

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 Edmonton, Alberta, petitioning for annexation of the said territory to the City of Edmonton.

Pursuant to an application by the majority of owners of the territory described on Schedule "B" attached to this Order (hereinafter called "the said territory") which territory lies immediately adjacent to the City of Edmonton, Alberta, petitioning for the annexation of the said territory to the City of Edmonton, in the Province of Alberta, and thereupon its separation from the County of Strathcona No. 20, the Board held a public hearing of the matter in the City of Edmonton, commencing on November 28, 1978.

Appearing on behalf of the applicants was Mr. P. Herring, solicitor. Consultants in attendance on behalf of the applicants were Messrs. R.E. Mayne, R.H. Savage, D.B. Barron, W.R. Randall, T. Lansky, and from the Urban Development Institute, Mr. R. Eberley.

The City of Edmonton was represented by Mr. A.O. Ackroyd, solicitor and Mr. D. Podmore, planner, who put forth the City of Edmonton's position.

Mr. B. Clark appeared on behalf of the Edmonton Regional Planning Commission, and the County of Strathcona was represented by their solicitor, Mr. A. Brownlee, by their planner Mr. D. Makale, and by Mr. Thomlinson, the Municipal Administrator.

The territory sought for annexation through this application has been generally described as the "Whitemud-Blackmud Creek Triangle" and lies generally north of the north boundary of section 30, and within the triangle formed by the two converging creeks. The area has been designated by the applicants for their purposes as the "South Kaskitayo" area. These lands are a part of the surrendered Papaschase Indian Reserve.

A report titled, "Land Use Analysis, South Kaskitayo, Edmonton" was presented to the Board and reviewed by Mr. Bob Mayne.

The South Kaskitayo lands were also included in a Kaskitayo outline plan which received the approval of the City of Edmonton Council and the Municipal Planning Commission in 1973.

Mr. Mayne indicated that the development of South Kaskitayo will complete the overall district which includes the Blue Quill, Ermineskin, and Yellowbird areas which are already nearing completion. These areas are all to be serviced by a Kaskitayo town centre.

The applicants depicted the new housing demand in the Edmonton market from the present to the year 1991 as ranging between 5,000 and 7,500 dwelling units per year. The cumulative requirement for housing units by the year 1991 as estimated by the applicants would reach approximately 85,000 units. The applicants contend that this estimate generally agrees with estimates arrived at in other studies. Additional data supplied by Mr. Mayne indicated that the residential densities originally projected by the City had not been attained. The result of lower densities in outline plan areas was that a lesser population was being accommodated than had originally been anticipated.

Mr. Mayne further indicated that at the present rates of subdivision of approximately 1,620 acres annually, all of the remaining developable land in Edmonton (estimated at 5,855 acres) would be completely subdivided within 4 years. Mr. Mayne further indicated that if raw land is not added to Edmonton's current stock within the next two years, at the end of a four-year period a gap or shortfall of subdividable developable land would occur within the City. Mr. Mayne further postulated that new supplies of land must be shortly annexed to the City of Edmonton in order to meet the housing demands of Edmonton's ever-growing population and to avoid restricting development to a single area.

Mr. Bob Savage reviewed for the Board the transportation aspects of development in the South Kaskitayo area. He pointed out that extensions of 119th Street and 111th Street to the proposed outer ring road with interconnecting roadways through the said territory would provide adequate transportation circulation and could accommodate bus routes to adequately serve the expected population of the area.

Mr. Savage briefly reviewed the other off-site servicing requirements of the area. In respect to sanitary sewers, there is an 18-inch diameter gravity sanitary sewer located at Saddleback Road and 111th Street, immediately north of the said territory. That sewer which runs by gravity north through the Kaskitayo area to a tunnel system has been designed with adequate capacity to accommodate the lands in the said territory and requires only a connection across the ravine. The on-site sewer servicing would be by gravity within the development, across the ravine by forcemain, to a location at which gravity sewer will again take over.

No off-site facilities for storm drainage would be required within the said territory. The proposed system would be essentially self contained with storm waters discharged into local drainage courses where flows would be regulated by the use of storm detention ponds. These ponds would be maintained, for the most part, in a dry state, to come into use only during storm periods.

Water supply for the said territory would be obtained from the E.L. Smith Water Treatment Plant through an existing 36-inch water main. It was anticipated that a 6-million-gallon water reservoir would be constructed immediately north of the area which would adequately service the South Kaskitayo area. Water distribution would be by mains of 18-inch and 24-inch diameters eventually looping through the Kaskitayo subdivision thus forming a complete water network.

Mr. Savage stated that the other utilities which may be required in the area such as gas, power and telephones are available north of the ravine in the developing areas of Kaskitayo and according to the various authorities responsible for these facilities they pose no difficulty in being extended throughout the development.

Mr. Mayne indicated that the conceptual outline plan for South Kaskitayo provided for a housing mix of single-family and multiple-family residential structures which would provide a design density of approximately 22 persons per gross acre. In addition the planning for the area provided for institutional, commercial, school, park, and natural areas and walkways. A large portion of the area would be used for passive recreation or open space, primarily along the ravines of the Whitemud and Blackmud Creeks.

Mr. Lansky, Vice-President of Costain Ltd., owners of a substantial portion of the said territory advised that Costain Ltd. supports the annexation.

Mr. D. Podmore, the Director of the City of Edmonton's annexation project, reviewed the City's annexation history and briefly outlined the submissions made by the City of Edmonton for territorial expansion in the past. Mr. Podmore also described the City's program currently underway to determine what the City's future annexation and expansion policy will be. The City of Edmonton opposed this annexation, at this time, as the City's consultants had not yet completed their studies. Mr. Podmore indicated that as the results of these studies had not yet been presented to the Council of the City of Edmonton, no determination of the City's comprehensive position could be stated.

The position of the Edmonton Regional Planning Commission was put forth by Mr. Barry Clark. This position opposed the application for the following reasons:

No information has been provided to demonstrate the need for additional lands to be annexed to the City of Edmonton and secondly, no plans have been presented as to how this area may be economically integrated into Edmonton's development servicing plans.

The Council of the County of Strathcona at their November 28, 1978 meeting passed a resolution,

"That the Council not oppose the application to annex all the land in Section 31-51-24 W4th not presently within the City of Edmonton as well as that portion of the S.W. of 32-51-24 W4th south westerly of the centre line of Blackmud Creek and Westerly of the east limit of the road as shown on Road Plan 2223 T.R. together with adjacent roads, all as set out in Schedule "A" attached to the Local Authorities Board Notice of Annexation Hearing dated October 20, 1978."

From consideration of the application, letters and briefs, and oral argument and evidence brought forth at the hearing held by the Board into the proposed annexation the Board has come to the following general conclusions:

1. That the lands proposed for annexation can feasibly be developed for residential purposes, reserves and open spaces.
2. That servicing of the said territory with storm and sanitary sewers and water systems can be accomplished at costs comparable with those in other areas within the City of Edmonton.
3. Providing transportation to and from the said territory is feasible with roadways already planned and with public transit which is proposed to operate from the Kaskitayo town centre.
4. The said territory constitutes a logical extension of the City of Edmonton's jurisdiction and will be needed within the near future.
5. Inclusion of the said territory in the City of Edmonton would permit continuity of development and planning schemes within the established Kaskitayo area.
6. Jurisdiction over these lands by the City of Edmonton would facilitate the planning for the needs of the area, and the lack of a determined position on annexation by the City Council is no bar to effective extension of jurisdiction.
7. That the application to annex the said territory to the City of Edmonton should be granted in full.

THEREFORE, subject to the Lieutenant Governor in Council approving this Order or prescribing conditions that the Order is subject to and approving the Order subject to those conditions, or varying the Order and approving the Order as varied, IT IS ORDERED AS FOLLOWS:

I. That there be annexed to the City of Edmonton, in the Province of Alberta, and thereupon be separated from the County of Strathcona No. 20 the territory described on Schedule "B" attached to this Order.

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

II. That any taxes owing to the County of Strathcona No. 20 as at December 31, 1979 in respect of the aforementioned property shall transfer to and become payable to the City of Edmonton, together with any lawful penalties or costs levied thereon in respect of any such taxes, however, upon the City of Edmonton collecting any or all of such taxes, penalties or costs, such collections shall forthwith be paid to the County of Strathcona No. 20.

III. That the Assessor for the City of Edmonton shall for taxation purposes in the year 1980, re-assess the annexed lands and assessable improvements thereon which are by this Order annexed to the City of Edmonton, so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the City of Edmonton and the provisions of The Municipal Taxation Act regarding the assessment roll shall *mutatis mutandis* apply to such assessment.

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 1980, 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.

V. That the effective date of this Order shall be the 1st day of January, 1980.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 21st day of March, 1979.

Certified a true copy  
B. CLARK, Secretary.

LOCAL AUTHORITIES BOARD  
D. A. BANCROFT, Chairman.  
TOM LAUDER, Member.  
JOHN A. HAMMOND, Member.

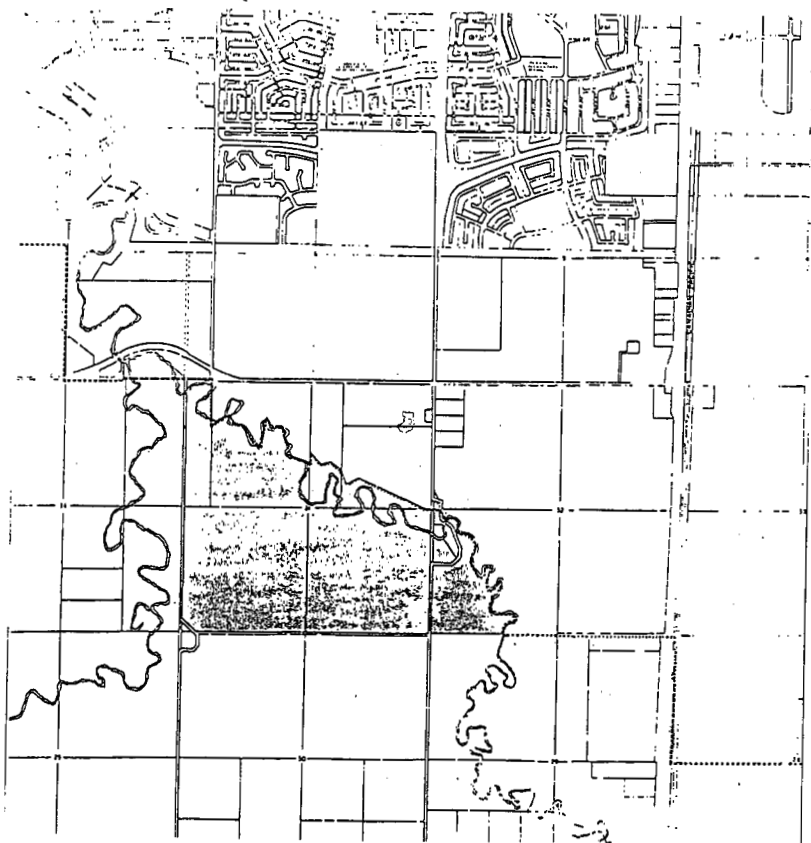
### SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE  
AREAS AFFECTED BY BOARD ORDER No. 11596

EFFECTIVE DATE: JANUARY 1, 1980



 AFFECTED AREA(S)



## SCHEDULE "B"

A DETAILED DESCRIPTION OF THE TERRITORY SOUGHT FOR,  
AND ANNEXED TO THE CITY OF EDMONTON, ALBERTA

All that portion of the fractional north-west quarter of section 31 R, township 51, range 24, west of the fourth meridian, being a part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U., contained within Parcel B as shown on File Plan 3027 C. L.

The fractional south-west quarter of section 31 R, township 51, range 24, west of the fourth meridian being a part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U.

That north-south government road allowance adjoining the west boundary of fractional west half of section 31 R, township 51, range 24, west of the fourth meridian being a part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U.

All that portion of the fractional west half of section 31, township 51, range 24, west of the fourth meridian which lies to the west of the said road allowance adjoining the said Papaschase Indian Reserve.

That north-south government road allowance adjoining the west boundary of the fractional west half of section 31, township 51, range 24, west of the fourth meridian.

All that portion of the north-east quarter of section 31 R township 51, range 24, west of the fourth meridian being a part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U., contained within lot R-1 as shown on Plan of Subdivision 513 R.S. and park reserve P-1 as shown on Plan of Subdivision 1106 N.Y.

The south-east quarter of section 31 R, township 51, range 24, west of the fourth meridian being a part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U.

All that portion of the south-west quarter of section 32, township 51, range 24, west of the fourth meridian lying south-westerly of the centre line of Blackmud Creek and westerly of the east limit of the road as shown on Road Plan 2223 T. R.

That north-south government road allowance adjoining the west boundary of the south-west quarter of section 32, township 51, range 24, west of the fourth meridian.

All that portion of the fractional north half of section 30 R, township 51, range 24, west of the fourth meridian being part of the surrendered portion of the Papaschase Indian Reserve as shown on Plan 1323 E. U., contained in road plans 4637 E. O. and 1136 H. W. and that portion of Road Plan 2312 E. T. which lies north of the production west across the said road plan of the south limit of said Road Plan 1136 H. W.

All that portion of the north-south government road allowance adjoining the west boundary of the north-west quarter of section 29, township 51, range 24, west of the fourth meridian, which lies north of the production east across the said road allowance of the south limit of Road Plan 1136 H. W.