: Road Plans 1655 J.Y. and 6467 L.Z.

River lots 33, 34, 35, 36, and 37 of the St. Albert Settlement.

That portion of river lot 38 of the St. Albert Settlement contained in Plan of Survey 4210 E.U.

Fractional section 15, township 54, range 25, west of the fourth meridian.

That portion of fractional section 16, township 54, range 25, west of the fourth meridian which lies north-east of the north-east limit of Road Plan 6467 L.Z.

That portion of section 21, township 54, range 25, west of the fourth meridian which lies east of the easterly limit of Road Plan 6467 L.Z.

All government road allowances and government road allowance intersections intervening the above described lands.

That portion of the Sturgeon River adjoining the above described lands.

SCHEDULE "C"

A DETAILED DESCRIPTION OF TERRITORY ANNEXED TO THE CITY OF  
ST. ALBERT, ALBERTA.

River lot 31 of the St. Albert Settlement, excepting thereout road plans 2288 E.U., 1884 L.Z. and 6467 L.Z.

River lot 32 of the St. Albert Settlement, excepting thereout road plans 1655 J.Y. and 6467 L.Z.

River lots 33, 34 and 35 of the St. Albert Settlement.

All that portion of river lot 36 of the St. Albert Settlement which lies southerly of the southerly limit of the road as shown on Road Plan 313 E.T.

All that portion of the north-westerly south-easterly government road allowance adjoining the westerly boundary of river lot 36 of the St. Albert Settlement, which lies southerly of the production north-westerly across the said road allowance of the south-westerly limit of Road Plan 313 E.T.

All that portion of river lot 37 of the St. Albert Settlement which lies generally to the south-west and west of the road and connecting road, as shown on Road Plan 313 E.T.

All that portion of the Sturgeon River adjoining the above described lands.