

IN THE MATTER OF THE "Municipal Government Act":

AND IN THE MATTER OF an application by the Council of the Town of Slave Lake, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from Improvement District No. 17.

Pursuant to Section 20 of the Municipal Government Act, the Council of the Town of Slave Lake, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta, for the annexation to the Town of all that territory described as follows:

ALL THAT PORTION OF THE SOUTH EAST QUARTER OF SECTION THIRTY-ONE (31), TOWNSHIP SEVENTY-TWO (72), RANGE FIVE (5), WEST OF THE FIFTH MERIDIAN WHICH LIES TO THE WEST AND NORTH OF THE NORTHWESTERLY LIMIT OF ROAD PLAN 4532 P.X.

THE ABOVE DESCRIBED LANDS CONTAIN SEVEN AND NINETEEN HUNDREDTHS (7.19) HECTARES (17.77 ACRES), MORE OR LESS.

(hereinafter called "the said territory")

which lies immediately adjacent to the Town of Slave Lake, and thereby its separation from Improvement District No. 17, and in respect to which the Board held a public hearing into the matter on April 16, 1986.

Representing the Town of Slave Lake were Mayor P. Pillay, B. Kreiner, Town Manager, D. Miller, Development Officer, and A. Masand, Director of Engineering and Public Works.

Appearing on behalf of Improvement District No. 17 were L. Blumhagen, Chairman of the Advisory Council, Councillors L. Raessler and E. Yoder, R.W. Campbell, Improvement District Manager, and I. Engebretson, Assistant Manager.

R. Knall, Planning Officer, presented the position of the Planning Services Division of Alberta Municipal Affairs.

Owner Whitestar Canadian Resources Ltd. was represented by its major shareholder, G. Smith, who made a submission in favour of the annexation of the said territory to the Town of Slave Lake.

The Town of Slave Lake is located on the southeast shore of Lesser Slave Lake and is served by the Northern Alberta Railway and Highways No. 2 and 67. The Lesser Slave River drains the lake and surrounding area into the Athabasca River. The Town is located on low lying lands intersected by a number of drainage courses which join the Lesser Slave River.

While the Town of Slave Lake does not have a large agricultural base, the Town has a history of resource development; first in furs and more recently in forestry. However, since the 1950's, oil and gas development has played an ever increasing role in the Town's economy. The construction of Highway No. 67 northward to Fort Vermilion has improved access to a vast area in the north central portion of the Province of Alberta in which a number of successful conventional oil fields are located. Activity has remained high in the area despite the decline in the price of oil.

While developments in oil and gas are taking place at a considerable distance from the Town of Slave Lake, the Town is the nearest urban community able to provide the full range of urban services. Accordingly, the Town has been selected as the community to service this large region and has also proven attractive as a residential community for the families of those working in the oil fields. The Town of Slave Lake submitted that the Town has seen tremendous growth in 1985 with building permits exceeding \$19 million and that the population has grown from 4,328 in 1981, to an estimated population of between 5,500 and 6,000 in 1986.

Being the largest urban centre between High Prairie to the west, Athabasca to the east and Westlock to the southeast, the Town of Slave Lake has been selected as an administrative centre by a large number of government agencies with an estimated 200 Provincial and Federal Government employees residing in the Town. One factor for the presence of the numerous government agencies is the provision of services to the large native population of the region. The Town has also attracted a large number of native residents, estimated at one third of the population.

The said territory, containing 7.19 hectares (17.77 acres), is triangular in shape and abuts the Town's boundary, with its west and north borders and Highway No. 67 with its east border. The said territory, located approximately one-half mile north of the junction of Highways No. 2 and 67, was created when Highway No. 67 was constructed at an angle from the north east to the south west through the South East Quarter of Section 31.

The application to annex the said territory was initiated at the request of Whitestar Canadian Resources Ltd. and G. Smith advised that the the Company has been approached regarding a motel site and proposed that the remaining portions be developed for residential uses. A rezoning request to Improvement District No. 17 had not been approved and annexation to the Town of Slave Lake appeared to be the only alternative which would allow development to proceed.

To meet future growth demands, the Town of Slave Lake has some 64.75 hectares of vacant land in the southwest area of Town, immediately to the north of Highway No. 2. These lands, however, are low lying and expensive to service as the sanitary sewage treatment plant is located in the northeast sector of the Town and the existing servicing sewer lines have limited capacity. The Town estimated that the construction of new sanitary sewer trunks to service the area to the southwest would cost \$1.5 million.

The Town of Slave Lake viewed the said territory as land that could be readily and economically serviced by the extension of utility lines from the adjoining residential subdivision. Accordingly, the said territory is an area that can be made available to meet the immediate demand for residential lots. Some 225 new residential units were constructed in the Town in 1985 and there is an insufficient supply of serviced residential land to meet the anticipated demand.

Improvement District No. 17 expressed concern about the "piecemeal" annexation of a small amount of land. The Advisory Council referred to a meeting with the Town of Slave Lake where it was indicated that the Town also opposed this type of annexation and the Advisory Council further stated that:

"The Improvement District is not generally opposed to annexation, but in this case, believes that if the Town of Slave Lake wishes to pursue annexation, it should be based on long-term objectives, needs and well-thought-out criteria. The Improvement District, over the past several years has requested that the Town consider annexation of lands adjacent to the Town boundaries which would be more readily serviced by the Town and would enhance the Town's ability for long-range development plans."

The Advisory Council also expressed a concern that annexation of the small parcel may establish a future trend that "...every time a development is proposed in the vicinity of the Town of Slave Lake, the Town would simply request its annexation to facilitate having the development located within its boundaries."

While it is the policy of the Town of Slave Lake to submit comprehensive annexation applications, Council did not anticipate the Town's rapid growth. There are a number of studies which should be completed before a comprehensive annexation petition is made and Council estimated that it would be late 1988 before this could be accomplished.

The Planning Branch, Planning Services Division of Alberta Municipal Affairs, in a memorandum to the Board dated February 26, 1986, made the following observations in respect to the proposed annexation:

"Although serviced residential lots are being developed in other areas of the Town, the local housing supply remains extremely tight at the present time. There is a strong demand for serviced residential lots in the southeast portion of Slave Lake. The proposed annexation area could be readily serviced through extensions to utility lines serving adjacent areas to the west. Although there is not detailed information available concerning water table and soil conditions, the site is likely similar in nature to the adjacent area to the west which has been successfully developed for residential use.

If annexed to the Town, the site would be suitable for residential development. A limited amount of highway commercial use might be suitable for a portion of the site, provided that any such development incorporated measures to ensure that it did not adversely affect adjacent residential uses.

Annexation of the site into the Town would also provide an opportunity for the development of 3.17 acres of land (owned by the Town of Slave Lake) west of Highway #67 and south of the railway. This parcel of land does not presently have convenient access available; however, access could be provided if developed in conjunction with the proposed annexation area.

From a planning perspective, the proposed annexation area forms a logical extension of the Town. This office supports the proposal and recommends that the annexation request be approved."

In a memorandum to the Board dated January 29, 1986, Alberta Agriculture submitted the following comments regarding the said territory:

"1. Canada Land Inventory (CLI) agriculture capability rating for the parcel under consideration is 3⁸₄². These dark grey-wooded soils are fair to moderately high in productivity for a fair range of crops.

2. The area is not currently being used for agriculture. The area is heavily treed with poplar and spruce, and is bounded by residential development to the west and a highway to the east. The present assessment is for 'vacation residential.'

Considering the parcel's size (less than 20 acres) and its physical proximity to the Town of Slave Lake, Alberta Agriculture has no objections to this annexation."

In a letter to the Board dated January 23, 1986, Alberta Transportation advised that the Department supported the annexation application of the Town of Slave Lake.

The following observations regarding the said territory were made by Alberta Environment in a letter to the Board dated January 13, 1986:

"Although the nearsurface water table levels may be marginally high, it is anticipated that any problems associated with high water table levels could be resolved at the development/subdivision stage.

No problems are anticipated with regard to servicing (i.e. water and sewer). Both systems have recently been upgraded and would have the capacity to accommodate additional development."

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

1. That the Town of Slave Lake, being well located adjacent to Highways No. 2 and 67, provides the government, health and administrative services to the large north central region of Alberta. With the improved access provided by Highway No. 67, the region to the north was opened to oil and gas explorations that have resulted in a number of conventional discoveries. Being well supplied with urban amenities and being the largest urban community in the region, the Town of Slave Lake has become the service centre to the resource developments and, as reflected in its growing population, a place of residence for the employees.
2. That while the Town of Slave Lake does have a considerable supply of unserviced lands within its jurisdiction, development of these lands is restricted by the need to construct costly new sanitary sewer trunks and with the uncertainty of continuing growth, there is considerable risk to the Town if such costs cannot be recovered. Accordingly, the Town lacks sufficient land that may be readily and economically developed for residential purposes.
3. That the said territory, while small in area, can be readily and economically serviced with utilities and provides a logical extension to the residential uses in the Town. Further, the said territory will provide some temporary relief to the Town of Slave Lake's housing demands, thereby permitting the Town to carry out the various studies in preparation for a comprehensive annexation application.
4. That the application by the Council of the Town of Slave Lake petitioning for the annexation of the said territory into its jurisdiction should be GRANTED IN FULL.

THEREFORE, subject to the Lieutenant Governor in Council approving this Order, or prescribing conditions that the 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 Town of Slave Lake, in the Province of Alberta, and thereupon be separated from Improvement District No. 17 the following described territory:

ALL THAT PORTION OF THE SOUTH EAST QUARTER OF SECTION THIRTY-ONE (31), TOWNSHIP SEVENTY-TWO (72), RANGE FIVE (5), WEST OF THE FIFTH MERIDIAN WHICH LIES TO THE WEST AND NORTH OF THE NORTHWESTERLY LIMIT OF ROAD PLAN 4532 P.X.

THE ABOVE DESCRIBED LANDS CONTAIN SEVEN AND NINETEEN HUNDREDTHS (7.19) HECTARES (17.77 ACRES), MORE OR LESS.

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

- II. That any taxes owing to Improvement District No. 17 as at December 31, 1986, in respect of the aforementioned properties shall transfer to and become payable to the Town of Slave Lake together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Town of Slave Lake collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Town to Improvement District No. 17.

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- III. That the assessor for the Town of Slave Lake shall, for taxation purposes in the year 1987, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Town of Slave Lake so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Town of Slave Lake, 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 1987, reassess or revalue, 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 Slave Lake, 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 the Thirty-first (31st) day of December, 1986.

DATED and signed at the City of Edmonton, in the Province of Alberta, this First day of May, 1986.

LOCAL AUTHORITIES BOARD

CERTIFIED A TRUE COPY:

(SGD.) C.I. SHELLEY
CHAIRMAN

SECRETARY

(SGD.) J.A. HAMMOND
MEMBER