

VILLAGE OF ACME

Board Order No. 14607

File No. 201(A)3

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 Village of Acme to annex certain territory lying immediately adjacent thereto, and thereby its separation from the Municipal District of Kneehill No. 48.

Pursuant to section 20 of The Municipal Government Act, the council of the Village of Acme, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta for annexation to the village of all that territory being:

All that portion of section 19, township 29, range 25, west of the fourth meridian, not within the Village of Acme Excepting thereout,

(1) road plan 7871 J K

(2) that portion lying north of the south limit of road plan 4570 E Z and east of the railway, as shown on railway plan R Y 226

(hereinafter called "the said territory")

which lies immediately adjacent to the village, and thereby its separation from the Municipal District of Kneehill No 48, and in respect to which the board held a public hearing into the matter on June 23, 1981

Representing the Village of Acme were Major L J Balderson, M Malaka, Administrator, M Betts, a planning advisor to the village with the staff of the Calgary Regional Planning Commission, and R Wouts, Engineer. A submission in support of the village was made by H Bodmer, the Director of Regional Resources Project No 1

J C Jeffery, Administrator, and R Volk, Development Officer, appeared on behalf of the Municipal District of Kneehill No 48

C Nemeth, staff member, presented the position of the Calgary Regional Planning Commission

Owner, Alberta Housing Corporation, was represented by J Moore

The Village of Acme is located approximately 55 miles northeast of the City of Calgary and is on the Canadian Pacific Railway and Secondary Roads No 806 and 575. Established to service the surrounding area, it has developed as and remains a local farm service community. With the improvement of transportation, the village, for a time, lost momentum for growth and development. Being outside the direct effect of the Calgary Metropolitan growth area and not within the Calgary-Edmonton growth corridor, and with limited development of natural resources in its region, the village has had, until recently, only limited growth. From a population of 341 in 1975 it grew to 411 in 1977, at which point it remained for the years 1978, and 1979. Between 1979 and 1980 the village experienced 5.1 percent annual growth. With the rising cost of land and housing within the Calgary Metropolitan region, the village, with its comparatively lower costs, is beginning to attract the attention of industry and new residents. Many of these residents, while commuting to places of employment outside the community, some as far away as Calgary, still chose to live within the community because of its lifestyle, and particularly because of the recreational facilities available. In 1980 fifteen building permits were issued, and, in 1981, nearly that many have been issued to date. The Acme General Municipal Plan, adopted by By-law No. 5 in July, 1979, projects a population of 1,500 by the year 1990.

Of the 240 acres now contained within the Village of Acme, 120 acres are undeveloped. Of the undeveloped lands, some 36 acres are located east of the railway right-of-way and were designated for industrial uses. These lands are cut-off from the village and are difficult to develop because of the poor access. Other areas are low lying and will require fill to develop. Certain areas of the village, because of the rolling topography of the land would be expensive to develop due to the higher costs of servicing. However, if developed together with areas of the said territory and making use of the natural drainage patterns, economical servicing could be achieved.

It was submitted that one reason why the Village of Acme has failed to attract industry was its lack of industrial lands with access to roads. Attractive features of the community which would attract industry were its location in proximity to the Calgary Metropolitan region, the small community lifestyle with excellent recreational amenities and the lower cost of development sites as compared to other urban centres in the Calgary region. With the growth in industry, the village would grow in population.

If the Village of Acme may be roughly described as being in the middle of section 19, the said territory may be described as those remaining portions of section 19 that are to the northwest, northeast, east, south and southwest of the village. For ease of description the various parcels are marked on Schedule "A" attached to this order as parcel "A", "B", "C", "D" and "E" starting in the northwest sector and moving clockwise. The total area within the said territory is approximately 356.53 acres, the majority of which is in agricultural production. The Canada Land Inventory classifies the soils as mainly Class 3.

The Village of Acme proposed that parcel "A", containing approximately 34 acres be used for future residential development. The lands immediately to the east are being developed for this purpose, and capacity was provided within the sanitary sewer lines to service this area, and thus, it would be a logical and natural extension.

Parcel "B" containing approximately 31 acres, lies north and east of the Village of Acme, and west of the railway right-of-way. A large area was low lying and contained a slough. To the north is the village's sanitary sewer treatment lagoon system. Area

would be utilized for residential development, with the remaining portions developed as a sod farm

Parcel "C", containing approximately 57 acres, in the northeast sector, is currently used for recreational purposes, a golf course, which use would remain. The Village of Acme desired annexation of these lands for administrative purposes.

Parcel "D", located in the southeast sector of the said territory, contains approximately 230.5 acres. This area, being east of the railway right-of-way, was proposed for future industrial development. Its annexation would permit the Village of Acme to design its sanitary sewer trunk lines and pumping station in such a manner as to more efficiently and economically service portions of the said territory located to the west. In addition, it would permit the construction of a road system that would allow the development, for industrial purposes, of those lands now within the village's jurisdiction, which lie to the east of the railway right-of-way. No development or conceptual plans for this area have been proposed, and, except for one small parcel of 2.2 acres, the station grounds and roadways, all the parcel is in one title.

Parcel "E" is to the south and west of the Village of Acme, to the west of the railway right-of-way and contains 108.43 acres. Through the Alberta Housing Corporation, the village is to acquire and develop legal subdivision 5 of this parcel for an industrial subdivision. Within the southeast corner of this parcel is located a slough area, and because of the rolling topography, sanitary sewer lines may be most readily and economically extended to the east. Those areas not designated for industrial uses were proposed for residential purposes.

While the sanitary sewer and water utilities are currently under study, evidence was received that the said territory could be serviced within the existing capacities or by expansion of the respective plants of the Village of Acme. Water was obtained from some five wells and the utility had the capacity to service a population of 700. Regional water supply studies were being carried out, and, if adopted, an alternative water supply would become available. The sanitary sewer lagoon treatment facility now has the capacity to service a population of 1,100.

The Acme General Municipal Plan, adopted July 4, 1979, does not consider that portion of the said territory that is located east of the railway right-of-way. Nor does it consider legal subdivisions 3 and 4 in parcel "E" to the south. Parcel "B" was recommended to be annexed for industrial uses. Further, "b (2) Future housing areas would be developed north and west of the existing Village as a logical expansion of the present housing areas."

In the petition of the Village of Acme, the following purposes and objectives were given for annexation to the village of the said territory:

- 1 To provide an area of land which can be comprehensively planned to meet the Village of Acme's future residential, industrial and recreational requirements.
- 2 To permit the logical extension of existing Village infrastructure in accordance with sound planning and market requirements.
- 3 To make available to the Village of Acme, through a process of subdivision and development, areas which can accommodate future growth."

The Council of the Municipal District of Kneehill No. 48 advised it did not object to the annexation of the said territory to the Village of Acme, and hoped it would provide the village with sufficient territory to meet its requirements for the next 20 years.

The staff of the Calgary Regional Planning Commission made the following recommendation to the commission (arcas referred to in parentheses conform with Schedule "A" attached to this order)

"a) That the Local Authorities Board be advised that the Commission supports the annexation of Areas A, B and C (Arcas A, B and E - a portion of LSD 5 only) for the reasons stated in the foregoing report and summarized below;

1 This portion of the annexation proposal conforms to the Preliminary Regional Plan, 1971, in that it will allow the Village to plan and direct growth for a reasonable period of time into the future

2 This portion of the proposal conforms, in general, to the Acme General Municipal Plan policies

b) That the Local Authorities Board be advised that the Commission is opposed to annexation of Area D (Area E - LSD's 3 and 4) for the reasons stated in the foregoing report and summarized below,

1 These lands appear to be in excess of the Village's requirements for a reasonable supply of land

c) That the Local Authorities Board be advised that the Commission does not object to the annexation of Area E (Area C) for the reasons stated in the foregoing report and summarized below,

1 Annexation of the subject area would appear to have neither substantial beneficial nor detrimental impacts to either the Village or the Golf club "

The Calgary Regional Planning Commission, at its meeting of May 8, 1981, considered the application and passed the following resolution

"1)Annexation application by the Village of Acme to annex 157 95 ha(sic) (390 29 acres) to Acme from the M D of Kneehill

Applicant Village of Acme (Staff Report attached)

Mr Balderson, Mayor of Acme, made a brief presentation to the Commission, in favour of annexing all the lands in Areas A B C D and E Although some members felt that the amount of land requested was excessive at this time, the consensus was that Acme should be allowed to annex all of the lands as sometimes development can occur much more quickly than anticipated

MOTION by Mr Davidson, seconded by Mr Wright

1 This portion of the annexation proposal conforms to the Preliminary Regional Plan, 1971, in that it will allow the Village to plan and direct growth for a reasonable period of time into the future

2 This portion of the proposal conforms, in general, to the Acme General Municipal Plan policies

CARRIED.

The twelve owners of lands within the said territory did not object to the annexation of their respective lands to the Village of Acme Alberta Housing Corporation actively supported the annexation of its lands to the village

Alberta Agriculture, by letter to the board dated May 19, 1981, made the following observations

"Most of the soils in the area being applied for are CLI 3 with a limited amount of CLI 2 lands in the south west corner

Alberta Agriculture has no concerns to raise other than to question the size of the annexation in relation to the present size of the town(sic) and the amount of undeveloped land within the present boundaries "

In a letter to the board dated April 6, 1981, Alberta Transportation advised it had no objections to the annexation of the said territory to the Village of Acme

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

1 That the Village of Acme, while outside the Calgary Metropolitan region and the Calgary-Edmonton growth corridor, is not that remote as to not receive the ripple effect of these rapidly developing areas. While much will depend on the continuance of the dynamic economic prospects for the Province of Alberta, the village does have the prospects of capitalizing on these events, primarily because of its geographic location and the lower priced lands within the village as compared to other competing urban jurisdictions

2 That, while it is difficult to visualize the Village of Acme changing its roll from that of a local farm servicing community to that of a regional and perhaps provincial service centre, and thus warrant the addition of almost twice its area to its jurisdiction it is noted that there was little or no opposition to the application, that poorer class soils are involved, that a number of small parcels, uneconomical for agricultural production are involved, that some of the said territory is and will remain in recreational use, and that other portions are subject to constraints to development and farming

3 That, while the said territory is in excess of the Village of Acme's immediate needs, the inclusion of the said territory into the village's jurisdiction now will permit it to economically plan its utilities to not only service the said territory, but areas now within the village, and to provide access to areas now within the village but isolated by reason of the railway, and thus its development

It is anticipated that those portions of the said territory not immediately required for urban uses will remain in agricultural production until so designated

4 That the said territory will provide the Village of Acme with sufficient territory to meet its land use requirements for the next 20 years, will permit flexibility in planning, and competition in the market place if "development occurs much more quickly than anticipated "

5 That the application by the council of the Village of Acme to annex to it the said territory and therefore its separation from the Municipal District of Kneehill No 48 should be granted in full

Therefore, subject to the Lieutenant Governor in Council approving this order, 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

That there be annexed to the Village of Acme, in the Province of Alberta and hereupon be separated from the Municipal District of Kneehill No 48 the following

described territory

All that portion of section 19, township 29, range 25, west of the fourth meridian, not within the Village of Acme Excepting thereout

(1) Road plan 7871 J K

(2) That portion lying north of the south limit of road plan 4570 E Z and east of the railway, as shown on railway plan R Y 226

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

II That any taxes owing to the Municipal District of Kneehill No 48 as at December 31, 1981, in respect to the aforementioned properties shall transfer to and become payable to the Village of Acme together with any lawful penalties and costs levied thereon in respect of any such taxes, however, upon the Village of Acme collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the village to the Municipal District of Kneehill No 48

III That the assessor for the Village of Acme shall for taxation purposes, commencing in the year 1982, re-assess the annexed lands and assessable improvements thereon which are by this order annexed to the village so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Village of Acme, 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 1982, 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 Village of Acme 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, 1982.

Dated and signed at the City of Edmonton, in the Province of Alberta, July 20, 1981

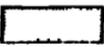
Certified a True Copy
B Clark, Secretary

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

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BO RD ORDER No 14607

EFFECTIVE DATE JANUARY 1, 1982

 AFFECTED AREA(S)

