

TOWN OF STRATHMORE

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Board Order No. 15436

File No. 171(A)5

Before: The Local Authorities Board for the Province of Alberta

In the matter of the Municipal Government Act

And in the matter of an application by the council of the Town of Strathmore to annex certain territory lying immediately adjacent thereto, and thereby its separation from the County of Wheatland No. 16.

Pursuant to section 20 of the Municipal Government Act, the council of the town of Strathmore in the Province of Alberta, petitioned the Local Authorities Board for the annexation to the Town of Strathmore of all that territory described in Schedule "B" attached hereto.

(hereinafter called "the said territory")

which lies immediately adjacent to the town, and thereby its separation from the County of Wheatland No. 16, and in respect to which the board held a public hearing into the matter on April 6, 1982.

Representing the Town of Strathmore were Mayor W. Snook, J.B. Pealow, town manager, G. Fraser, engineer and R. Quail, the town's planning advisor from the Calgary Regional Planning Commission staff.

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

P. Mercer, planner, presented the position of the Calgary Regional Planning Commission.

Owner, 5K Cattle Co. Ltd., was represented by J.B. Renton and T. Fenton, engineers.

W. Kennedy appeared on behalf of the Pollution Control Division and K. Berg presented the position of the Water Resources Control Division, both from Alberta Environment.

The Town of Strathmore is located some 25 miles east of the City of Calgary on both sides of the Trans-Canada Highway No. 1. Developing initially as a service and trading centre to the surrounding agricultural community, and while there is some commuting of residents to Calgary (37% of the work force), the town has maintained its traditional role. From a population of 1,361 in 1975, the town's population has grown to approximately 3,000 in 1982, with an average annual growth of 13% in the last 8 years. It was projected that a growth rate of 10% annually would continue and that a population of 18,000 could be reached by the year 2000. Reasons given for such a continued growth pattern by the town were its close proximity to the City of Calgary and the ripple effect created by the city's dynamic development; the lower land prices within the town as compared to the city and other regional centres; the growing number of institutional, recreational, commercial and other urban amenities within the town and the attractions of a small community lifestyle. The potential removal of the Canadian Pacific Railway from the town was not seen to have a negative effect on growth.

The Town of Strathmore desired a balanced growth pattern of commercial and industrial development together with residential growth. This would continue the present trend of having 63% of the workforce employed within the community and thus preventing the negative aspect of becoming a bedroom community to Calgary. Evidence of potential industrial development demand was seen from the activity in the recently developed Spruce Park industrial subdivision, where a total of 34 light, medium and heavy industrial lots were sold in the past year. Only 6 industrial lots remain available for development in the park.

The said territory, containing approximately 748 acres, is located in two parcels; one in the southeast sector of the Town of Strathmore, the other in the northwest sector of the town. For ease of description these, in turn, have been divided into five areas: Parcels "A", "B", "C", "D" and "E" starting in the southeast corner. All the lands are classified in the Canada Land Inventory as class 4 soils. Most of the lands are relatively flat with a number of sloughs and poorly drained depressions. No constraints to urban development were foreseen.

Parcel "A" containing approximately 86 developable acres of the total 104.7 acres, is located directly south of the Trans-Canada Highway, east of the Town of Strathmore's boundary and includes a portion of the Canadian National Railway right-of-way along its west border. The county road abuts the east border. The land is gently rolling and contains some sloughs and an intermittent water course in the eastern portion. The majority of land is presently used for pasture. The owner of the major portion of parcel "A", 5K Cattle Co. Ltd., supported the application to annex its land to the town and proposed highway-commercial development along the Trans-Canada Highway in the north, with the remaining proposed for light industrial land uses. Water is now available at the town's present boundary and the parcel is adjacent to the town's sewage treatment facilities. Development would commence as early as possible. Being immediately adjacent to Spruce Park, to the west, a continuity of land use would be achieved.

It was pointed out that the town currently has a large area within its jurisdiction to the south of the Trans-Canada Highway that has been designated for industrial purposes. However, the owners of these lands have refused to develop the lands themselves and have refused to sell, making development not feasible.

The Town of Strathmore's "General Municipal Plan", adopted by by-law no. 685 on November 15, 1978, addressed the question of the town's requirements for industrial lands. Table 2.1 projects that by the time the town reaches a population of 15,000 an additional 191 acres of industrial lands would be required. It further recommended (page 7) that "Future industrial subdivision development shall be encouraged to locate south of the highway".

Parcel "B" containing 141 acres of which 123 acres are developable, is the remaining portion of the southeast sector and lies north of the Trans-Canada Highway. To the west is the Town of Strathmore's boundary and the Canadian National Railway station grounds. To the north is the town's boundary and a residential subdivision under development. To the east is the County of Wheatland No. 16 north-sound road allowance. The parcel is in close proximity to the "Downtown Commercial Area" of the town, and a portion in the northwest corner was suggested as an ideal site for a hospital. The owner, 5K Cattle Co. Ltd., supported the annexation of these lands to the town and proposed the area abutting the Trans-Canada Highway be used for highway-commercial purposes, with the remaining portions developed for residential uses. The topography is flat with a gentle slope to the southeast. No constraints to development were anticipated.

Parcel "C" is the most southerly parcel of the northwest sector and contains approximately 66 developable acres. The Town of Strathmore's boundaries abut the parcel's east and south borders with a residential subdivision to the east and one being developed to the south. The Canadian National Railway right-of-way forms the north border of the parcel. The topography is rolling with a west to easterly slope and there are some lowlands located adjacent to the railway. It was proposed that these lands would be used for residential purposes. The owner did not object to the annexation of these lands to the town.

Immediately to the north of the Canadian National Railway and parcel "C" is located parcel "D", containing approximately 135 acres. This parcel, with the exception of the roadway, is owned by the Strathmore Golf Club and is in recreational use. The Western Irrigation District's irrigation ditch provides the west and north border, with the north-south secondary road no. 817 being located within the parcel and immediately to the west of the Town of Strathmore's west boundary. The parcel is undrained and contains a large slough that overflows to the east into an intermittent creek that flows to Eagle Lake, which is located south east of the town. It was proposed that the parcel would remain in recreational use. The owner, the Strathmore Golf Club, did not object to the annexation of the parcel into the town.

Parcel "E" is located in the north portion of the northwest sector, to the west of the Town of Strathmore's boundaries. It contains a portion of the Western Irrigation District's irrigation canal, which forms the south border, with a north-south lateral ditch of the irrigation canal forming the western border. The north-south secondary highway no. 817 abuts the town's west boundary within the parcel. The land is flat with a gentle slope to the southeast. The majority of the land is in agricultural production (alfalfa) with a small area being used for a tree farm. It was proposed that the developable portion, containing approximately 165 acres, would be utilized for residential purposes.

The owner of the majority of the said parcel "E", M.T. Turner, approved the annexation of her lands to the Town of Strathmore "subject to the land being taxed at an agricultural or equivalent rate unless rezoned and that the Town had no intention of applying for rezoning in the near future."

Owner, Western Irrigation District has "no objection" to the annexation of that portion of the irrigation canal within the parcel. It did express a concern that the Town of Strathmore's continued expansion "will ultimately result in the

aggravation of a problem already in existence — that is, the pollution of Eagle Lake and channels leading to it”.

The Town of Strathmore stated as its major purpose for applying for the annexation of the territory to the Town was “to bring more lands within the jurisdiction of the Town in order to allow for comprehensive planning of industrial, commercial, residential and recreational developments over the next 20 years.” It was estimated that the town now had within its jurisdiction undeveloped lands which, if developed for residential purposes, could accommodate a total population of 10,171. It was estimated that those portions of the said territory designated for residential purposes would accommodate a further population of 7,000 and the two combined, a total population of 17,251. Thus, it was anticipated that the town’s residential land use demands would be met to the year 2000. The southeast sector would be developed first, with parcel “A” to be developed immediately, and parcel “B” in 1983 and 1984. Parcel “E” would not be required for residential development for 10 to 15 years.

It was submitted that the Town of Strathmore had, or would have, through improvement to existing facilities, sufficient utility plant capacity to service the said territory in a ready and economical manner. A new storage reservoir and water treatment plant was completed in 1981. The reservoir has a capacity to service a population of 8,000 while the treatment plant can service 20,000 persons. Service lines could readily be extended from existing developed areas in the town to each parcel.

The present sanitary sewer treatment facilities (5 anaerobic cells and 4 storage ponds) have the capacity to service a population of 4,200. Engineering studies are being conducted to upgrade the plant to where it would service a population of 10,000. As waste effluent is currently released into a storm water drainage channel that drains into Eagle Lake creating a pollution problem, an alternative manner of disposal has been advocated. To overcome the high cost of a pipeline which would alternatively carry the sewage effluent to the City of Calgary treatment facilities, or to the Bow River, a unique method of sewage effluent disposal has been suggested. This is to utilize the sewage effluent for irrigation purposes through the use of spray mechanism.

In respect to the above proposal, Alberta Environment, in a letter to the Town of Strathmore, dated March 26, 1982, made the following comments:

“Thank you for the submission of Engineering Canada Associates report ‘Town of Strathmore — Municipal Wastewater and Sewage Disposal Alternatives’ on March 1, 1982.

The report has been reviewed by Municipal Engineering Branch staff. We agree in principle with the consultant’s conclusion that the spray irrigation method of effluent disposal would have the least detrimental environmental impact if operated in accordance with the spray irrigation guidelines.

Spray irrigation would be the most cost effective system over the projected life of the project, provided that suitable land can be acquired and the lagoon expansion can be realized at reasonable cost.

We also concur with the staging approach to the implementation of the wastewater irrigation scheme.”

By letter to the Town of Strathmore dated January 7, 1982, the County of Wheatland No. 16 advised as follows:

"Please be advised that the Council of the County of Wheatland by resolution at the regular meeting of January 5, 1982, opposed the annexation of approximately 720 acres into the Town of Strathmore unless the Town Council of the Town of Strathmore provides proof that the annexation will not add to the pollution of Eagle Lake."

The staff of the Calgary Regional Planning Commission in its report to the Commission, while expressing a concern about a potential of increased pollution of Eagle Lake, did arrive at the following conclusion:

#### "CONCLUSIONS

The annexation of the subject lands would provide the Town of Strathmore with sufficient land to plan for long-term residential, recreational and industrial growth. The land is suitable for urban development in terms of its terrain. The uses proposed for the annexation areas are consistent with the 1978 General Municipal Plan. Water distribution can be extended from existing major trunks to service new developments."

The staff's report was summarized and recommendations made as follows:

#### "SUMMARY:

Factors which support the annexation are:

1. The proposed annexation is compatible with the Regional Plan, 1971.
2. The annexation would result in approximately a 10 year supply of land for the Town.
3. The application area constitutes a logical extension of existing and proposed urban development.
4. The land has low agricultural capability.

Factors which do not support the annexation are;

1. A concern has been raised, but not resolved, regarding the pollution problem in Eagle Lake.
2. The annexation application does not include municipal roads bounding the annexation areas.

#### RECOMMENDATION:

(i) That the Local Authorities Board be advised that the Commission is not opposed to the application for the annexation of the subject lands. The Commission recommends that the municipal roads north and east of the annexation area to be annexed to the Town and that further study be given to Strathmore's sewage disposal system.

(ii) That the Town of Strathmore be advised that further study must be given to the Town's sewage disposal system prior to approval of a High Density

amendment for the subject lands. Such study must address the concern raised by the County of Wheatland respecting pollution to Eagle Lake.

(iii) That the Commission pass a motion to adopt the staff report."

The Calgary Regional Planning Commission, at its meeting of March 12, 1982, considered the matter and passed the following motion:

"Motion by Ms. Patterson, seconded by Mrs. Godfrey that;

The Commission adopt the staff report and recommendation (with the deletion of reference to annexing the municipal roads north and east of the annexation area) which now reads;

(I) That the Local Authorities Board be advised that the Commission is not opposed to the application for the annexation of the subject lands. The Commission recommends that further study be given to Strathmore's sewage disposal system.

(II) That the Town of Strathmore be advised that further study must be given to the Town's sewage disposal system prior to approval of a high density amendment for the subject lands. Such study must address the concern raised by the County of Wheatland respecting pollution in Eagle Lake.

Carried"

By letter to the board dated January 28, 1982, Alberta Agriculture made the following comments:

"The CLI rating on the lands is predominantly Class 4 with some admixture of lower class land. We consider the land to have a productivity rating of 60-65%.

The land in question is not prime agricultural land and we have no objection to its conversion to an urban use if additional land is required."

Alberta Transportation, in a letter to the Board, dated January 25, 1982, advised as follows:

"A portion of the proposed annexation area, NE 11 and SE 14, is situated adjacent to the Trans-Canada Highway. This section of the Trans-Canada Highway is scheduled for reconstruction to a four-lane divided facility in the program year 1981-82, to accommodate increasing traffic and maintain safety standards. If the proposed annexation proceeds, every effort should be made to protect the integrity of this important regional and interprovincial highway which will remain under the control and jurisdiction of this Department. Proper preplanning should be undertaken to provide a guideline for subdivision and development in this area so that highway related concerns such as road widening, buffering and noise attenuation can be thoroughly assessed and addressed. The Department will control access along the highway pursuant to the Public Highways Development Act.

NE 15 and E 22 are situated well removed from the Trans-Canada Highway but adjacent to Secondary Road 817. It is recommended that the secondary road be protected as a major north-south arterial through the Town."

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

1. That the Town of Strathmore, with 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, commercial and institutional infrastructure and the increasing urban amenities, coupled with an attractive small community lifestyle, 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 projected residential requirements, they are insufficient to meet the projected long term demands. Because of development constraints beyond the control of the town, certain lands now within the town's boundaries that have been designated for industrial uses are not available for development. There is evidence of a demand for such lands, if they were available. Further, the said territory is a logical and integral part of the town's future growth, providing a logical boundary in accordance with topographical and man made constraints. The inclusion of the said territory into the town's jurisdiction now will permit the town to plan its infrastructure in a more logical and economical manner when required for urban purposes.

3. That the said territory may be serviced within the Town of Strathmore's present or planned utility plant capacities. That the question of pollution to Eagle Lake remains whether the said territory is annexed to the town or not, as a population of 10,000 may be accommodated within the existing town boundaries. The method proposed for the disposal of sewage effluent appears effective and is supported by Alberta Environment. If the project is successful, the level of pollution to Eagle Lake should be less than now even with a larger town area and a greater population.

4. That, other than the question of pollution to Eagle Lake, there being no opposition to the application and the said territory being a logical extension to the jurisdiction of the town, the application by the council of the Town of Strathmore petitioning to annex to it the said territory, 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 territory described in Schedule "B" attached to this order.

(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, 1982, in respect of 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 in the year 1983, 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 1983, 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 January 1, 1983.

Dated and signed at the City of Edmonton, in the Province of Alberta,  
April 22, 1982.

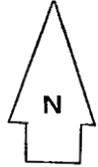
Certified a True Copy:  
B. Clark, Secretary.

Local Authorities Board,  
C.I. Shelley, Chairman.  
J.A. Hammond, Member.

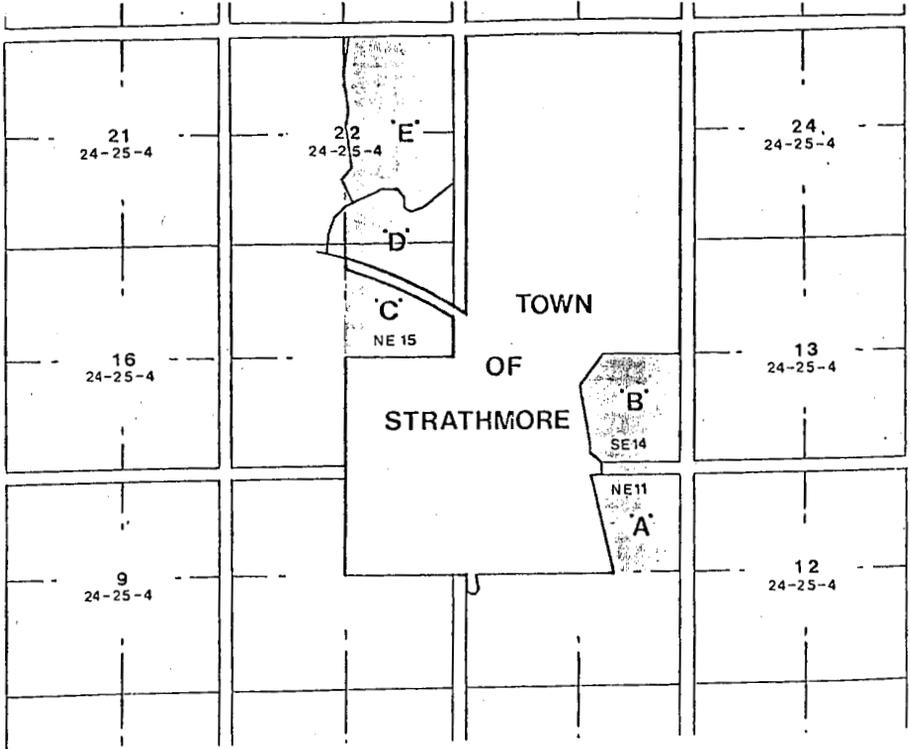
# SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE  
AREAS AFFECTED BY BOARD ORDER No. 15436

EFFECTIVE DATE: JANUARY 1, 1983



 AFFECTED AREA(S)



Schedule B

Description of Territory Sought for  
and Annexed to the Town of Strathmore

1. All that portion of the north east quarter of section 11, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore.
2. All that portion of the south east quarter of section 14, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore.
3. All that portion of the north west quarter of section 14, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore.
4. All that portion of the north east quarter of section 15, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore.
5. All that portion of the north west quarter of section 15, township 24, range 25, west of the fourth meridian, lying easterly of the canal right-of-way, as shown on Plan I.R.R. 67 and northerly of the Canadian Pacific Railway right-of-way, as shown on Plan R.Y. 11.
6. All that portion of the south east quarter of section 22, township 24, range 25, west of the fourth meridian, described as follows:
  - a) Lying easterly of the canal right-of-way, as shown on right-of-way Plan I.R.R. 380 and northerly of the canal right-of-way, as shown on right-of-way Plan I.R.R. 67.
  - b) That portion contained in canal right-of-way, as shown on right-of-way Plan I.R.R. 67.
  - c) Lying southerly of the canal right-of-way, as shown on right-of-way Plan I.R.R. 67.
7. All that portion of the south west quarter of section 22, township 24, range 25, west of the fourth meridian, lying easterly of the canal rights-of-way, as shown on right-of-way Plans I.R.R. 67 and I.R.R. 380.
8. All that portion of the north east quarter of section 22, township 24, range 25, west of the fourth meridian, lying easterly of the canal right-of-way, as shown on right-of-way Plan I.R.R. 380.
9. All those portions of the west half of section 23, township 24, range 25, west of the fourth meridian, not within the Town of Strathmore.
10. All government road allowances intervening the above described lands.

The above described territory contains 754.57 acres, more or less.

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