

TOWN OF SYLVAN LAKE

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BOARD ORDER No. 14079

File No. 174(A)8

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 the council of the Town of Sylvan Lake to annex certain territory lying immediately adjacent thereto, and thereby its separation from the County of Red Deer No. 23.

Pursuant to section 20 of The Municipal Government Act, the council of the Town of Sylvan Lake in the Province of Alberta petitioned the Local Authorities Board for the annexation to the town of all that territory described as follows:

All that portion of the north east quarter of section 34, township 38, range 1, west of the fifth meridian, lying to the west of a straight line drawn from a point on the south boundary, which point is 1,984.94 feet westerly from the south east corner of the said quarter section to a point on the north boundary which is 1,213.93 feet from the north east corner of the said quarter section. Excepting thereout road plan 4376 JY

The north west quarter of section 34, township 38, range 1, west of the fifth meridian, excepting thereout:

- a) The right of way of the Canadian Northern Western Railway and Road Diversion both said exceptions shown on railway plan 3932 AP
- b) Road plan 4376 JY

The south west quarter of section 34, township 38, range 1, west of the fifth meridian.

All that portion of the north south government road allowance adjoining the west boundary of the west half of section 34, township 38, range 1, west of the fifth meridian lying south of the production south westerly across the said road allowance of the south easterly limit of the road diversion, as shown on the Canadian Northern Western Railway plan 3932 AP

All that portion of the north east quarter of section 32, township 38, range 1, west of the fifth meridian, not covered by the waters of Snake Lake (Sylvan Lake).

(hereinafter called "the said territory")

which lies immediately adjacent to the town 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 March 26th, 1981.

The Town of Sylvan Lake was represented by C. P. Blakely, T. Bradley and A. Krause. Also in attendance were P. J. Grimson, A. McDonald and A. Johnston.

P. D. Newman, represented the Red Deer Regional Planning Commission.

Landowners were represented by A. Cadman, M. Theuenaz, and B. Schenk.

In the representations made by the Town of Sylvan Lake, the board was informed that the town had only very limited land available for industrial development at the present time. The approval of this annexation would enable the town to provide approximately 50 acres of serviced industrial land economically and quickly.

The annexation in the north west corner of the town was requested to permit town control of the lakeshore and would provide a coterminous boundary with the Summer Village of Norglenwold.

Sylvan Lake is located on the David Thompson Highway No. 11, west of Highway No. 2. The town has experienced an approximate doubling of its population during the past five years, and has, at present, utility systems with adequate capacity to service a population of approximately double its present size.

Two owners, J. M. Cuendet and B. A. Schenk, opposed the annexation.

The board, having considered the evidence presented to it has reached the following conclusions:

1. That there is a demand in the Sylvan Lake area for land for industrial purposes and that the Town of Sylvan Lake requires jurisdiction over additional territory to meet this demand.
2. That the Town of Sylvan Lake, because of its location on the David Thompson Highway will likely continue to experience pressures for the provision of industrial sites.

3. That the unification of control over the lakeshore is a desirable goal.
4. That for the reasons stated by the town and supported by some of the land owners, the annexation as applied for, 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 Sylvan Lake in the Province of Alberta, and thereupon be separated from the County of Red Deer No. 23, the following described territory:

✓ All that portion of the north east quarter of section 34, township 38, range 1, west of the fifth meridian, lying to the west of a straight line drawn from a point on the south boundary, which point is 1,984.94 feet westerly from the south east corner of the said quarter section to a point on the north boundary which is 1,213.93 feet from the north east corner of the said quarter section. Excepting thereout road plan 4376 JY

- ✓ The north west quarter of section 34, township 38, range 1, west of the fifth meridian. Excepting thereout:
- ✓ a) The right of way of the Canadian Northern Western Railway and Road Diversion both said exceptions shown on railway plan 3932 AP
- ✓ b) Road plan 4376 JY
- ✓ The south west quarter of section 34, township 38, range 1, west of the fifth meridian.

All that portion of the north south government road allowance adjoining the west boundary of the west half of section 34, township 38, range 1, west of the fifth meridian lying south of the production south westerly across the said road allowance of the south easterly limit of the road diversion, as shown on the Canadian Northern Western Railway plan 3932 AP.

✓ All that portion of the north east quarter of section 32, township 38, range 1, west of the fifth meridian not covered by the waters of Snake Lake (Sylvan Lake).

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

II. That any taxes owing to the County of Red Deer No. 23 as at December 31, 1981, in respect to the aforementioned properties shall transfer to and become payable to the Town of Sylvan Lake, together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Town of Sylvan Lake collecting any or all of such taxes, penalties or costs such collections shall forthwith be paid by the town to the County of Red Deer No. 23.

III. That the assessor for the Town of Sylvan Lake shall for taxation purposes commencing in the year 1982, re-assess the annexed lands and assessable improvements thereon which are by this order annexed to the Town of Sylvan Lake so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Town of Sylvan 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 1982, 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 Sylvan 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 January 1, 1982.

Dated and signed at the City of Edmonton, in the Province of Alberta, April 13, 1981.

Certified a true copy:  
B. Clark, Secretary

Local Authorities Board  
C. I. Shelley, Chairman  
T. J. Lauder, Member

# SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE  
AREAS AFFECTED BY BOARD ORDER No. 14079

EFFECTIVE DATE: JANUARY 1, 1982



AFFECTED AREA(S)



Snake Lake  
(Sylvan Lake)

TOWN OF  
SYLVAN LAKE

3  
39-1-5

N $\frac{1}{2}$  34-38-1-5

SW 34-38-1-5

32  
38-1-5

33  
38-1-5

29  
38-1-5

28  
38-1-5

27  
38-1-5