

ORDER No. 9982

FILE: 79(A)4

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 majority of owners petitioning for
annexation of certain lands lying within
the Municipal District of Sturgeon No. 90
to the Town of Gibbons.

Pursuant to an application by the majority of owners petitioning for the annexation of certain territory (hereinafter described) lying in the Municipal District of Sturgeon No. 90 to the Town of Gibbons, the board conducted a public hearing of the matter in the said Town on September 21, 1977.

The Town of Gibbons was represented by Mayor R. Austin.

The Municipal District of Sturgeon No. 90 was represented by Reeve W. Flynn.

Property owner, Daon Development Corporation, was represented by Blaine Usenik; its Solicitor, T. Gallant; Planner K. C. Mackenzie; and Engineer G. R. Donald.

The Edmonton Regional Planning Commission was represented by Barry Clark.

Daon Development Corporation is the registered owner of some 28.37 acres and the purchaser under an Agreement for Sale of the remaining territory. The registered owner, by letter, consented to the petition.

It was pointed out that because of the Town of Gibbons' location within the Edmonton metropolitan area, it has become a growth centre, having grown from 230 persons in 1956 to the present population of 1,137. Utilities have been oversized to handle projected future growths of between 2,570 and 6,070 persons. These populations cannot be achieved within the present boundaries.

Because of restraints imposed by the Sturgeon River and the railway to the west, and the anticipated growth in traffic on Highway 37 to the east, expansion for future growth would best be achieved by growing south. Servicing to these lands was feasible.

No objections were received by the Board, with the proposed annexation being supported by the Town, the Municipal District and the Edmonton Regional Planning Commission, all having recognized the potential for growth of Gibbons.

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

1. The petitioners have satisfied the Board that the Town of Gibbons will remain a growth centre and that additional land is required for future residential development.
2. That the territory proposed for annexation is a logical area for growth by the Town, consideration being given to servicing and the natural restraints imposed upon the Town by its location.

Subject to the approval of the Lieutenant Governor in Council, IT IS, THEREFORE, ORDERED:

I. That there be annexed to the Town of Gibbons, in the Province of Alberta, and thereupon be separated from the Municipal District of Sturgeon No. 90, the following territory, namely:

North east quarter of section 3, township 56, range 23, west of the fourth meridian, excepting thereout road as shown on Road Plan 1451 P.X.

All that portion of the south-east quarter of section 10, township 56, range 23, west of the fourth meridian described as follows: Commencing at the south-east corner of the said quarter section; thence northerly along the east boundary thereof nine hundred (900) feet; thence westerly and parallel to the south boundary of the said quarter section one thousand, four hundred and fifty-two (1,452) feet; thence southerly and parallel to the said east boundary to a point on the said south boundary; thence easterly along the said south boundary to the point of commencement. Excepting thereout road as shown on Road Plan 1451 P.X.

(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, 1977, in respect of the aforementioned properties shall transfer to and become payable to the Town of Gibbons, together with any lawful penalties and costs levied thereon in respect of such taxes; however, upon the Town of Gibbons collecting any or all of such taxes, penalties or costs, such collections shall forthwith be paid by the town to the Municipal District of Sturgeon No. 90.

III. That the assessor for the Town of Gibbons shall for taxation purposes in the year 1978, 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 Gibbons.

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 1978, 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 Gibbons, 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, 1978.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 4th day of November, 1977.

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.9982

EFFECTIVE DATE: JANUARY 1, 1978

 AFFECTED AREA(S)

