

## LOCAL AUTHORITIES BOARD

ORDER NO. 3308

FILE: L.A. 73-A

FRIDAY—THE EIGHTEENTH DAY OF AUGUST, 1967

Before:

The Local Authorities Board  
for the Province of Alberta.

In the matter of The Town and  
Village Act:

And in the matter of The Local  
Authorities Board Act:

And in the matter of applica-  
tions by the Town of Olds for  
annexation of certain lands lying  
adjacent to the town limits.

Pursuant to an application by the Town of Olds, dated January 19, 1967, as amended on January 27, 1967 and February 13, 1967, the town requested annexation of the following described lands:

*Firstly:* That portion of the north-east quarter of section 31, township 32, range 1, west of the fifth meridian, which lies to the south of the Number 27 Highway on Plan 1878 H.X., containing one hundred and fifty-seven and forty-five hundredths (157.45) acres, more or less.

*Secondly:* That portion of the the north-west quarter of section 31 in said township 32 which lies within Parcel D on Plan 4735 H.B., containing seven and thirty-eight-hundredths (7.38) acres, more or less.

*Thirdly:* Legal subdivision 6 in the south-west quarter of section 5, township 33, range 1, west of the fifth meridian, containing forty (40) acres, more or less.

*Fourthly:* The northerly one hundred and eleven and nine hundredths (111.09) feet of Parcel A, Plan 23 H.D., being part of the south-west quarter of section 4, township 33, range 1, west of the fifth meridian.

*Fifthly:* That portion of the original Road Allowance adjoining the westerly boundary of the south-west quarter of section 4, township 33, range 1, west of the fifth meridian, which lies to the south of the production easterly of the southerly boundary of Parcel A on Plan 5312 G.Y.

A public hearing of the matter was held before the Board in the Town of Olds on Wednesday, the 5th day of April, 1967, after due notice of same was given to interested landowners and authorities.

Representing the Town of Olds at the hearing was J. E. McLeod, secretary-treasurer, councillors Andrew, Kemp and Widmer also attended as did William McPhee, town engineer.

The County of Mountain View No. 17 was represented by F. J. Dawley, secretary-treasurer, councillor Earl Dodd and assessor Joe MacDonald also were in attendance.

The Red Deer Regional Planning Commission was represented by assistant planner N. C. Carney.

Interested landowners appearing before the Board, included Don Becker of Manor Investments Ltd., W. M. Bilida, Les Coonfer, James T. Hoey, P. Poczapski and A. K. Stauffer.

Generally, the town represented that due to its rapid growth, there was an urgent need for additional residential lands and that some industrial land was also needed within the town boundaries.

Some eight hundred thousand dollars (\$800,000.00) worth of building permits were issued in the town in 1966 with 47 new houses being constructed in that year compared to about 30 housing starts in 1965. It was estimated by the town secretary that about 50 new houses would be built in the town in 1967 and that approximately 12 available and suitable lots were in the present limits.

A need for additional industrial lands was demonstrated by the development of an area for such uses in the north-east quarter of section 31, township 32, range 1, west of the fifth meridian—outside the town limits.

The town expects continued growth as both an educational centre and as a gateway to the large recreational area to the west.

A. K. Stauffer, purchaser of a two and one-half acre parcel in the north-east quarter of section 31, township 32, range 1, west of the fifth meridian, under a Veterans Land Act contract, opposed the town's annexation application insofar as this quarter section was concerned because of the possibility that further subdivision of the area would "cut-up" his parcel. He was also of the opinion that the Olds Creek would make costly the industrial development of the quarter and that only the narrow eastern portion of the quarter was suitable for residential use.

Other interested owners offered no substantial objection to the town's annexation proposals and during the course of the hearing, the town agreed to extend its application to include additional lands for residential development in legal subdivisions 5, 7 and part of 8, lying west of the railroad. Parts of legal subdivisions 7 and 8 are already developed for residential small holdings and development of legal subdivision 5 was stated, by the town's engineer, to be essential to the economic development of legal subdivision 6.

Owners of farm lands on which their farm residences are situated—Part of legal subdivision 9 in section 31, township 32, range 1, west of the fifth meridian (J. Hoey) and legal subdivision 5 of section 5, township 33, range 1, west of the fifth meridian (L. Coonfer) requested that their residences and farm buildings should continue to be exempt from assessment and taxation for a reasonable time should the said lands be annexed to the town and while such lands are being used for farm purposes.

Subsequent to the public hearing, the town, under date of July 25, 1967, submitted to the Board an additional application to annex all of legal subdivisions 5 and 7 of section 5, township 33, range 1, west of the fifth meridian and that portion of legal subdivision 8 lying west of the westerly limit of the Canadian Pacific Railway in section 5, township 33, range 1, west of the fifth meridian. Unconditional consents to annexation were obtained by the town from the interested owners in these additional areas.

Also, subsequent to the hearing, the County of Mountain View No. 17 on April 7, 1967 filed with the Board its consent to the town annexing the aforescribed additional lands in legal subdivisions 5, 7 and 8 section 5, township 33, range 1, west of the fifth meridian, and the Red Deer Regional Planning Commission under date of June 9, 1967 gave its support to the proposal.

The Board on the basis of the evidence produced to it at a public hearing on April 5, 1967 and in view of the amended application by the town, dated July 25, 1967 with the filed written consents of interested owners in the additional areas in section 5, township 33, range 1, west of the fifth meridian, has concluded that the town should be granted annexation of all the aforesaid lands which are hereinafter described.

I. It is ordered, therefore, that the following described lands shall be annexed to the Town of Olds:

*Firstly:* That portion of the north-east quarter of section 31 in tp. 32-1-5 which lies to the south of the Number 27 Highway on Plan 1878 H.X.

*Secondly:* That portion of the north-west quarter of section 31 in said township 32, which lies within Block D on Plan 4735 H.B.

*Thirdly:* Parcel A in the south-west quarter of section 4, in township 33-1-5 on Plan 23 H.D. not presently within the Town of Olds.

*Fourthly:* The southerly 264 feet of the road allowance which adjoins the westerly boundary of section 4 in said township 33.

*Fifthly:* Legal subdivisions 5, 6, 7 and that portion of L.S. 8, all in section 5, in tp. 33-1-5, which lies to the west of the railway on Plan R.Y. 9.

*Sixthly:* That portion of the road allowance which adjoins the westerly boundary of the said L.S. 5 in said section 5.

(Refer to attached Schedule A for the general location of the annexed areas.)

II. It is further ordered that: B

- (a) any taxes owing to the County of Mountain View No. 17 as at December 31, 1967 in respect of the aforementioned annexed lands shall transfer to and become payable to the Town of Olds together with the amount of any lawful penalties and costs levied thereon in respect of such taxes; however, upon the Town of Olds collecting any or all of the said taxes, penalties or costs, such collections shall forthwith be paid by the Town of Olds to the County of Mountain View No. 17.
- (b) the assessor for the Town of Olds, shall for taxation purposes in the year 1968, re-assess the lands and assessable improvements thereon (other than the properties described in paragraph (c) hereunder) and which are by this order annexed to the town, so that the assessment thereof shall be fair and equitable with other related lands and assessable improvements in the Town of Olds.
- (c) the assessor for the Town of Olds shall for taxation purposes in the years 1968, 1969 and 1970 re-assess any now annexed parcel of land comprising a farm unit or portion thereof, as referred to in The Municipal Taxation Act, chapter 54, Statutes of Alberta 1967, and the farm buildings thereon used in connection with the production of crops or livestock or both, or in connection with fur production or beekeeping on the same basis of assessment as would be applicable to them had such land and farm buildings remained in the County of Mountain View No. 17, however, that if—
  - (i) the said land or a part thereof is hereafter subdivided by a plan of subdivision; or if

(ii) the town by resolution of council, or the owner, in writing, establishes that for good and sufficient reason the provisions of this paragraph (c) should be varied, application may be made to the Board for an order to implement such variation as the Board deems to be proper in the circumstances

(d) The Town of Olds shall for taxation purposes in the years 1968, 1969 and 1970 and while the annexed farm lands are not further subdivided and continue to be used for farm purposes as outlined in clause (c), tax the said farm lands and any assessable improvements thereon at the applicable mill rates which are in effect in the appropriate year in the County of Mountain View No 17.

(e) the Town of Olds shall assess and levy any applicable business assessment and tax on all businesses in the annexed areas.

(f) the chief provincial assessor, appointed pursuant to The Municipalities Assessment and Equalization Act, shall for taxation or grant purposes commencing in the year 1968, re-assess or revalue, as the case may be, all properties that are assessable or subject to valuation under the terms of The Electric Power and Pipeline Assessment Act and The Municipal and Provincial Properties Valuation Act within the areas by this order annexed to the Town of Olds, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

III The effective date of this order shall be the 1st day of January, 1968.

LOCAL AUTHORITIES BOARD,  
C. G. MACGREGOR (Chairman).  
I. MORRIS (Member).  
A. B. WETTER (Member).

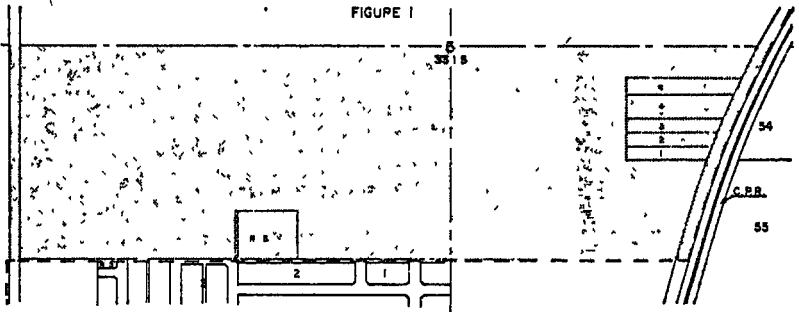
Certified a true copy,  
W. C ELLIOTT (Secretary).

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION  
OF THE AREAS ANNEXED BY ORDER No 3308

EFFECTIVE DATE - 1 JANUARY 1968

 ANNEXED AREAS



TOWN of OLDS

FIGURE 2

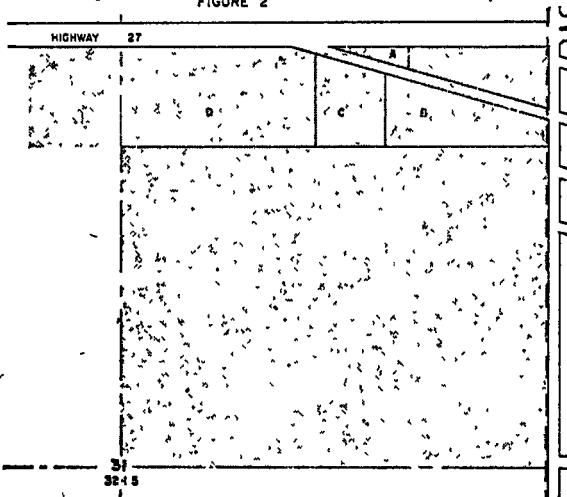


FIGURE 3.

