

# Summer Village of South View Public Hearing

Hearing with Respect to Bylaw 207-2019  
Held on Saturday, January 18, 2020 at the Interlake Golden Age Club  
Darwell, Alberta

<b>PRESENT</b>	Sandi Benford      Mayor & Meeting Chair Brian Johnson      Deputy Mayor Wendy Wildman      Chief Administrative Officer Heather Luhtala      Recording Secretary Michelle Gallagher      Patriot Law Jane Dauphinee      Municipal Planning Services
<b>ALSO PRESENT</b>	18 members of the public
<b>1. CALL TO ORDER</b>	Chairman Benford called the Public Hearing to order at 10:02 a.m.
<b>2. INTRODUCTIONS</b>	Sandi Benford      Mayor & Meeting Chair Brian Johnson      Deputy Mayor Wendy Wildman      Chief Administrative Officer Heather Luhtala      Recording Secretary Michelle Gallagher      Patriot Law Jane Dauphinee      Municipal Planning Services
<b>3. PUBLIC HEARING</b>	<p>The purpose of this public hearing is for the Council of the Summer Village of South View to hear testimony and take action relating to the proposed Bylaw 207-2019 which is a Bylaw requesting the Registrar of Land Titles to remove the Park Reserve designation of one parcel of land so as to allow for the disposition of the parcel and confirmation of the location of the Environmental Reserve.</p> <p>The Reserve is that land legally described as Lot P (Park Reserve), Block 1, Plan 2647 KS, which is adjacent to Isle Lake. This parcel is located south of Oscar Wikstrom Drive and east of 102 Street in the Summer Village of South View.</p> <p>The Municipality has, following lengthy investigation, determined that there may have been errors made in the boundaries of Lot P at the time of registration of the subdivision that created Lot P, such that certain lots adjacent to Lot P did not extend to the shoreline of Lake Isle, as intended. These errors resulted in the adjacent landowners constructing improvements that encroach onto Lot P and the Municipality has also levied and collected property taxes in a manner that reflects the mistaken belief that the boundaries of the certain lots extended to the shoreline of Lake Isle.</p>

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	<p>And whereas the Municipality has determined that the result of their investigations indicate “an omission, error or other defect in the certificate of title” for Lot P, and “an encroachment problem and other concerns” with respect to Lot P, within the meaning of section 676(1)(d) of the Municipal Government Act.</p>
<p><b>4. STAFF PRESENTATIONS</b></p>	<p>Michelle Gallagher    Patriot Law Jane Dauphinee        Municipal Planning Services</p>
<p><b>5. PUBLIC TESTIMONY AND COMMENT</b></p>	<p><u>Written Submissions</u> Peter &amp; Lynnda Abrams</p> <p><u>Written Request for Oral Presentation</u> Jim Woslyng</p> <p><u>Oral Presentations/Comments from those persons signed up on the Sign-In Sheet)</u> -Dan Slemko -Joe Napora -Phil Baril -Scott McKenzie</p> <p><u>Oral Presentations/Comments from any other persons</u> -Gail Slemko -Valerie McKenzie -Patty Napora -Vicky Baril -Rita John</p>
<p><b>6. QUESTIONS &amp; ANSWERS (Council Members)</b></p>	<p>No Council members had any further questions.</p>
<p><b>7. COUNCIL DISCUSSION</b></p>	<p>No further discussion took place.</p>
<p><b>8. ADJOURNMENT</b></p>	<p>Chair Benford declared the public hearing closed and adjourned the public hearing at 11:09 a.m.</p>

# Summer Village of Silver Sands

## Public Hearing

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Interlake Golden Age Club, Darwell, Alberta

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Chairman, Sandi Benford

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Recording Secretary, Heather Luhtala

UNAPPROVED

January 5, 2020

Peter P. Abrams, Lynnda R. Abrams  
13719 101A Ave.  
Edmonton, Alberta  
T5N 0K9

To: Administration Office, Summer Village of South View  
Box 8, Alberta Beach, AB  
T0E 0A0

**RE: BYLAW 207-2019**

We are the owners of lots 22 and 34 Lake St. in South View, AB.

We would like to comment on the proposed bylaw as follows:

The bylaw indicates that a portion of the existing Lot P adjoining the Lake, is to be subdivided into 6 lots, 5 of which are to be "consolidated". It appears that the intent is to consolidate the new lots 1A, 2A, 3A, 4A and 5A into the 5 semi waterfront lots on Oscar Wikstrom Drive.

The bylaw states that there were errors made in the original boundaries of Lot P. The notion that there were errors is, in our opinion, unlikely as the creation of a buffer zone between residential properties and a lake is consistent with good environmental planning, as indicated in the Alberta Government Report "Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region". Furthermore it is consistent with other subdivision information such as the diagram defining "lake front", "semi lake front" and "back lot" lot designations in the Government of Alberta "User Guide for Dock Permits". For these reasons we doubt that there was an error in having the buffer zone of Lot P between the residential lots and the lake. Even if there was an "error", the resultant lot plan is consistent with good environmental practices for lake shores and should not be changed.

It also is concerning that the Village would consider giving up the lake shore buffer zone in favour of residential development when the Alberta Environment encourages buffer zones to be created along lake shores.

Subdividing Lot P and giving up all future public access to portions of it is not in the best interests of the people of South View. It eliminates any possibility of a shoreline walking trail or any form of public access to this area in the future.

The bylaw also indicates that the 5 lots have been taxed as though they extend to the lake. It is very surprising that a property assessor would not consult a village lot plan during his assessment process and not realize that the properties do not extend to the lake. If that is the case, the taxes paid could be compensation for use of the public land of Lot P.

We respectfully ask that you consider these issues. If you are still proceeding with this bylaw, we suggest that you sell these lots at fair market value so the citizens of South View at least obtain some compensation for giving up there rights to what is presently public land.

Yours truly,



Peter P. Abrams and Lynnda R. Abrams

22 Lake St. South View