



BEFORE: LOCAL AUTHORITIES BOARD

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 Summer Village
: of Sunset Point to annex certain
: territory lying immediately adjacent
: thereto, and thereby its separation
: from the County of Lac Ste. Anne No. 28.

Pursuant to Section 20 of The Municipal Government Act, the Council of the Summer Village of Sunset Point, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta, for the annexation to the Summer Village all that territory described as follows :

ALL THAT PORTION OF RIVER LOT 21, LAC STE. ANNE SETTLEMENT NOT WITHIN THE SUMMER VILLAGE OF SUNSET POINT.

(hereinafter called "the said territory")

which lies immediately adjacent to the Summer Village, and thereby its separation from the County of Lac Ste. Anne No. 28, and in respect to which the Board held a public hearing into the matter on March 18th, 1981.

Representing the Summer Village of Sunset Point was Mayor G.R. Poirier.

L. Percy, Development Officer, appeared on behalf of the County of Lac Ste. Anne No. 28.

B. Clark presented the position of the Edmonton Regional Planning Commission.

Owner, Gwynn Alcorn, made a presentation.

The Summer Village of Sunset Point was established pursuant to a Ministerial Order, dated January 21, 1969. It is located along the east shore of Lac Ste. Anne, and immediately north of the Summer Village of Alberta Beach. The majority of the Summer Village stretches in a series of small lots along the lake shore and paralleling Ste. Anne Boulevard. Originally established to meet the temporary residential requirements of summer vacationers, with few demands for municipal services, in recent years there had been a growing trend to permanent year round residents. This had resulted in the creation of new subdivisions back from the lake area. This portion of the population has grown from 36 people in 1976 to 60 people in 1980. The present summer village contains approximately 300 acres of which an estimated 150 acres are vacant and of the 165 residential lots, 50 are vacant. A large portion of the vacant lands are owned by a church which used the site for a summer bible camp. The Summer Village had been informed that there were no plans to change this use. The other large area of vacant land is subject to development constraints by reason of a high water table. Municipal services within the Summer Village are minimal, limited to garbage pick up, street maintenance and lighting, pump-out sewage service and administration. Agreements exist with the Summer Village of Alberta Beach for fire protection, recreational and senior citizens services.

The said territory, containing 119 acres lies to the north east of the Summer Village of Sunset Point and extends back from Lac Ste. Anne in a south easterly direction. It contains gently rolling terrain, morainal in nature, characterized by "deranged" drainage patterns evidenced by high water table areas and localized sloughs. Approximately 22.5 acres of the said territory abutting the Summer Village's north east and south east boundaries has been subdivided (Plan 621 T.R. and 4635 T.R.) out of the original River Lot 21, providing 27 residential lots. A number of these lots have been built upon and the affected residents desired to be served by the Summer Village's municipal services. Access to this subdivision is now gained through the Summer Village.

It was stated that the owner of the remaining portion of the said River Lot 21 desired to develop it for residential resort lots of approximately ½ acre in size. A plan of subdivision for 56 such lots had failed to pass the planning process, including the Alberta Planning Board.

Two further factors affect the unsubdivided portion of River Lot 21:

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- a) The said territory is located within the Lac Ste. Anne Management Plan as specified under Alberta Environment Regulated Lake Shoreland Development Regulations. While the plan has been started, it has not been finalized.
- b) That portion of the said territory which is unsubdivided may be severed by a road linking Highway 33, near Alberta Beach, to Highway No. 43 near Gunn. This would alleviate the heavy summer traffic from St. Anne Boulevard. While there was no commitment by Alberta Transportation to build such a road, its eventual development was projected. Neither the Summer Village of Sunset Point or the County of Lac Ste. Anne No. 28 desired the Summer Village to expand across such a road.

The County of Lac Ste. Anne No. 28 advised that it did not object to the annexation to the Summer Village of Sunset Point of that portion of the said territory which lies to the northwest of the proposed by-pass road.

The Edmonton Regional Planning Commission, at its meeting of March 4th, 1981, passed the following resolution:

"On a motion by Mrs. Butti and Mr. Acker it was moved that the Commission indicate the following resolution:

1. The Commission supports the annexation of Plan 4635 T.R. since these parcels are similar to other lots in the Summer Village, gain access from the Summer Village and should logically be serviced by the Summer Village. The annexation of these parcels will aid environmental quality by providing local garbage collection and requiring pump out sewage disposal systems.
2. The Commission does NOT SUPPORT the annexation of the remaining areas of River Lot 21 since:
 - a) There is an existing inventory of vacant lots and lands presently within the Summer Village;
 - b) The land is, at best, only marginally developable due to high water table and drainage problems.
 - c) The Lake Management Plan, now in progress, has not finalized the future pattern of land development adjacent to the Lake.
 - d) A recommendation of the Lake Management Plan, if implemented would sever the parcel by creating a major by-pass road and no resort/cottage development should be allowed east of that road.

CARRIED"

Owner, G. Alcorn, advised that some twenty-six owners of the subdivided lots had indicated a desire to be incorporated into the Summer Village of Sunset Point. They desired the additional municipal services which would be available, and, specifically, the better fire protection which would lower fire insurance premiums.

By letters to the Board, Alberta Agriculture (January 30, 1981), Alberta Transportation (January 20th, 1981), and the Ste. Anne Natural Gas Co-op Limited (January 16, 1981) each respectively advised they did not object to the annexation of the said territory to the Summer Village of Sunset Point.

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

1. That, the Summer Village of Sunset Point evolved around the desire to have temporary seasonal accommodation in close proximity to a recreational feature, namely, Lac Ste. Anne. Access to the Lake was of prime concern, and saw development spread along the waters edge, rather than in concentrated urban units. Services were limited, mainly to access. Being low in population densities and used only partially during the year, individual utility services could function without conflict to the environment or neighbour. This is gradually changing with more people desiring to retire to his

or her retreat on a permanent basis, attracted by the style of life and lower costs. This type of resident may grow in numbers within the Summer Village.

2. That, the Summer Village of Sunset Point, being 45 miles from the City of Edmonton, is outside the established commuter shed; however, as industrial development grows in the Towns of Spruce Grove and Stony Plain, and with the occurrence of resource developments within its region, based upon the experience of other Summer Villages throughout the Province, it is to be anticipated a greater number of permanent family oriented residents will reside in the Summer Village. With the growth of such a permanent population there will be greater demand for additional, better and more expensive municipal services. To support the costs of such services, it is likely the Summer Village will be restricted only to a residential assessment base.
3. That those portions of the said territory which have been subdivided into residential lots gain their access from the Summer Village of Sunset Point, are urban in character, and may be best serviced by the said Summer Village.
4. That those portions of the said territory which are not subdivided are in excess to the immediate land use requirements of the Village of Sunset Point, and could, in relation to the current permanent population, result in a large permanent population. The ramifications upon the Summer Village of such a change in character are unknown and should be carefully studied. Further, before further development is considered within this portion, the Lac Ste. Anne Management Plan should be finalized and location of the by-pass road linking Highway Nos. 39 and 43 should be established. The annexation of this portion of the said territory to the Summer Village of Sunset Point is premature.
5. That the application by the Council of the Summer Village of Sunset Point to annex the said territory should be granted in part.

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 Summer Village of Sunset Point, in the Province of Alberta and thereupon be separated from the County of Lac Ste. Anne No. 28 the following described territory:

ALL THAT PORTION OF RIVER LOT 21, LAC STE. ANNE SETTLEMENT CONTAINED IN PLANS OF SUBDIVISIONS 621 T.R. AND 4635 T.R.

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

- II. That any taxes owing to the County of Lac Ste. Anne No. 28 as at December 31, 1980, in respect to the aforementioned properties shall transfer to and become payable to the Summer Village of Sunset Point together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Summer Village of Sunset Point collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Summer Village to the County of Lac Ste. Anne No. 28.
- III. That the assessor for the Summer Village of Sunset Point shall, for taxation purposes commencing in the year 1981, re-assess the annexed lands and assessable improvements thereon which are by this Order annexed to the Summer Village of Sunset Point so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Summer Village of Sunset Point, 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 1981, 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 Summer Village of Sunset Point so that the assessment or valuation shall be fair and equitable with properties of a similar nature.



BOARD ORDER NO: 14059
FILE NO: 403(A)2

LOCAL AUTHORITIES BOARD

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V. That the effective date of this Order is the First (1st) day of Janaury, 1981.

DATED and signed at the City of Edmonton, in the Province of Alberta, this Twenty-Fifth (25th) Day of March, A.D., 1981.

CERTIFIED A TRUE COPY

LOCAL AUTHORITIES BOARD

(SGD.) C.I. SHELLEY
CHAIRMAN

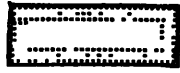
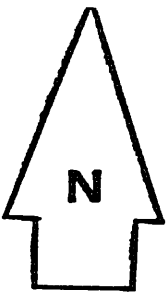
(SGD.) J.A. HAMMOND
MEMBER

SECRETARY

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 14059

EFFECTIVE DATE: JANUARY 1, 1981



AFFECTED AREA(S)

