

LOCAL AUTHORITIES BOARD

Order No. 6085

File: L.A. 43-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 Brooks, Al-
berta for annexation of certain
territory lying immediately adja-
cent thereto.

Pursuant to an application by the Town of Brooks in the Province
of Alberta petitioning for the annexation to the town of the following
described territory lying in the County of Newell No. 4 —

- (1) All that portion of the west half of section 33 which lies north
of the north limit of Road Plan 7413B.M.
- (2) That portion of the east-west government road allowance ad-
joining the north limit of the north-west quarter section 33
which is not presently within the limits of the Town of Brooks.

All in 'township 18, range 14, west of the fourth meridian:.

the Board conducted a public hearing of the matter in the *said* town
on Thursday, August 24, 1972.

The town was represented by Mayor O. B. Nelson, Councillors Duns-
more, Murray, Juergensen and Villadsen and Secretary-treasurer E. L.
Lindquist. Wm. Tapuska, P. Eng., the town's consulting engineer
appeared as a witness.

The County of Newell No. 4 was represented by Reeve Tom Mus-
grove.

The Medicine Hat Regional Planning Commission was represented
by Executive Director, Roy W. Balston, MTPIC.

The town represented generally that the lands should be annexed
for the following general reasons:

- (1) The town was experiencing rapid growth accompanying industrial
expansion in and near the town and urgently required additional
residential subdivisions.
- (2) The subject lands, lying immediately east of the town limits were
owned by the town, were suitable for residential development and
were capable of being serviced economically from the town's existing
sewer and water systems.
- (3) The lands are on the "school side" of the town and in the "East-
brook" subdivision which is being developed on the subject lands,
there has been a heavy demand for lots.
- (4) The available vacant residential lands in most other areas of the
town would require costly servicing.
- (5) Vacant lands in the south area of the town (section 29) were "zoned"
for industrial purposes.

The director of The Medicine Hat Regional Planning Commission
supported the town's application and explained that the town's original
intention to expand residentially northward within its limits (ex. sec-
tion 5-19-14-4) had been thwarted by an unresolved drainage problem
in the area, the need of a costly trunk sewer to service the area, and
private ownership of lands in the north areas.

Mr. Balston further explained that, while there was a school site available to the west side of the town, that no recognition of need for construction of a school at the west site had been authorized by the Department of Education.

He stated that re-location of the town's former sewage disposal area further eastward, had removed one of the prime objections to prior consideration for development of the subject lands.

Mr. Balston stated that Brooks (with a population of 3999 at June, 1971) was the fastest growing small town in Alberta showing no signs of "tabling".

The County of Newell No. 4 supported the town's application, provided the town also annexed the remainder of the east-west government road allowance adjoining the north limits of the annexation area.

After considering all the evidence placed before it at the hearing and after reviewing the materials filed with the Board in connection with annexation Board Orders Numbered 2520, 3042 and 4408, the Board is of opinion that the Town of Brooks established a need for additional lands for residential purposes and that the town's application should therefore be granted in full.

It is therefore ordered as follows —

I. That there be annexed to the Town of Brooks and thereupon be separated from the County of Newell No. 4, the following described lands —

- (1) All that portion of the west half of Section 33 which lies north of the north limit of Road Plan 7413 B.M.
- (2) That portion of the e&-west government road allowance adjoining the north limit of the north-west quarter section 33 which is not presently within the limits of the Town of Brooks.

All in township 18, range 14, west of the fourth meridian.

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

II. 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 1973, 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 Brooks, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

III. The effective date of this Order shall be the 1st day of January, 1973.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 3rd day of November, 1972.

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

Certified a true copy,
E. POWELL (Acting Secretary).

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION
OF THE AREAS AFFECTED BY ORDER No. 6085
EFFECTIVE DATE - JANUARY 1, 1973

