

TOWN OF STRATHMORE

BOARD ORDER No. 13891

FILE No. 171(A)4

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 to annex certain territory
to the Town of Strathmore lying immediat-
ely adjacent thereto in the County of Wheat-
land No. 16.

Pursuant to section 20 of The Municipal Government Act, the majority of owners of that territory set forth and described as:

All that portion of the west half of section 14, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore. Excepting thereout road plans 8231 H.H. and 1526 L.K.

(hereinafter called "the said territory")

petitioned the Local Authorities Board, for the Province of Alberta, for annexation of the said territory to the Town of Strathmore, in the Province of Alberta, and thereby its separation from the County of Wheatland No. 16, and in respect to which the board held a public hearing on January 29th, 1981.

Owners petitioning to have their respective lands annexed to the Town of Strathmore were:

John and Linda Freeman	67.79 acres
Arlo K. Storbo	6.3 acres
Board of Trustees, Western Irrigation District	0.3 acres
Crown (road right-of-way)	0.29 acres
TOTAL	74.68 acres

The petitioning owners were represented by R.D. Schachter, solicitor; and W. Hodgson, planner.

The Town of Strathmore was represented by Mayor W. Snook; and J.B. Pealow, town manager.

W.B. Clark, development officer appeared on behalf of the County of Wheatland No. 16.

F. Young, planner, presented the position of the Calgary Regional Planning Commission.

The Town of Strathmore is located approximately 25 miles east of the City of Calgary, on the Trans-Canada Highway No. 1. Originally established as a farm service centre to serve the local agricultural community, its character in recent years is changing, with an increasing

portion of the work force (33 percent) being employed in and commuting to Calgary. The town is developing an industrial and commercial base, with the town's lower priced lands, close proximity to the City of Calgary and its transportation facilities all contributing to its attractiveness.

From a population of 1,361 in 1975, the Town of Strathmore grew to a population of 2,734 by June 1980 for an average annual rate of growth of 13 percent. The town is developing an industrial park to the south of the town, with 20 acres of small serviced lots now available. A second phase was planned for construction in 1981. The town contains some 1,500 acres of which 700 acres are undeveloped. The north west quarter of section 23 was reserved for recreational use, with a slough constraining development in the south west quarter of section 23. While there were approximately 220 acres of undeveloped residential land in the town, the remaining lands were in various stages of urban development. The town's general municipal plan (1978) anticipated that the growth rate of 13 percent per annum would continue for the next decade. The Calgary Regional Planning Commission in 1977 prepared the Calgary Region Growth Study. This study states "the Town has sufficient land within its boundaries to accommodate almost 10,000 more people," a population the town's general plan did not project to occur prior to the year 2001.

The Town of Strathmore obtains its raw water from wells. Storage facilities were completed in 1977, and the system has the capacity to serve a population of 10,000. The town's sanitary sewer treatment facilities have the capacity to serve a population of approximately 4,600. This capacity may be increased to 6,000 with the addition of treatment cells at the sanitary lagoon treatment facility. At present, the Department of Environment is conducting a Regional Utility Study which could affect the town, but council was unaware of its full implications.

The said territory's borders are formed by the rights-of-way of both the Canadian National Railway on the south and the Western Irrigation District irrigation ditch on the east. Secondary Highway No. 817 forms the said territory's west border, while the east-west quarter section line forms the northern border. Irregular in shape, the said territory projects into the existing town's territory, touching the town's boundaries on the north, east and south. Sloping gently from east to west, there are some low-lying lands which may be a constraint to future urban development. Storm waters drain naturally to the west into an existing natural storm drainage channel running south easterly through the said territory draining into Eagle Lake. Few restraints to urban development of the said territory were foreseen.

Mr. Arlo Storbo, owner, proposed to construct a shopping centre on his portion of the said territory. Being adjacent to the central business district (C.B.D.), it was argued that this use would complement and maintain the vitality of the C.B.D. within the Town of Strathmore. Engineering studies had indicated the site can be economically developed for this purpose.

John and Linda Freeman, owners, did not have any immediate plans to develop their portion of the said territory for urban purposes.

The Town of Strathmore supported the annexation of the said territory to the town, as it is committed to retaining the dominant character of the central business core and this, the proposed shopping centre would contribute to. The town had a policy of trying to control growth but not to restrict it. The town had oversized its utilities to accommodate anticipated future growth, and now looked to this additional growth of population to pay a portion of the construction costs. The annexation of the said territory was seen as providing the town with a logical boundary. While there was concern about how the storm waters may be best handled from the said territory through the municipality, the said territory was seen as an intrinsic part of the town and an area which should have been annexed previously.

The County of Wheatland No. 16 did not object to the annexation of the said territory to the Town of Strathmore, and requested that the abutting portion of Secondary Highway No. 817 be also included.

By resolution dated July 17th, 1980, the Board of Directors of the Western Irrigation District agreed to sign the petition to annex its lands within the said territory to the Town of Strathmore.

The report of the staff to the Calgary Regional Planning Commission arrived at the following conclusions and made the following recommendations:

"CONCLUSION:

The proposed annexation area is considered a logical extension of the Town's boundaries and should be annexed to the Town. Wheatland Avenue which is designated as Secondary Road 817, is part of the Town's major road system and should also be included in the annexation.

STAFF RECOMMENDATIONS:

That the Local Authorities Board be advised that:

1. The Commission supports the annexation since it is consistent with the Regional Plan, 1971; and
2. The Commission recommends that the road right of way for Wheatland Avenue from north of the railway right of way to a westerly projection of the northern boundary of the Town be annexed to the Town of Strathmore."

The Calgary Regional Planning Commission at its meeting of December 12th, 1980, passed the following motion:

"MOTION by Mr. Miller, seconded by Mr. Lindsay that:

The Commission adopt the staff report and the recommendation with an addition to the recommendation so that it reads: that the Local Authorities Board be advised that:

1. The Commission supports the annexation since it is consistent with the Regional Plan, 1971; and
2. The Commission recommends that the applicant be asked to consider the suggestion that the road right of way for Wheatland Avenue from north of the railway right of way to a westerly projection of the northern boundary of the Town be annexed to the Town of Strathmore. **CARRIED."**

By letter to the board, dated September 8th, 1980, Alberta Transportation made the following observations:

"It is noted that the proposed annexation area abuts Secondary Road 817 to the west. In planning the land use of the adjacent area, the need for right of way for future widening of S.R. 817, the accommodation of additional drainage, and the need for some degree of access control are factors that should be given consideration by the Town.

Buffer for noise attenuation may be required depending on the type of land use along S.R. 817. The Town should also consider extending the existing street system from the east across the canal to provide opportunity for internal circulation and thus reduce the need for local use of S.R. 817."

Alberta Agriculture made the following comments in a letter to the board dated August 7, 1980:

"The soil in the parcel is dark brown sandy loam, generally classified CLI 5, due to poor moisture holding capacity, flooding and salinity. Current use is residential and pasture.

The parcel is surrounded by town property and if proven necessary, Alberta Agriculture supports the annexation proposal."

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

1. That the Town of Strathmore, because of its close proximity to the City of Calgary, being situated on the Trans-Canada Highway No. 1, as the service centre to an established agricultural region, with a growing industrial and commercial base and increasing amenities, will continue to grow in population and development, probably at current rates.
2. That, while the Town of Strathmore has sufficient lands within its jurisdiction to meet its short term residential requirements, the said territory does provide an immediate site for a commercial development which will complement and emphasize the downtown business district. Further, in view of current development within the town, the said territory is a logical and integral part of its future growth. Its inclusion now will permit the town to plan its infrastructure in a more logical and economical manner when required for urban purposes.

ORDER IN COUNCIL

3. That the said territory may be serviced within the Town of Strathmore's present or planned utility plant capacities.

4. That, there being no opposition and the said territory being logically a part of the jurisdiction of the town, the application by the majority of owners petitioning to annex the said territory to the Town of Strathmore, and thereby its separation from the County of Wheatland No. 16, should be granted in full.

Therefore, subject to the Lieutenant Governor in Council approving this order, or prescribing conditions that this 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 Strathmore, in the Province of Alberta, and thereupon be separated from the County of Wheatland No. 16, the following described territory:

All that portion of the west half of section 14, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore. Excepting thereout road plan 8231 H.H. and 1526 L.K.

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

II. That any taxes owing to the County of Wheatland No. 16 as at December 31, 1980, in respect to the aforementioned properties shall transfer to and become payable to the Town of Strathmore together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Town of Strathmore collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Town to the County of Wheatland No. 16.

III. That the assessor for the Town of Strathmore shall, for taxation purposes, commencing in the year 1981, 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 Strathmore, and the provisions of The Municipal Taxation Act regarding the assessment roll shall *mutatis mutandis* apply to such assessment.

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 1981, 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 Strathmore 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, 1981.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 9th day of February, 1981.

Certified a True Copy:
R. MYRONIUK, Acting Secretary.

LOCAL AUTHORITIES BOARD,
C. I. SHELLEY, Chairman.
J. A. HAMMOND, Member.

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 13891

EFFECTIVE DATE: JANUARY 1, 1981



AFFECTED AREA(S)

