

ORDER NO. 8158

File: L.A. 62(A)

Before:

The Local Authorities Board
for the Province of Alberta

In the matter of The Municipal
Government Act:

And in the matter of an appli-
cation by the Town of High River
petitioning for annexation of cer-
tain territory lying easterly and
immediately adjacent to the Town
of High River.

Pursuant to an application by the Town of High River for annexation of certain territory described in schedule "B" attached to this Order and which territory lies immediately adjacent to the Town of High River, Alberta, petitioning for annexation of the said territory to the Town of High River, in the Province of Alberta, and its separation from the Municipal District of Foothills No. 31, the Board held a public hearing of the matter in the Town of High River on Wednesday, June 18th, 1975.

Representing the town was Mayor Lucille Dougherty and Mr. John Kroll of the Calgary Regional Planning Commission who made the town's presentation.

Representing the Municipal District of Foothills No. 31 was Councillor K. B. Christofferson and Secretary-treasurer L. C. Van Tighem.

Mr. Kroll also made the presentation for the Calgary Regional Planning Commission.

The Department of the Environment was not represented at the hearing nor did they make any written submission.

The Alberta Highways and Transport was not represented at the hearing but by letter dated February 14, 1975, signed by R. H. Cronkhite, assistant deputy minister, stated that Highways and Transport has no objection to the proposed annexation. Access control at the "T" intersection in the southwest corner of the area in question should be retained and controlled by the department.

The Town of High River submitted that within three years there would be no residential lots left within the present town boundaries and the proposed annexation area would be required to provide a continued supply of residential lots as well as some recreational and commercial lots. It was also pointed out that a large portion of the present town is situated within a flood plain but that the proposed area is high land which would not be subject to floods. The Board noted favourably that the town had completed a long range general plan.

The Municipal District of Foothills No. 31 stated that the official position of the municipal district was not one of objecting to the annexation but that they had some reservations. These reservations dealt particularly with the removal of good agricultural land from production and the possible type of development that would occur in the annexation area. The municipal district also expressed a concern relating to overcrowding of schools should the area in question be developed. The town felt that this matter would be under the jurisdiction of the school division but pointed out that a school site had been provided for in the general plan.

The Calgary Regional Planning Commission by letter dated June 13, 1975 and included in the submission of Mr. Kroll stated that the

commission had adopted the staff report and recommendations made to the Local Authorities Board and advised that the commission had no objection to the proposed annexation.

After considering all the evidence submitted to it at the hearing, the Board has reached the following conclusions:

1. The Town of High River within several years will experience a shortage of residential lots and, therefore, the proposed annexation area is necessary to meet future requirements.

2. The town has selected an area which is out of the flood plain and, therefore, is highly desirable for future development.

3. The town has completed a general plan which indicates that annexation of the proposed area is consistent with the interests of good planning and orderly development.

4. There are no major objections by other interested parties to the annexation.

It is ordered, therefore, as follows:

I. That there be annexed to the Town of High River, in the Province of Alberta, and thereupon be separated from the Municipal District of Foothills No. 31, the territory described on schedule "B" attached and forming a part of this Order. (A sketch showing the general location of the annexed lands is attached as schedule "A" to this Order.)

II. That any taxes owing to the Municipal District of Foothills No. 31 as at December 31, 1975 in respect of the aforementioned annexed property shall transfer to and become payable to the Town of High River, together with the amount of any lawful penalties and costs levied thereon in respect of such taxes; however, upon the Town of High River collecting any or all of the said taxes, penalties and costs, such collections shall forthwith be paid by the town to the Municipal District of Foothills No. 31.

III. That the assessor for the Town of High River shall for taxation purposes in the year 1976 re-assess or re-value the annexed lands and assessable improvements thereon so that the assessment or valuation thereof shall be fair and equitable with other related lands and assessable improvements in the town.

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 1976, 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 High River, 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, 1976.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 14th day of October, 1975.

LOCAL AUTHORITIES BOARD
D. A. BANCROFT, Chairman.
E. POWELL, Member.

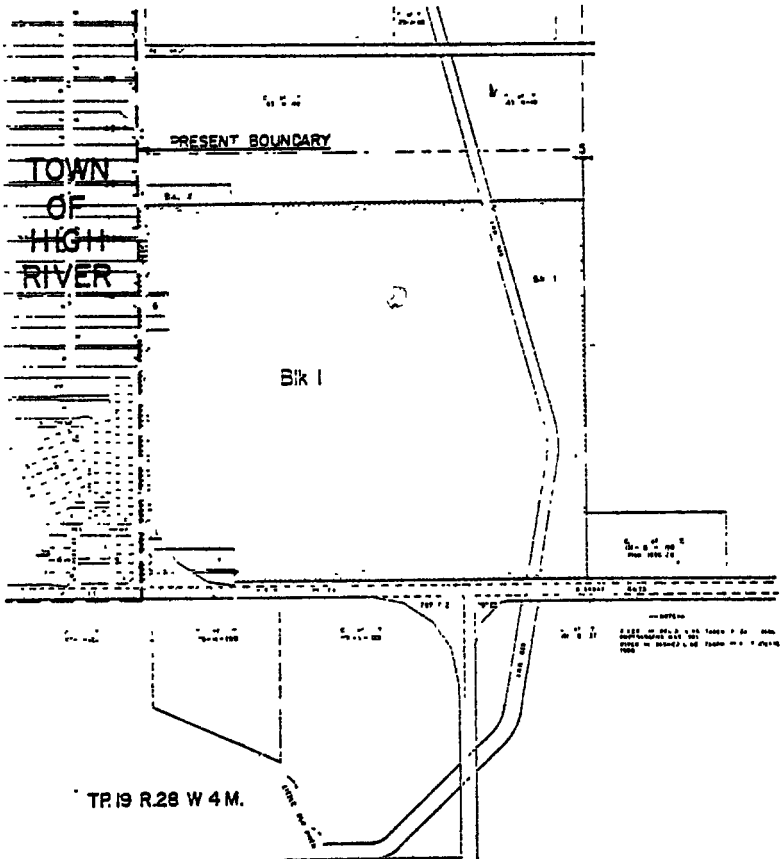
Certified a true copy,
T. LAUDER, Acting Secretary.

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION
OF THE AREAS AFFECTED BY ORDER No. 8158
EFFECTIVE DATE: JANUARY 1, 1976



 AFFECTED AREA(S)



Schedule "B" to Board Order No. 8158

A detailed description of territories sought for annexation; and annexed to the Town of High River, Alberta, pursuant to Local Authorities Board Order No. 8158.

In township 19, range 28, west of the fourth meridian.

Firstly:

All that portion of the south-west quarter of section 5, lying south of the north limit and its production east and west of plan 741 1011, excepting thereout road plan 288 H.Z.

Secondly:

All that portion of the north-south government road allowance adjoining the west boundary of the south-west quarter of section 5 lying south of the production west across the said road allowance of the north limit of plan 741 1011.

Thirdly:

All that portion of the east-west government road allowance adjoining the south boundary of the south-west quarter of section 5 lying west of the production south across the said road allowance of the east limit of the lands subdivided under plan 1991 N.

Fourthly:

That government road allowance, intersection adjoining the south-west corner of the south-west quarter of section 5.
