

ORDER No. 11441

FILE No: 169(A)2

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 Stony Plain, and thereby its separa-
tion from the County of Parkland No.
31.

Pursuant to an application by the majority of owners of that territory described as:

All that portion of the north-west quarter of section 25, township 52, range 1,
west of the fifth meridian not within the Town of Stony Plain,

(hereinafter called "the said territory")

which said territory lies immediately adjacent to the Town of Stony Plain, in the Province
of Alberta, petitioning for the annexation of the said territory to the Town of Stony Plain
and thereupon its separation from the County of Parkland No. 31, the Local Authorities
Board, for the Province of Alberta, held a public hearing in the matter on Wednesday,
November 22, 1978, in the Town of Stony Plain.

The applicant, Daon Developments Corporation being entitled to become the owner
of the said territory by reason of an agreement dated March 1st, 1977 with the registered
owner, Nelson Lumber Company Limited, was represented at the hearing by G. Cooper,
Solicitor; B. Usenik, Project Manager; L. Newton, Planner; and T. Madunicky, Engineer.

The Town of Stony Plain had present Town Manager, J. Maddison and G. Carphin,
of the Edmonton Regional Planning Commission, in his capacity as Planning Adviser to
the Town.

Representing the County of Parkland was Reeve, L. Miller.

The position of the Edmonton Regional Planning Commission was given by staff
member, B. Clark.

The said territory abuts the west boundary of the Town of Stony Plain with its
southerly boundary being the projection westerly of the most southerly boundary of the
Town. Containing approximately 105 acres of land, the said territory lies in the Town's
major drainage basin, which is directed towards the north and south west via Atim Creek
to Big Lake. While, because of a geological factor, the said territory is not subject to high
water tables as occurs in other parts of the Town, it does contain soils suitable for urban
development. The land is flat with relatively few depressional areas and is presently being
farmed.

The Town of Stony Plain's General Municipal Plan (By-law No. 672) describes the
said territory as "suitable for residential development because of its proximity to existing
schools, recreational facilities, the hospital and the downtown core area".

The Edmonton Regional Planning Commission, through its Growth Studies, and
the Town, through its General Municipal Plan, have designated Stony Plain as a
"Satellite Industrial Centre" in the Edmonton Metropolitan Region.

The average rate of growth for Stony Plain since 1971, when it had a population of
1,770, has been 9.5%, which has brought its 1978 population to 3,433 persons. The Town
has adopted an annual rate of growth of 8.7 per cent per annum, which, if successful,
would give Stony Plain a population of approximately 15,000 people by the year 1996.
This growth, it is estimated, will require the Town to develop an additional 800 acres of
residential land and 400 acres of industrial lands. It is projected that to meet this 1996
population, the Town needs at east 112 acres of industrial land and 500 acres of residen-
tial land beyond the existing Town boundaries. It is the Town's policy "to maintain a
twenty-year supply of the future residential and industrial land". The said territory was
projected to have a population capacity, based on 15 persons per gross acres, of 1,525 per-
sons.

The applicant reviewed a conceptual plan for the residential development of the said territory. Utility servicing was reviewed to illustrate how the development of the said territory would be within the existing capacity of the Town's utility plant. The present water supply for the Town of Stony Plain, is adequate for a population of 5,000, with the existing sewage treatment facilities being able to accommodate 5,500 persons. Both are reviewed in the Edmonton Regional Utility Study which would, if implemented, increase the capacities of both utility plants considerably.

The Council of the Town of Stony Plain, at its meeting of October 23, 1978, by resolution gave "... unanimous support for the annexation of ..." the said territory, projecting the commencement of its development by 1979. The Town Manager pointed out that the Town was having difficulty in developing other areas because of "dewatering" problems which did not affect this area, and thus the desire for its immediate annexation.

The County of Parkland No. 31 advised that it did not oppose the annexation of the said territory to the Town of Stony Plain. Reeve Miller pointed out that it was poor farm land, and, as growth by the Town was inevitable, these lands were the most desirable for annexation. Reeve Miller expressed concern about the lack of school sites and was advised that these would be provided.

The Board was advised that the Edmonton Regional Planning Commission considered the matter at its meeting of November 1, 1978, at which time it passed a resolution to support the application.

Alberta Transportation advised by letter addressed to the Board, dated May 17, 1978, that "As the Annexation is some distance from the highway, the proposal will not conflict with the Department's plans."

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

1. That the Town of Stony Plain, designated a Satellite Industrial Centre in the Edmonton Metropolitan Region, will become a growth centre, with a projected population of 15,000 persons, by the year 1996 for the Town.
2. That the Town of Stony Plain has insufficient lands within its corporate boundaries now to meet its projected 20-year growth needs.
3. That the said territory is a logical expansion of the Town of Stony Plain; complements the Town's existing infrastructure; is within the Town's utility plant capacity and may be serviced readily and economically.
4. That the application to annex the said territory to the Town of Stony Plain should be granted in full.

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 Stony Plain, in the Province of Alberta and thereupon be separated from the County of Parkland No. 31 the following described territory:

All that portion of the northwest quarter of section 25, township 52, range 1, west of the fifth meridian not within the Town of Stony Plain.

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

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

III. That the assessor for the Town of Stony Plain 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 Stony Plain.

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 Stony Plain, 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 12th day of February, 1979.

Certified a true copy,

B. CLARK, Secretary.

LOCAL AUTHORITIES BOARD

D. A. BANCROFT, Chairman,

TOM LAUDER, Member,

JOHN A. HAMMOND, Member.

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 11441

EFFECTIVE DATE: JANUARY 1, 1979



AFFECTED AREA(S)

