

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 High River,
Alberta for annexation of certain territory
lying immediately adjacent thereto.

Pursuant to an application by the Council of the Town of High River, in the Province of Alberta, petitioning for the annexation of the territory described in Schedule "B" attached to this Order, from the Municipal District of Foothills No 31, the Board conducted a public hearing of the matter in the said Town on Wednesday, October 5, 1977.

The Town was represented by Mayor L. Dougherty and R. R. Snodgrass, a member of its Economic Development Board. T. Reynolds of the Department of Business Development and Tourism of the Province of Alberta also appeared on the Town's behalf.

Councillor K. Christofferson and T. Motil, Secretary-treasurer, represented the Municipal District of Foothills No. 31.

The Calgary Regional Planning Commission was represented by R Patten and J Jordan

Property owners P Robertson, J Wiley, W Koopman, Goldwin Farms Ltd, Mason Brothers Construction Ltd, R Aitkens, L Norton, S M McCaig, J G Coy and E. Nissen were either present or represented at the hearing

The Town of High River is presently the largest urban centre outside Calgary in that region with a present population of 3,890. It possesses good retail and community services, servicing a large farm community. There is some commuting to Calgary.

Physical constraints are imposed by the Highwood River Flood Plain and a high water table in certain areas. Areas available for expansion are generally good quality agricultural lands. Water and sewage facilities can be economically expanded to meet a population of 20,000.

The Town submitted that it did not wish to become a "bedroom community" to Calgary, but desired to establish its own industrial base, both for a balanced tax base and to provide local employment. Evidence was given of the Provincial Government's policy of decentralizing and diversifying industry outside the cities and into the smaller communities. Considerable demand was being made for industrial sites in the Town, but none were available. Lacking also were lands for highway commercial facilities.

At present the Town did have undeveloped 110 acres of residential lands. This was estimated to be a 5-year supply, after which the Town would be short.

The areas applied for by annexation, while presenting some drainage problems, could be readily serviced, and would abut on Highways Nos 2 and 23.

The north-east quarter of section 8 presently had an industrial development of some 40 acres, being located on an old airport site. This was more land than the owner required and there was the desire to subdivide the same.

In the west half of section 9 were eleven small holdings whose owners voiced concern because of potential higher taxation and few benefits in return if annexed to the Town.

The largest property owner, P Robertson, strongly objected to the annexation proposal, submitting it would annex good farm lands and eventually destroy a viable farming operation.

The annexation was supported by E Nissen, the owner of that portion of the west half of section 4 to the west of Highway 2.

Koopman Ranches Ltd and Wiley Fur Farms Limited did not object to the annexation of their lands, if their lands, for taxation purposes, were treated as if in the Municipal District.

The Municipal District of Foothills No. 31 did not object to annexation, but did as to the amount of land, pointing out the area proposed for annexation contained 1,586.84 acres, being more than one and one half times the area of the Town at present. Further, as the area requested for annexation contained mainly Class Two soils, it could lead to development on good farm lands. It recommended the Town annex only those lands straight east from the Town.

The Calgary Regional Planning Commission supported the Town's application for annexation.

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

1. The Town of High River has satisfied the Board that additional land is required for the present industrial and highway commercial needs of the Town and for future residential development.

2. That the lands, hereinafter described in Schedule "C", are a logical expansion to the Town and may feasibly be developed.

3. That the Town failed to justify the annexation to it of all the lands contained in its application as being required or reasonably contemplated for use in the next 15 years.

4. That certain farm buildings on farm lands to be annexed to the Town should be provided with some temporary tax relief.

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

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 as Schedule "C" attached hereto.

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

II That any taxes owing to the Municipal District of Foothills No. 31 as at December 31, 1977, in respect of the aforementioned properties shall transfer to and become payable to the Town of High River together with any lawful penalties and costs levied thereon in respect of such taxes, however, upon the Town of High River collecting any or all of such taxes, penalties or 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 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 High River.

IV That the assessor for the Town of High River shall for taxation purposes in the years 1978, 1979 and 1980, assess any buildings located at the date of this Order on a parcel of land annexed to the Town by this Order, and which if that parcel remained in the Municipal District of Foothills No 31, would qualify as "farm buildings" in the Municipal District pursuant to The Municipal Taxation Act, and such buildings shall be assessed as "farm buildings" provided that:

- (a) if the said lands or a part thereof, is, subsequent to this Order, subdivided, Clause IV shall cease to have effect, and
- (b) if the Town or the owner establishes before the Board that for good and sufficient reasons the provisions of Clause IV should be varied, extended or rescinded, upon application, the Board may Order the implementation of such a change.

V 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 High River, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

VI That the effective date of this Order shall be the 1st day of January, 1978.

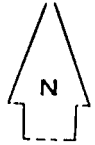
Dated and signed at the City of Edmonton, in the Province of Alberta, this 7th day of November, 1977.

Certified a true copy,
B CLARK, Secretary.

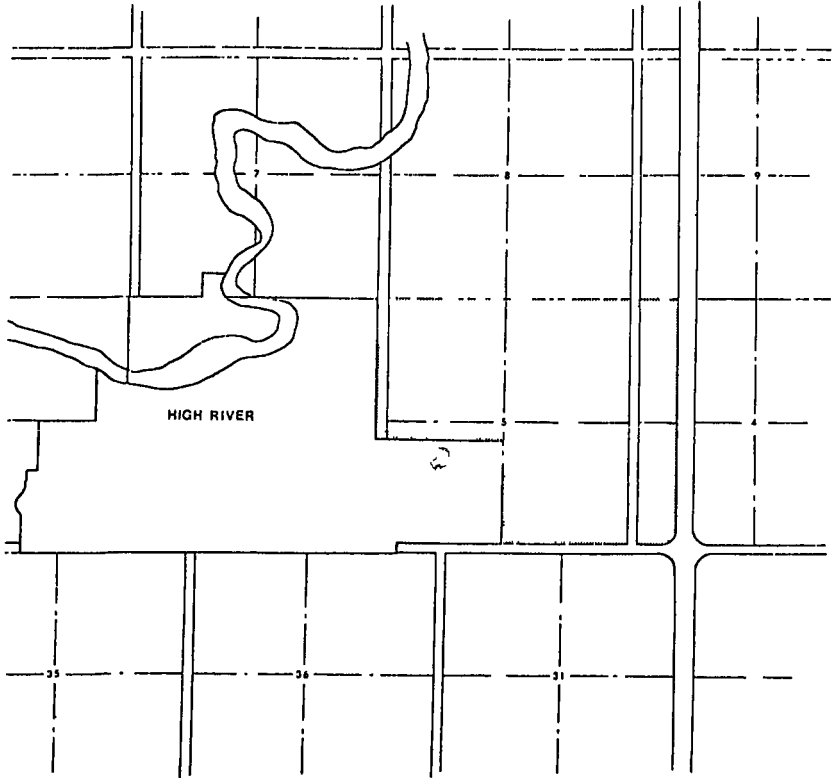
LOCAL AUTHORITIES BOARD,
D A BANCROFT, Chairman,
T J LAUDER, Member,
J. A. HAMMOND, Member.

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No 0992
EFFECTIVE DATE JANUARY 1, 1978



 AFFECTED AREA(S)



SCHEDULE "B"

A DETAILED DESCRIPTION OF TERRITORY SOUGHT FOR ANNEXATION TO THE TOWN OF HIGH RIVER, ALBERTA.

All that portion of the west half of section 4, township 19, range 28, west of the fourth meridian which lies west of the west limit of Road Plan 5399 H.X.

The north-south government road allowance adjoining the west boundary of the west half of section 4, township 19, range 28, west of the fourth meridian.

East half of section 5, township 19, range 28, west of the fourth meridian.

All that portion of the south-west quarter of section 5, township 19, range 28, west of the fourth meridian not within the Town of High River.

North-west quarter of section 5, township 19, range 28, west of the fourth meridian.

All that portion of the north-south government road allowance adjoining the west boundary of the west half of section 5, township 19, range 28, west of the fourth meridian not within the Town of High River.

Section 8, township 19, range 28, west of the fourth meridian.

The north-south government road allowance adjoining the west boundary of the west half of section 8, township 19, range 28, west of the fourth meridian.

That government road allowance intersection adjoining the north-west corner of the north-west quarter of section 8, township 19, range 28, west of the fourth meridian.

The east-west government road allowance adjoining the north boundary of the north half of section 8, township 19, range 28, west of the fourth meridian.

All that portion of the west half of section 9, township 19, range 28, west of the fourth meridian which lies to the west of the west limit of Road Plan 5399 H.X.

That north-south government road allowance adjoining the west boundary of the west half of section 9, township 19, range 28, west of the fourth meridian.

SCHEDULE "C"

A DETAILED DESCRIPTION OF TERRITORY ANNEXED TO THE TOWN OF HIGH RIVER, ALBERTA.

All that portion of the west half of section 4, township 19, range 28, west of the fourth meridian which lies west of the west limit of Road Plan 5399 H.X. and excepting thereout cloverleaf site as shown on Road Plan 731609.

The north-south government road allowance adjoining the west boundary of the west half of section 4, township 19, range 28, west of the fourth meridian.

East half of section 5, township 19, range 28, west of the fourth meridian, excepting thereout the area in Road Plan 288 H.Z.

All that portion of the south-west quarter of section 5, township 19, range 28, west of the fourth meridian not within the Town of High River, excepting thereout the area in Road Plan 288 H.Z.

North-west quarter of section 5, township 19, range 28, west of the fourth meridian.

All that portion of the north-south government road allowance adjoining the west boundary of the west half of section 5, township 19, range 28, west of the fourth meridian not within the Town of High River.