

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 a majority  
: of owners to annex certain  
: territory to the Summer Village  
: of Norglenwold and thereby  
: its separation from the County  
: of Red Deer No. 23.

Pursuant to Section 20 of The Municipal Government Act, an application was made by the majority of the owners of that territory described as:

BLOCK "A", PLAN 5679 A.M. (THE SOUTH EAST QUARTER OF SECTION SIX (6), TOWNSHIP THIRTY-NINE (39), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN)

(hereinafter called "the said territory")

which said territory lies immediately adjacent to the Summer Village of Norglenwold, in the Province of Alberta, petitioning the Local Authorities Board, for the Province of Alberta, for the annexation of the said territory to the Summer Village of Norglenwold and thereby its separation from the County of Red Deer No. 23, and in respect to which the Board held a public hearing into the matter on July 22nd, 1980.

The owner petitioning for the annexation of the said territory to the Summer Village of Norglenwold, namely Theodore Popilchak, was represented at the hearing by L. R. Lizee, Solicitor and J. Jardine, Realtor.

The Summer Village of Norglenwold was represented by Paul Halman and A. Stanhope, Councillors.

Reeve W. S. Mills presented the position of the County of Red Deer No. 23.

The Town of Sylvan Lake, having passed a resolution to intervene into the matter, pursuant to Section 67 of The Local Authorities Board Act, had present P. J. Grimson, Municipal Secretary, to present its position.

There were no submissions, written or oral, received from the Red Deer Regional Planning Commission.

The Summer Village of Norglenwold was incorporated in 1965 to consolidate a number of small cottage lots along the shore of Sylvan Lake, and fronting on Grand Avenue. Additional lands between the shore line and Highway No. 11, and to the south of the Summer Village, were annexed (Board Order No. 8133) in 1976. In January, 1980 there were annexed (Board Order No. 11809) a further 36.30 acres in the South West Quarter of Section Thirty-Six (36).

The said territory, containing approximately 14 acres, lies immediately to the west of the last annexed territory and forms a narrow strip along the south boundary of Grand Avenue. It originated when certain lands were subdivided in 1912 and has since been consolidated into a single block.

The applicant/owner proposed to subdivide the said territory into approximately 23 one-half acre lots, containing 20,000 square feet each. It was argued that there is a scarcity of such lands now and that the demand is high. Electrical power and natural gas are now available. It was proposed that the said territory be served with water and sanitary sewer in the manner now being carried out within the Summer Village of Norglenwold, namely by private wells and the use of sanitary sewer septic tanks and a field drainage system. It was argued that the size of the lots permits the safe use of the latter method.

It was submitted that the conclusions reached by the Board, in Order No. 11809, are equally applicable to the said territory. These conclusions were that the changing role of the Summer Village of Norglenwold from that of summer residents to permanent residents would continue; that a permanent population large enough to afford improved water and sanitary sewage treatment facilities was needed, that such developments need not conflict with the Sylvan Lake Management Plan; and that the said territory was not large enough to form a viable agricultural unit.

The Summer Village of Norglenwold supported the application to annex the said territory to it. The Summer Village now has 94 permanent residents, but has a total of 116 homes which are occupied during the summer. It views the addition of the said territory as permitting the Summer Village to attain its objectives. A central sanitary sewer holding tank, which is currently under study, would be pumped out, and would service the Summer Village. It was argued that the urban development of the said territory would pollute Sylvan Lake less than the livestock operation now on it. There has been no development on the lands annexed to the Summer Village by Board Order No. 11809, and no projection was made.

The County of Red Deer No. 23 opposed the annexation of the said territory to the Summer Village of Norglenwold. It argued that the Summer Village lacks long range planning and that the annexation would be "a piecemeal addition". Reference was made to the Sylvan Lake Management Plan and the desire to curtail cottage development around the Lake. It saw the proposed development, being away from Sylvan Lake, as not in keeping with the original intent of being a Summer Village. Permanent residences are anticipated to be constructed on the lots, because of their costs. This could place more pressure on the environment and on the County to provide additional school facilities and bussing.

The Town of Sylvan Lake listed the following reasons for opposing the annexation of the said territory to the Summer Village of Norglenwold:

- "1. The Town is concerned about the Summer Village's lack of common sewage facilities, and the possible future pollution of Sylvan Lake.
2. An increased population of the Summer Village would see an accelerated use of the Town's landfill site, which is already near capacity.
3. An increased population of the Summer Village would increase expectations of the Town to provide other municipal services, i.e. recreation, fire protection services etc."

The per capita cost of the Town of Sylvan Lake's services to the Summer Village was estimated at \$23.15, while the Town's own citizens now pay \$43.79 per capita. The Town did not desire to have these benefits extended to new residents who may live in the Summer Village in the future.

By letters to the Board, both dated May 2nd, 1980, Alberta Transportation and Alberta Agriculture advised the Board that they have no objection to the annexation of the said territory to the Summer Village of Norglenwold.

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

1. That the rate of growth of permanent residents has been very gradual (74 in 1977 to 94 in 1980) and, lacking services, the rate of growth is not seen to escalate. Under current circumstances, that territory (36.30 acres) annexed to the Summer Village of Norglenwold by Board Order No. 11809, should be sufficient to meet the Summer Village's urban requirements for some time.

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2. That the development of those lands annexed to the Summer Village of Norglenwold by Board Order No. 11809 will permit the Summer Village to react to the ramifications of such urban development and plan accordingly.

3. That the Summer Village of Norglenwold needs to better establish its service infrastructure to provide for the growing demands upon it and particularly those by its growing number of permanent residents.

4. That the application by the majority of owners to annex the said territory to the Summer Village of Norglenwold is premature.

THEREFORE, IT IS ORDERED THAT the application by the majority of owners petitioning the Local Authorities Board for the annexation of the said territory herein described, to the Summer Village of Norglenwold, and thereby its separation from the County of Red Deer No. 23, BE AND HEREBY IS REFUSED.

DATED and signed at the City of Edmonton, in the Province of Alberta, this Eighteenth (18th) day of August, A.D., 1980.

CERTIFIED A TRUE COPY

LOCAL AUTHORITIES BOARD

(SGD.) C.I. SHELLEY  
CHAIRMAN

(SGD.) J.A. HAMMOND  
MEMBER

SECRETARY