

LOCAL AUTHORITIES BOARD

Order No. 6079

File: L.A. 4151-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 applica-  
tion by the Town of Beaverlodge,  
Alberta for annexation of certain  
territory lying immediately adja-  
cent thereto.

Pursuant to an application by the Town of Beaverlodge in the Province of Alberta petitioning for the annexation of the territories described on Schedule "B" attached to this Order, the Board conducted a public hearing of the matter in the said town on May 10, 1972, without the Board having given proper notice of the hearing to all interested parties, and again heard the said matter in the said town on June 29, 1972, after proper notice of the public hearing was given to all interested parties.

The Town of Beaverlodge was represented at the June 29, 1972 hearing by Councillor Rex Marshall and Secretary-Treasurer Allen L. Flom.

The County of Grande Prairie No. 1 which was represented by Councillor Henry Wagner and Secretary-Treasurer W. R. Weber, at the hearing on May 10, 1972 and which did file a written brief at that time, advised the Board by letter dated June 13, 1972, that its previous representations would stand for the June 29, 1972, hearing.

The Peace River Regional Planning Commission was represented by James B. Gee, Director and Senior Planner Grahame Allan.

Individual landowners attending the hearing included Mr. Ralph Carrell and Mr. V.R. Johnson.

The town represented generally that at had need of additional lands to the east for residential development purposes, there being few available serviced lots within the present limits.

It stated that its new sewage system and the increased water capacity of the water system would allow economic extensions of these systems to the residential annexation areas and that no objections to its annexation proposals had been received from any party respecting the lands in the north-east quarter of section 2 and the south half of section 11, township 72, range 10, west of the sixth meridian.

The town submitted that the prime reason for seeking annexation of the lands to the west of the railway was to obtain future agricultural and light industrial type developments which, because of the prevailing westerly winds, directly affect the town sensitive residential/commercial developments lying to the east across the railroad.

The town also observed that the residents of the annexation areas were sociologically a part of the Town of Beaverlodge, enjoyed the benefits of the town's many public services, and on the basis of present assessments and county and town mill rates structures, could under annexation to the town, enjoy favourable taxation, without restriction to their present activities, until their properties were further subdivided or "urbanized".

The Peace River Regional Planning commission supported the town's application, noting that there were some 12 shacks located on the "west annexation lands" in addition to numerous other urban type developments on this immediate edge of the town.

The County of Grande Prairie No. 1, on the basis of earlier expressed opposition from certain owners of lands west of the railway, opposed the town's application for annexation of the west lands.

At the June 29, 1972, hearing, after all assessed owners were given due notice of the public hearing, and after they had been contacted personally by a representative of the town council except in one instance (D. G. Thompson), no owner of lands lying west of the railroad appeared at the public hearing, or filed a letter with the town or the Board, to oppose the granting of the town's annexation application.

Messrs. R. F. Carrell and J. N. Foster spoke in favour of the Town's application and favoured early implementation of the Board's Order.

After considering all the evidence placed before it, the Board considers that the application should be granted in full, primarily, --

- (a) to provide the town with additional lands for residential expansion east of the railway,
- (b) to provide the town with direct control over the zoning and development of the areas it seeks to annex on the west side of the tracks, for the protection of its present and future "east side" residential developments.

It is ordered therefore as follows --

I. That there be annexed to the Town of Beaverlodge in the Province of Alberta and thereupon be separated from the County of Grande Prairie No. 1 the lands that are described in detail on attached Schedule "B".

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

II. Any taxes owing to the County of Grande Prairie No. 1 as at December 31, 1972, in respect of the aforementioned annexed properties shall transfer to and become payable to the Town of Beaverlodge, together with the amount of any lawful penalties and costs levied thereon in respect of such taxes, however, upon the Town of Beaverlodge collecting any or all of the said taxes, penalties or costs, such collections shall forthwith be paid by the town to the County of Grande Prairie No. 1.

III The assessor for the Town of Beaverlodge shall for taxation purposes in the year 1973, 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.

IV. The assessor for the town, shall for taxation purposes in the years 1973, 1974 and 1975, 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 bee-keeping, on the same basis of assessment as would be applicable to them had such land and farm improvements remained in the County of Grande Prairie No. 1, provided, however, that if —

- (a) the said land or a part thereof is subdivided, or if,
- (b) the town, by resolution of council, or the owner or other interested person, in writing, establishes before the Board that for good and sufficient reason the provisions of Clause IV should be varied,

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

V. The Town of Beaverlodge shall for taxation purposes in the years 1973, 1974 and 1975 tax the said farm unit properties described in aforesaid Clause IV at the appropriate mill rates which are in effect in the applicable year in the town.

VI. 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 Beaverlodge, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

VII. 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).



A detailed description of the lands:

- (a) Sought for annexation by the Town of Beaverlodge; and
- (b) Ordered annexed to the Town of Beaverlodge in the Province of Alberta and thereupon separated from the County of Grande Prairie No. 1, pursuant to the provisions of Local Authorities Board Order No 6079 dated November 3, 1972.

**N.W 2-72-10-6**

All that portion of the north-west quarter of section 2, township 72, range 10, west of the sixth meridian in the said Province not presently within the boundaries of the Townsite of Beaverlodge.

**N.E 2-72-10-6**

All that portion of the north-east quarter of section 2, township 72, range 10, west of the sixth meridian in the said Province not presently within the boundaries of the Townsite of Beaverlodge.

**S.W. 2-72-10-6**

All those portions of the south-west quarter of section 2, township 72, range 10, west of the sixth meridian in the said Province not presently within the boundaries of the Townsite of Beaverlodge and more particularly described in Certificate of Title No 129-L-124, containing sixteen and eighty hundredths (16 80) acres, more or less, Certificate of Title No 125-M-148 containing one (1.00) acre, more or less, and Certificate of Title No 27-E-184 containing eleven (11.00) acres, more or less, and all that portion of the said quarter section as shown on Subdivision Plan 437 T.R.

**S.E. 11-72-10-6**

All that portion of the south-east quarter of section 11, township 72, range 10, west of the sixth meridian in the said Province not presently within the boundaries of the Townsite of Beaverlodge which lies to the south of the north limit of 13th Street and its production easterly throughout as shown on Subdivision Plan 2695 N.Y

**S.W 11-72-10-6**

All that portion of the south-west quarter of section 11, township 72, range 10, west of the sixth meridian in the said Province not presently within the boundaries of the Townsite of Beaverlodge which lies to the south of the north boundary of lot A and its production westerly throughout as shown on Subdivision Plan 6758 K.S.

**Road Allowances**

1. All of the original government road allowance in the said Province adjoining the west boundary of the north-west quarter of section 2, township 72, range 10, west of the sixth meridian.

2. All that portion of the original government road allowance in the said Province adjoining the west boundary of the south-west quarter of section 2, township 72, range 10, west of the sixth meridian which lies to the north of the production westerly across the said road allowance of a line drawn parallel to and perpendicularly distant eight hundred and eighty-seven and four tenths (887 4) feet southerly from the north boundary of the south-west quarter of section 2, township 72, range 10, west of the sixth meridian.

3. All that portion of the original government road allowance in the said Province adjoining the west boundary of the south-west quarter of section 11, township 72, range 10, west of the sixth meridian which lies to the south of the production westerly across the said road allowance of the north boundary of lot A as shown on Subdivision Plan 6758 K.S.

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