

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 the  
annexation of certain territory to the  
Town of Ponoka, and thereby its separa-  
tion from the County of Ponoka No. 3.

Pursuant to an application by the majority of owners of the territory (subject to exceptions thereout), being:

The north-east quarter of section 32, township 42, range 25, west of the fourth meridian excepting thereout: (A) Parcel A as shown on filed Plan 1449 H.W. and all that portion which lies north and west of the said Parcel A. (B) roads as shown on road plans 3772 H.W., 1774 J.Y., and 2575 K.S.

(hereinafter called "the said territory")

which said territory lies immediately adjacent to the Town of Ponoka, in the Province of Alberta, petitioning for the annexation of the said territory to the Town of Ponoka and thereupon its separation from the County of Ponoka No. 3, the Local Authorities Board for the Province of Alberta held a public hearing in the matter on Wednesday, June 20, 1978, in the Town of Ponoka.

The said territory is held in an undivided, proportionate interest by Joseph M. Squair, Harold Nelson, Stanley Dedio, Dedio Holdings Ltd., and Dedio Homes Ltd. Appearing on behalf of the owners was Roy B. Fletcher. Supporting the application were Frank A. Greif, Ken Hemple, Tom Baba and J.M. Squair.

Representing the Town of Ponoka was D.L. Saunders, its Municipal Manager.

The County of Ponoka No 3 was represented by Councillors Lawrence Grigat and Thor Bottern.

The Battle River Regional Planning Commission was represented by its staff member, Robert Botham.

The said territory is located in the southeast sector of the Town of Ponoka and east of the Battle River. Along the north boundary is primary Highway No. 53. To its east and south are farm lands, while to the west and north the land is in residential use with several large vacant lots. The lands have a 3% to 5% slope to the river, consisting of Peace

Hills Sandy Loam Soil which is classified in the Canada Land Inventory as 3<sup>1</sup>. In the past it was used as farm lands.

It was argued that, because of utility servicing problems in the past, the development of serviced lots in Ponoka had been hampered, primarily to the east of the Battle River. This had resulted in the demand for lots outstripping the rate of replacement. The development of the said territory, the owners claimed:

1. Would create a highly favourable supply-demand situation of residential housing;
2. Would provide a "balance" to the dominant development activity on the west side of Ponoka;
3. Would be readily serviceable, and an economically viable extension of the residential character of the neighbourhood;
4. And would "square off" the Town's boundary.

To service the area with water supply would require the construction of an additional 250,000 gallon storage reservoir and a pump house to boost pressures in the distribution system. The area could then be serviced with water by constructing a 15 inch trunk feeder main.

Sanitary sewage could be handled in an existing 12 inch trunk line which had sufficient spare capacity. This would be joined by a 10-inch gravity trunk line from the said territory. To service the southeast corner of the said territory a force main discharging into the 10 inch trunk line would have to be constructed.

Because of the good gradient, storm sewer outfalls could easily be constructed to the Battle River. Telephones and natural gas systems may be readily extended into the said territory.

It was pointed out that the Town obtains its water supply from wells, which have a capacity of between 5500 and 6000 population capacity. This could be increased with new wells.

The sewage treatment plant did present a constraint, but the Town was planning to expand its capacity to handle a 10,000 population.

It was pointed out that the Riverside Elementary School was only at fifty percent capacity, and until a demand existed within the said territory, this could accommodate the projected school population.

Mr. Saunders advised the Board that on June 13, 1978, the Council of the Town of Ponoka had passed a resolution in support of the application to annex the said territory. He did agree that sanitary sewage treatment was a problem, but that this would have to be upgraded by the Town in any event. In respect to water, only storage was necessary. His argument was that if the said territory is to be developed, it should be within the Town.

The Board was advised that the County of Ponoka No. 3 opposed the annexation of the said territory to the Town. It was pointed out that the territory was good agricultural land and should remain in agriculture, particularly as there were alternative poorer lands to the north of the Town which it may expand into. As such, it was premature to convert the said territory into urban use.

Mr. Botham, a director with the Battle River Regional Planning Commission argued that although he was aware of the urbanization of good agricultural lands, a community had to grow.

He explained to the Board that population projections had not been made for the Town of Ponoka and that while the population did not necessarily grow, development had occurred. He pointed out that Provincial studies indicated a population growth of between 3 and 4 per cent with doubling of the population by the year 2000.

Alberta Transportation, by letter, advised that while it did not oppose the application, it was concerned with access to Highway No. 53 and advised that development may require buffering or noise attenuation.

The Board, having considered the evidence presented to it at the hearing, has

reached the conclusion that the territory is a logical expansion to the Town of Ponoka and may be economically serviced with utilities within the said Town's plant capacity.

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 Ponoka, in the Province of Alberta, and thereupon be separated from the County of Ponoka No. 3 the following described territory:

North-east quarter of section 32, township 42, range 25, west of the fourth meridian excepting thereout: (A) parcel A as shown on filed Plan 1449 H.W. and all that portion which lies north and west of the said Parcel A. (B) roads as shown on road plans 3772 H.W., 1774 J.Y., and 2575 K.S.

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

II. That any taxes owing to the County of Ponoka No. 3 as at December 31, 1978 in respect of the aforementioned properties shall transfer to and become payable to the Town of Ponoka together with any lawful penalties and costs levied thereon in respect of such taxes; however, upon the Town of Ponoka collecting any or all of such taxes, penalties or costs, such collections shall forthwith be paid by the Town to the County of Ponoka No. 3.

III. That the assessor for the Town of Ponoka 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 Ponoka.

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 Ponoka, 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 24th day of August, 1978.

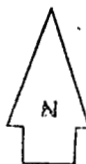
Certified a true copy  
B. CLARK, Secretary.

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

# SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE  
AREAS AFFECTED BY BOARD ORDER No. 10903

EFFECTIVE DATE: JANUARY 1, 1979



 AFFECTED AREA(S)

