

ORDER No. 11572

FILE No: 64(A)6

Before:
The Local Authorities Board for
the Province of Alberta

In the matter of The Municipal Govern-
ment Act:

And in the matter of an application by
the Council of the Town of Drayton Valley
to annex certain territories lying
immediately adjacent to the boundaries of
the Town in the County of Parkland No.
31.

Pursuant to an application by the Council of the Town of Drayton Valley, in the Province of Alberta, petitioning for the annexation to the Town of all that territory described as follows:

All that portion of the north-east quarter of section 17, township 49, range 7, west of the fifth meridian which lies east of the easterly limit of Road Plan 2502 J. Y. and not within the Town of Drayton Valley.

(hereinafter called "the said territory")

and thereby its separation from the County of Parkland No. 31, the Local Authorities Board, for the Province of Alberta, held a public hearing into the matter on November 21st, 1978 in the Town of Drayton Valley.

In attendance at the hearing and representing the Town of Drayton Valley were, W. G. Johanneson, Town Administrator, Manohar Deol, Development Officer, and Mayor N. LaBranche.

Representing the County of Parkland No. 31 was O. W. Schuster, County Administrator.

Staff Member, B. Clark, appeared on behalf of the Edmonton Regional Planning Commission.

Owner, Fidelis Management Ltd., was represented by R. Woods.

The said territory, containing approximately 12 acres, lies to the extreme north of the Town of Drayton Valley, created when Highway No. 57 curved westward from the north-south road allowance, to go around the Town. The Highway cut through the north-east quarter of section 17, leaving a triangle in its south-east corner. To its east is a north-south road allowance, while to its south is land now within the Town. An entrance to the Town from Highway No. 57 is immediately to the south of this parcel. The land immediately inside the Town has a mobile home development on it, with the balance planned for light industrial and highway commercial. To service the mobile home development, a sanitary trunk sewer has been constructed, which can be extended to service the said territory.

The Town of Drayton Valley proposed to designate the said territory for industrial and highway commercial, for which the Town had an immediate demand. This, and the abutting south parcel, would be developed for these purposes in 1979.

While the said territory and the parcel to the south were in one title, it was difficult to develop the two parcels now because they lay in different jurisdictions. Further, the inclusion of the said territory made a more economical area to service, totalling some 45 acres.

Further, the said territory was cut off from the County of Parkland No. 31 by Highway No. 57 and the Town to the south, and it was difficult for the County to service it. The said territory was contiguous to land already in the Town, was a logical extension, and could not be utilized for agricultural purposes.

The County of Parkland supported the annexation of the said territory into the Town of Drayton Valley.

The Edmonton Regional Planning Commission supported the annexation of the said territory to the Town of Drayton Valley.

The owner, Fidelis Management Ltd., supported the application to annex the said territory to the Town of Drayton Valley.

Alberta Transportation, by letter addressed to the Board and dated June 22, 1978, advised:

"... the proposed annexation is adjacent to Highway 57 just north of 50th Street which is the main northerly access to the Town. The proposal will not conflict with the department's proposal for Highway 57 provided the following points are noted:

- 1 No direct access to Highway 57 will be permitted by the department. All access is to be via the north-south road to the east of the parcel.
- 2 The Town should take steps during the development of the parcel to ensure that no development takes place that will cause difficulty for drivers negotiating the curve on Highway 57 at this location. It is therefore recommended that lighting be arranged so that it is directed away from the highway and also that no display of materials or equipment takes place on the curve that would distract the traffic."

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

1. That Drayton Valley, being a "Natural Resource Based" community servicing the established Pembina Oil and Gas Field, as a "service centre" for a growing agricultural trading area, and because of its established record, will continue to grow in development and population.

2. That additional lands are required to meet the present and future light industrial and highway commercial needs of the Town of Drayton Valley, and that the said territory is a logical area for the Town's expansion.

3. That the said territory is within the Town of Drayton Valley's utility plant capacity, and with its inclusion into the Town, when developed in conjunction with the parcel to its immediate south, it may be readily and economically serviced.

4. That the application to annex the said territory to the Town of Drayton Valley 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 Drayton Valley, in the Province of Alberta, and thereupon be separated from the County of Parkland No. 31 the following described territory:

All that portion of the north-east quarter of section 17, township 49, range 7, west of the fifth meridian which lies east of the easterly limit of Road Plan 2502 J.Y. and not within the Town of Drayton Valley.

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

- II. That any taxes owing to the County of Parkland No. 31 as at December 31, 1978, in respect of the aforementioned properties shall transfer to and become payable to the Town of Drayton Valley, together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Town of Drayton Valley collecting any or all of such taxes, penalties and costs, such collection shall forthwith be paid by the Town to the County of Parkland No. 31.

- III. That the assessor for the Town of Drayton Valley 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 Town, so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Town of Drayton Valley, 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 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 Town of Drayton Valley, 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 1st day of January, 1979.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 12th 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. 11572

EFFECTIVE DATE: JANUARY 1, 1979

 AFFECTED AREA(S)

