

TOWN OF BEAUMONT

Order No. 18922

File No. BEAU/T-3

Before The Local Authorities Board for the Province of Alberta

IN THE MATTER OF THE “Municipal Government Act”

AND IN THE MATTER OF THE “County Act”

AND IN THE MATTER OF an application by the Council of the Town of Beaumont, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Leduc No.25.

Pursuant to Section 20 of the Municipal Government Act, the Council of the Town of Beaumont, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta, for the annexation to the Town of Beaumont of all that territory described as follows:

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN CONTAINED IN ROAD PLAN 36K

ALL THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION TWENTY-SEVEN (27), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN CONTAINED IN ROAD PLAN 852 2273

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN CONTAINED IN ROAD PLANS 3708 T R AND 782 0997

EAST HALF OF SECTION THIRTY-FIVE (35), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN

NORTH WEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN

THAT NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY OF THE NORTH WEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN

THE ABOVE DESCRIBED LANDS CONTAIN ONE HUNDRED NINETY-SEVEN AND TWENTY-THREE ONE HUNDREDTHS (197 23) HECTARES, (487 36 ACRES), MORE OR LESS

(hereinafter called the "the said territory")

which lies immediately adjacent to the Town of Beaumont, and thereby its separation from the County of Leduc No 25, and in respect to which the Board held a public hearing into the matter on February 9, 1989

Representing the Town of Beaumont were Mayor Chris Calvert and Gordon Stewart, Town Manager

Ken Pinkoski, Development Officer, appeared on behalf of the County of Leduc No 25

Marlene Exner, Senior Planner, appeared on behalf of the Edmonton Metropolitan Regional Planning Commission

The majority of the landowners, Arnel Corporation, Beaumont Land Corp and Eagle Five Developments Ltd, were represented by Robert Hall

The remaining landowner, Polled Cattle Corporation Ltd, submitted a written brief dated February 8, 1989, consenting to the annexation of the Corporation's one acre parcel to the Town of Beaumont

Alberta Environment and the Energy Resources Conservation Board submitted written briefs to the Board

The Town of Beaumont is located four kilometres south of the City of Edmonton at the junction of Secondary Highway Nos 814 and 625. Beaumont obtained Village status in 1973 and has evolved from an agricultural service centre to a dormitory community servicing the employment activities generated by the City of Edmonton, Nisku Industrial Park and International Airport. As a result of Beaumont's close proximity to the employment centre, the population has increased from 412 in 1973 to the present population of 4,189.

The residential component of the Town of Beaumont's total assessment equals approximately 92%. The Town has virtually no industrial development and the commercial development is designed to meet the immediate needs of the community. The Town is a member of the Capital Regional Sewage Commission with a line capacity to serve a population of 12,200. Water service is supplied by the Capital Regional Southwest Water Services Commission. The water supply line is capable of servicing a population of 15,000 but this capacity is limited to the current population due to the size of the storage reservoir. Any further development will require an expansion of the storage reservoir.

The said territory is an inverted "L" shaped parcel adjoining the Town's east and north boundary. An east/west access road to the Town of Beaumont forms the south

boundary of the said territory and Secondary Highway No 814 forms the west boundary. Government road allowances abut the east and north boundaries of the said territory. Also included in the proposal is a Town developed road providing access to a parcel situated in the southwest sector of the Town.

The said territory has a mixed and varying terrain with a general slope to the south in the southeast portion and to the north in the northern portion. A host of natural low areas, together with knob and ravine features are predominant in the eastern portion of the said territory. With the exception of a small triangular shaped area of Class 1 soil in the northwest corner of the said territory, the predominant soil characteristics are Class 3 and 4 with moderate to severe limitations that restrict the range of crops or require special conservation practices.

The Town of Beaumont submitted that in the late 1970's and early 1980's the Town experienced some of the highest population growth rates in the Edmonton region. While this high growth rate has not continued into the latter half of the decade, a long term growth rate of 5.52% per annum can be expected over the next twenty years. Based on a projected population of 12,270 in the year 2008, the Town calculated that an additional 390 acres of land is required to meet the projected residential demand.

The Town of Beaumont further submitted that the said territory is the subject of a proposal by the Armel Corporation, owner of a majority of the land, for an integrated residential and golf course development. The development consists of an 18 hole public golf course and larger than average residential lots. The residential component will be designed for the upscale housing market and when completed will house a population of between 3,200 and 3,750.

In regard to the financial impact of the proposed development, the Town stated that all on-site and off-site servicing costs will be the responsibility of the developer. The provision of soft services such as recreational facilities are presently subject to negotiation, but the increase in assessment provided by the development will more than offset any costs that may become the responsibility of the Town.

In conclusion the Town of Beaumont submitted that both Council and the developer feel that there is a market for larger size lots and that in conjunction with the golf course the demand will ensure the completion of the development in a reasonable time frame. The Town also projected an increase in commercial development as the result of a larger population and the siting of a tournament caliber golf course in the community.

The Town of Beaumont also requested that if the annexation is to be granted, the Town be given jurisdictional control as soon as possible to enable construction of the golf course to commence this spring. With respect to assessment and taxation, the Town suggested that authority be transferred with the new year.

The staff report of the Edmonton Metropolitan Regional Planning Commission reviewed the population projections for the Town of Beaumont based on a twenty-five year time frame. The report projected, on the assumption that the Town of Beaumont may attract 2.2% of the regional population growth, a population of 10,552 in 2013. Based on population projections, an additional 313 acres of residential land will be required. In a review of the proposed development, the residential component is identified as meeting the needs of the Town over a twenty-five year period. The staff report also stated that the annexation proposal conforms to the Edmonton Metropolitan Regional Plan, the Commission's annexation guidelines and the Town of Beaumont's General Municipal Plan and recommended support for the annexation. The Edmonton Metropolitan Regional Planning Commission at its meeting of February 8, 1989,

adopted the staff report as its position in support of the proposed annexation by the Town of Beaumont

The County of Leduc No 25, by letter to the Board dated February 1 1989, advised that Council considered the proposal at their regular meeting of January 13, 1989 and adopted a motion not to oppose the annexation of the said territory to the Town of Beaumont

Mr Robert Hall, on behalf of the majority of the landowners, stated that it is their intent to commence development of the said territory immediately, with the golf course operational within two years and the residential component developed in stages over a fifteen year period Mr Hall stated that while a development agreement with the Town has not been finalized, the Armel Corporation would be responsible for on-site and off-site services with soft services still subject to negotiation

Alberta Environment advised that the Department has no environmental concerns regarding the proposed annexation The Energy Resources Conservation Board advised that there are no sour gas facilities in the vicinity and Alberta Agriculture and Alberta Transportation and Utilities did not comment on the proposal

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

- 1 That the Town of Beaumont will continue to grow at projected rates due to the proximity of the City of Edmonton, Nisku Industrial Park and the International Airport
- 2 That the Town of Beaumont has developed into a dormitory community with little opportunity for industrial and commercial growth, a situation which appears to both represent and meet the needs of the community
- 3 That the development of a upscale residential development would appear to meet the needs of the region and would provide the Town of Beaumont with sufficient residential land over the next twenty-five years
- 4 That the golf course as a recreational component of the residential development will enhance the community and attract new residents ensuring the continued growth of the Town of Beaumont
- 5 That the proposed annexation conforms with both the Edmonton Metropolitan Regional Plan and the Beaumont General Municipal Plan and is supported by the landowners and the County of Leduc No 25
- 6 That there is merit in granting the Town of Beaumont jurisdictional control as soon as possible to enable construction of the golf course to commence in the spring of 1989
- 7 That the said application to annex the said territory by the Town of Beaumont 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 Town of Beaumont, in the Province of Alberta, and thereupon be separated from the County of Leduc No 25 the following described territory

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FIFTY (50), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN CONTAINED IN ROAD PLAN 36K

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THE ABOVE DESCRIBED LANDS CONTAIN ONE HUNDRED NINETY-SEVEN AND TWENTY-THREE ONE HUNDREDTHS (197 23) HECTARES, (487 36 ACRES), MORE OR LESS

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

II That any taxes owing to the County of Leduc No 25 as at December 31, 1988, in respect of the aforementioned properties shall transfer to and become payable to the Town of Beaumont together with any lawful penalties and costs levied thereon in respect of any such taxes, however, upon the Town of Beaumont collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Town to the County of Leduc No 25

III That the assessor for the Town of Beaumont shall, for taxation purposes in the year 1989, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Town so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Town of Beaumont, 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 of grant purposes commencing in the year 1989, reassess or revalue, 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 Town of Beaumont, 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 is the Thirty-first (31st) day of December, 1988.

DATED and signed at the City of Edmonton, in the Province of Alberta this 6th day of March, 1989

LOCAL AUTHORITIES BOARD

CERTIFIED A TRUE COPY

(SGD)BRYAN T CLARK,
ACTING CHAIRMAN

RAY MYRONIUK,
ACTING SECRETARY

(SGD) HENRY W THIESSEN, MEMBER

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No 18922

EFFECTIVE DATE DECEMBER 31 1988



AFFECTED AREA(S)

