

Order No. 6564

File: L.A. 81-A

Before:

The Local Authorities Board
for the Province of Alberta.

In the matter of The Municipal
Government Act:

And in the matter of an appli-
cation by the Town of Strath-
more, Alberta for annexation of
certain territory lying immedi-
ately adjacent thereto.

Pursuant to an application by the Town of Strathmore in the Province of Alberta petitioning for the annexation of all of section 23, township 24, range 25, west of the fourth meridian, the Board conducted a public hearing of the matter in the said Town on Friday, April 27, 1973.

The Town of Strathmore was represented by Mayor Dr. S. J. R. Cockx, Councillor M. Christensen and Secretary-treasurer J. A. Thomas.

The town's municipal planning members Christine Mitzner and M. Christensen also attended the hearing.

Reeve Emil Cammaert and Secretary-treasurer Frank Martin represented the County of Wheatland No. 16.

The Calgary Regional Planning Commission was represented by Director Rhys Smith.

Mr. Rick Balbi, shareholder, represented Westmount Industrial Development Ltd., owners of certain lands in the annexation area.

Registered landowners in the annexation territory attending the hearing included Messrs Ralph G. Edward, John and Don M. Imbery.

The town represented that it required the section 23 lands for development as an industrial subdivision and airfield site.

It submitted that there were not suitable lands available in the present town limits for these purposes and that the town has suffered a loss of potential industries by this deficiency in land supply in the past two years.

The town stated that section 23 was suitable for industrial development being accessible to a secondary highway, not too close to existing developments in the town, serviceable by the town's utilities, and close to rail services. An airfield is also proposed for development in this section.

Finally, the town submitted that annexed agricultural lands should continue to be so assessed until developed.

The County of Wheatland No. 16 generally approved of the town's application, but submitted that the following matters should also be considered and acted upon while considering the town/county boundaries.

- (a) the north/south road allowance adjoining the west half of section 23, township 24, range 25, west of the fourth meridian should not be annexed to the Town of Strathmore at this time. The county is agreeable to continue to maintain this road at this time.

(Board Note: Part of the northwest quarter of section 14, township 24, range 25, west of the fourth meridian (Certificate of Title No. 160-V-234) lies within the county. See (b)).

- (b) the seventy-three and ninety-three hundredths (73.93) acres, more or less, parcel — part of the northwest quarter of section 14, township 24, range 25, west of the fourth meridian (certificate of title No. 160-V-234) should also be annexed to the Town of Strathmore and be separated from the County of Wheatland, since access from the residence thereon is directly to a town street, and since the parcel is not assessed as an agricultural parcel in the county, and would only pay additionally approximately the difference in mill rates between the town and county, if the parcel was annexed to the town, basis 1973.

Annexation of this parcel would also straighten out an undesirable municipal boundary in the northwest quarter of section 14, township 24, range 25, west of the fourth meridian.

- (c) the railway right-of-way in the northeast quarter of section 15, township 24, range 25, west of the fourth meridian should be separated from the town and annexed to the county to straighten out an undesirable municipal boundary in the northeast quarter of section 15.

The Calgary Regional Planning Commission endorsed the town's application, explaining that the proposal should not interfere with the town's general plan which is now under review.

The Municipal Planning Commission' representatives testified to the lack of space for industries in the present town limits.

Westmount Industrial Development Ltd., purchasers of the southwest quarter of section 23, township 24, range 25, west of the fourth meridian, submitted that they proposed to develop two industrial sites thereon to attract new industries. The one to five acre parcel subdivisions would include roads and services installed by the developer over a five-year period.

After considering the representations of the County of Wheatland, the Board has decided:

- (1) that it shall not annex the north/south road allowance to the town;

- (2) that following the issuance of the within annexation order, the Board will, on its own motion, attempt to obtain total consents of all parties to annexation of the seventy-three and ninety-three hundredths (73.93) acre parcel in the north-west quarter of section 14 to the town

and the railway-right-of-way parcel in the northeast quarter of section 15 to the county, with the view to straightening the municipal boundary between the northwest quarter of section 14 and the northeast quarter of section 15.

It appearing to the Board that the Town of Strathmore has an immediate need for additional lands for industrial developments and that section 23, township 24, range 25, west of the fourth meridian is a suitable area for that purpose:

It is ordered, therefore, 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 lands:

"All of section 23, township 24, range 25, west of the fourth meridian, excepting thereout those portions of the west half of said section 23 contained in Road Widening Plans numbered 1526 L.K. and 8231 H.H."

(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, 1973 in respect of the aforementioned annexed property shall transfer to and become payable to the Town of Strathmore, together with the amount of any lawful penalties and costs levied thereon in respect of such taxes; however, upon the Town of Strathmore collecting any or all of the said taxes, penalties or costs, such collections 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 1974, re-assess or re-value the annexed lands and assessable improvements thereon, other than the properties described in Clause IV hereunder, so that the assessment or valuation thereof shall be fair and equitable with other lands and assessable improvements in the Town of Strathmore.

IV. That the Assessor for the Town of Strathmore shall for taxation purposes in the years 1974, 1975 and 1976 re-assess any annexed parcel of land comprising a farm unit or part thereof, as referred to in The Municipal Taxation Act, and the farm improvements thereon used in connection with the raising or 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 improvements remained in the County of Wheatland provided, however, that if:

- (a) the said land, or a part thereof is further subdivided; or if
- (b) the town, by Resolution of Council, or the owners or other interested person, in writing establishes before the Board that for other good and sufficient reason the provisions of Clause II should be varied or rescinded,

application may be made to the Board for an Order to implement such a change.

V. That the Town of Strathmore shall for taxation purposes in the years 1974, 1975 and 1976 tax the farm unit properties described in Clause IV at the mill rates which are in effect in the applicable year in the town.

VI. 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 1974, 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.

VII. That the effective date of this Order shall be the 1st day of January, 1974.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 21st day of September, 1973.

LOCAL AUTHORITIES BOARD,
C. G. MACGREGOR (Chairman).

Certified a true copy,
B. CLARK, Secretary.

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION
OF THE AREAS AFFECTED BY ORDER No. 6564

EFFECTIVE DATE - JANUARY 1, 1974

