

**SUMMER VILLAGE OF SOUTH VIEW
AGENDA**

Special Council Meeting held at the Municipal Office 2317 Twp Rd 545 LSA County
Public may participate in person or via zoom
Friday, November 22, 2024 at 10:00 a.m.

1. Call to Order:

2. Treaty 6 Territory Land Acknowledgement

The Summer Village of South View acknowledges that we are meeting on Treaty 6 Territory and on the homelands of the Metis Nation. We acknowledge all indigenous peoples who have walked these lands for centuries.

3. Agenda:

a) November 22nd, 2024 Special Council Meeting Agenda

Pg. 1-3

(approve agenda as is or with amendments)

6. Bylaws:

a) Borrowing Bylaw 251-2024

Pg. 4-5

This bylaw authorizes short-term borrowing for the Summer Village of South View. ATB requires this bylaw be approved annually. This Bylaw is in consideration of the 2025 calendar year.

(that Bylaw 251-2024, being a bylaw for the purpose of borrowing certain sums of money for the purpose of an operating line of credit for interim financing in the event of a local emergency or to cover unforeseen operating expenditures not including in the operating budget, be given first reading as presented/amended.)

(that Bylaw 251-2024, be given second reading as presented/amended.)

(that unanimous consent be given to have three reading of Bylaw 251-2024 in one sitting.)

(that Bylaw 251-2024, be read a third and final time as presented/amended.)

Or,

(Some other direction as provided at meeting time.)

b) Plan Cancellation Bylaw 252-2024

Pg. 6-14

A resident has applied for a plan cancellation bylaw to consolidate 14 Hillside Street and 18 Hillside Street. The associated fees have been paid and the Development Officer has drafted the attached bylaw for Council's consideration.

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(that Bylaw 252-2024, being a bylaw for the purpose of cancelling a portion of Plan 1487 KS, be given first reading.)

(that Bylaw 252-2024 be given second reading.)

(that unanimous consent be given to have three readings of Bylaw 252-2024 in one sitting.)

(that Bylaw 252-2024 be given third and final reading)

Or

(some other direction as provided at meeting time.)

7. Business: a) 2025 Interim Operating Budget

Each year Council must pass an interim operating budget prior to the end of the previous year, which will be in effect until the final operating and capital budget is passed.

(that an Interim 2025 Operating Budget be passed at ½ the 2024 Approved Operating and Capital Budget, and that this Interim 2025 Operating Budget cease to have any force and effect once the 2025 Operating and Capital Budget is approved)

b) Fire Services

With the current fire services agreement ending March 7, 2025, Council must make a decision regarding the Summer Village's future fire services provider. Council has received and reviewed two proposals: Fire Rescue International, through Alberta Beach Regional Fire Services and Lac Ste Anne County Fire Services.

(That the Fire Services proposal from Lac Ste Anne County be conditionally accepted for a 10-year term, pending legal review of the agreement and final negotiations,

Or,

That the Fire Services proposal with Fire Rescue International, through Alberta Beach Regional Fire Services, be conditionally accepted, on the condition that no major partners withdraw from the agreement and pending legal review of the agreement and final negotiations,

Or,

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Some other direction as provided at meeting time.)

14. Next meeting: January 21st, 2024

15. Adjournment:

Upcoming Meetings:

- Regular Council Meeting – January 21, 2025
- Regular Council Meeting – February 18, 2025
- Regular Council Meeting – March 18, 2025

Municipal Borrowing Bylaw

DRAFT

**BEING A BYLAW OF THE SUMMER VILLAGE OF SOUTH VIEW, IN THE
PROVINCE OF ALBERTA, FOR THE PURPOSE SPECIFIED IN SECTION 256 OF
THE MUNICIPAL GOVERNMENT ACT
BYLAW NO. 251-2024**

WHEREAS the Council of the Summer Village of South View (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of an operating Line of Credit for interim financing in the event of a local emergency or to cover unforeseen urgent operating expenditures not included in the operating budget over the period from the date of this Bylaw through to December 31, 2025.

NOW THEREFORE pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a Bylaw that:

1. The Corporation is hereby authorized to borrow from ATB Financial, ("ATB") up to the principal sum of \$150,000.00 repayable upon demand at a rate of interest per annum from time to time established by ATB, not to exceed 10%, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The borrowing is a line of credit repayable on demand and the Corporation is required to pay accrued interest monthly.
3. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - (a) to apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
 - (b) as security for any money borrowed from ATB
 - (i) to execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
 - (ii) to give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
 - (iii) to execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.

Municipal Government Act RSA 2000 Chapter M-26
Section 256 Borrowing Bylaw

- 4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are: Taxes, Reserves, Grants
- 5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
- 6. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 3 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
- 7. This Bylaw comes into force on the final passing thereof.

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 22nd day of November 2024 at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

THIS Municipal Borrowing Bylaw, inclusive of its Certificate: (a) may be executed electronically; and (b) may be delivered by email, facsimile or other functionally-equivalent means.

READ a first time this 22nd day of November, 2024.

READ a second time this 22nd day of November, 2024.

UNANIMOUS CONSENT to proceed to third reading this 22nd day of November, 2024.

READ a third and final time this 22nd day of November, 2024.

SIGNED this 22nd day of November, 2024.

WITNESS our hands and the seal of the Corporation this 22nd day of November, 2024.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman

**DEVELOPMENT OFFICER'S REPORT
PLAN CANCELLATION BYLAW NO. 252-2024**

APPLICANTS / OWNERS: Colin Hay & Sally Hay

DISTRICT: R - Residential

LEGAL DESCRIPTIONS: Lots 2 & 3, Block 1, Plan 4187 KS - #14 and #14 Hillside Street within the Summer Village of South View (the "Lands").

PROPOSAL:

To cancel, by Bylaw, a portion of Plan 4187 KS to allow for the consolidation of Lots 2 & 3, Block 1, Plan 54187 KS into one new lot entitled Lot 2A, Block 1, Plan 4187 KS.

REGULATIONS:

M.G.A. Section 658 Cancellation of plan of subdivision

COMMENTS:

The applicants have requested Her Worship Mayor and Council's favourable consideration of their application to cancel a portion of Plan 4187 KS to allow for the consolidation of the two lots that they own into one within the Summer Village of South View (See attached application form dated September 9, 2024). The subject Lands are Plan 4187 KS, Block 1, Lot 2 and Plan 4187 KS, Block 1, Lot 3. Both lots are bound by an un-developed Municipal Laneway on the North and are irregular in shape, where Lot 2 has an area of +/- 758.0 sq. m. (8163 sq. ft) and Lot 3 has an area of +/- 896.0 sq. m. (9644 sq. ft.). Lot 2 is undeveloped and has frontage of 15.9 m (52.2 ft) on Hillside Street, while Lot 3 is developed with a Single Detached Dwelling and has frontage of 16.2 m. (53.0 ft.)(See attached Site Map and Photographs).

RECOMMENDATIONS:

It is the recommendation of the Development Officer that favourable consideration be granted to approve the Plan Cancellation Bylaw No. 252-2024, as requested, to allow for the consolidation of the subject two (2) lots, for the following reasons:

1. The proposal conforms to the requirements of the Land Use Bylaw and does not impinge upon the economic development of the Lands.
2. The proposal satisfies the requirements of Municipal Government Act, RSA 2000, Ch. M-26, Section 658, as amended.
3. It has been typical for Her Worship & Council to look favourably upon such applications.

Photographs of Plan 4187 KS, Block 1, Lots 2 & 3 : #14 & #18 Hillside Street



LOT CONSOLIDATION APPLICATION

Bylaw 252-2024



LAND OWNER INFORMATION

Name: Colin and Sally Hay

PROPERTY INFORMATION

Property #1 - Plan: 4187 KS Block: 1 Lot: 3

Property #2 - Plan: 4187 KS Block: 1 Lot: 2

Municipal Addresses: #1 18 Hillside Street #2 14 Hillside Street

I authorize the person(s), designated by the Municipality as designated in Section 542 of the Municipal Government Act, R.S.A. 2000, to enter my land for the purpose of conducting a site inspection in connection with my lot consolidation application.

I/we being the registered landowners of the above properties do hereby request the lands to be consolidated into one property by Order of Bylaw.

Registered Owner Signature: Date: 9 September 2024

Registered Owner Signature: Date: 9 September 2024

The personal information provided by you is being collected under the authority of the *Municipal Government Act* and will be used for the purposes under that Act. The personal information that you provide may be made public, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

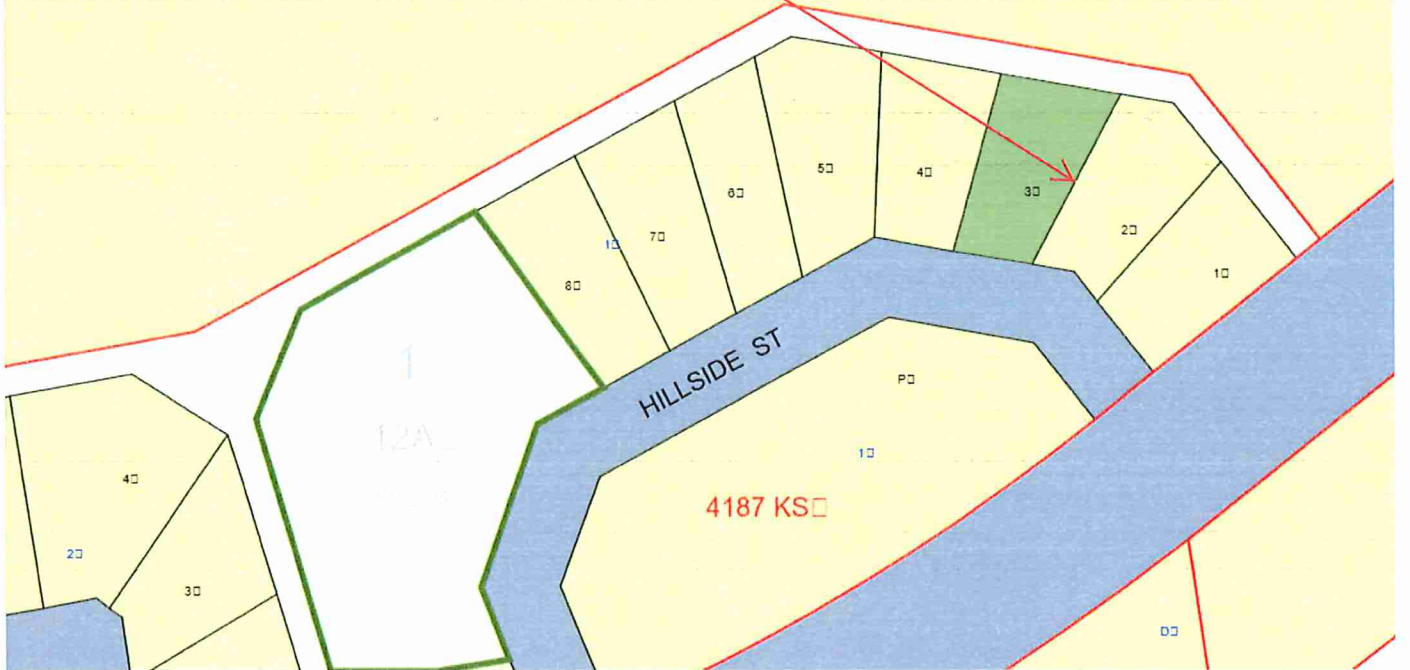
The following **MUST** be submitted with the application:

- Application fee of \$835.00 Cheque made payable to: Summer Village of South View
- A current title for each property being consolidated. Titles can be obtained from any Registries Office – (ownership information must match exactly on each title).
- This application **MUST** be signed by all owners listed on title.

Note: The process of consolidating two lots is complete once the application has been approved, the plan cancellation bylaw has been passed and signed by Council, the required paperwork has been registered at Alberta land titles and the updated land title is received by the municipality. It is important to note that as the current year's taxes are calculated based on the condition of the property at December 31st of the prior year, a consolidation of lots will **not** affect or amend the taxes in the year the consolidation is done.

South View
Development Office
Ph: 780-718-5479
Box 8, Alberta Beach, AB T0E 0A0
pcm1@telusplanet.net

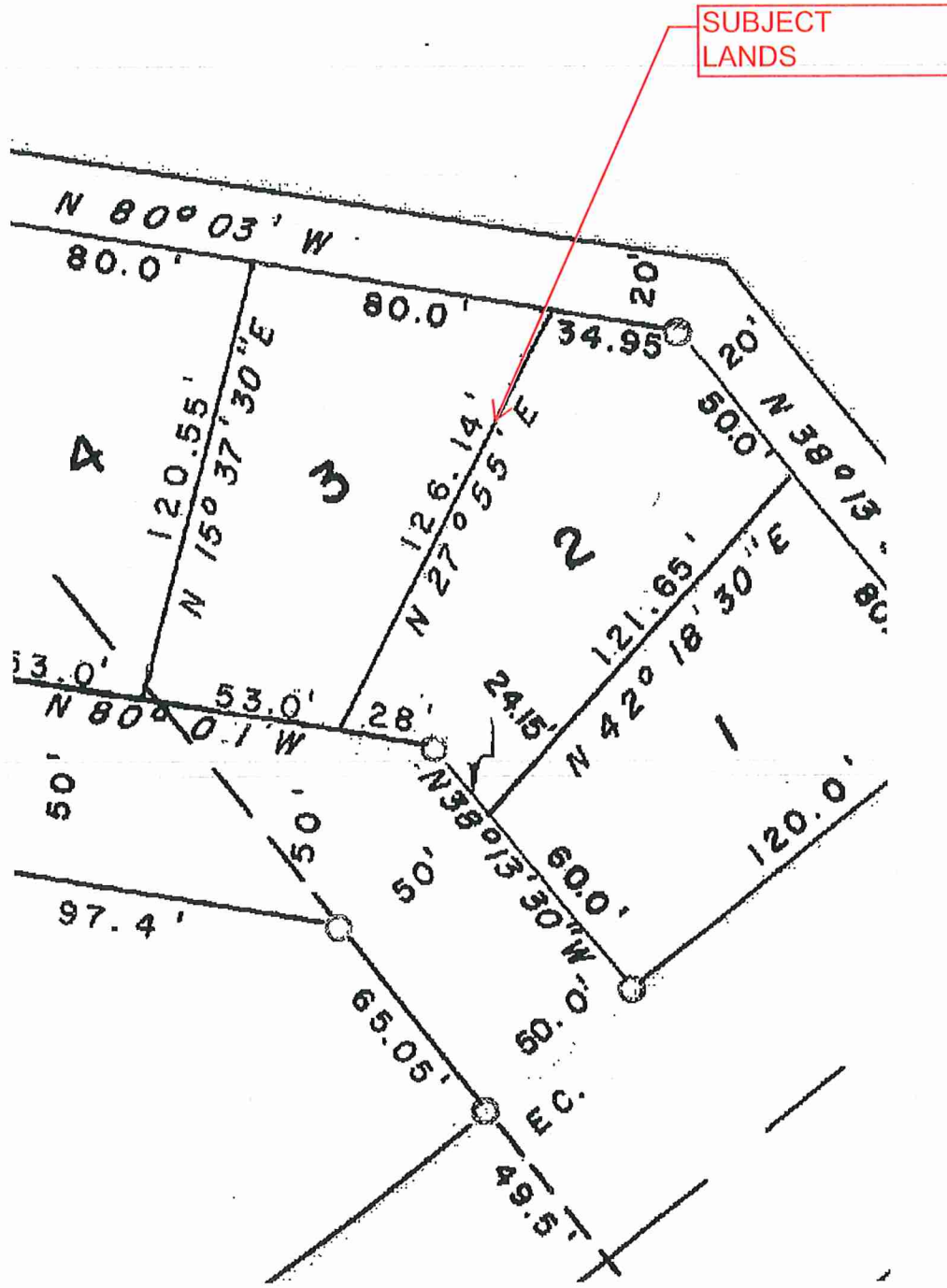
BYLAW 252-2024
PLAN 4187 KS
BLOCK 1
LOTS 2 & 3



Site Map

Bylaw 252 - 2024

Plan 4187 KS, Block 1, Lot 2 and 3 : 14 and 18 Hillside Street





LAND TITLE CERTIFICATE

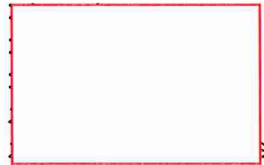
S
LINC SHORT LEGAL TITLE NUMBER
0018 253 435 4187KS;1;2 242 286 258

LEGAL DESCRIPTION
PLAN 4187KS
BLOCK 1
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;5;54;10;NW
MUNICIPALITY: SUMMER VILLAGE OF SOUTH VIEW
REFERENCE NUMBER: 242 032 070

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
242 286 258	15/11/2024	TRANSFER OF LAND	\$55,000	\$55,000

OWNERS
COLIN HAY
AND
SALLY HAY



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
NO REGISTRATIONS		

TOTAL INSTRUMENTS: 000



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0016 354 763 4187KS;1;3 232 238 548

LEGAL DESCRIPTION
PLAN 4187KS
BLOCK 1
LOT 3
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;5;54;10;NW

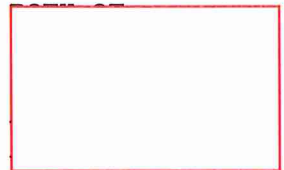
MUNICIPALITY: SUMMER VILLAGE OF SOUTH VIEW

REFERENCE NUMBER: 172 049 973 +4

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
232 238 548	09/08/2023	TRANSFER OF LAND	\$385,000	\$385,000

OWNERS
COLIN HAY

AND
SALLY HAY



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
072 117 783	28/02/2007	CAVEAT RE : ENCROACHMENT AGREEMENT
212 096 755	27/04/2021	UTILITY RIGHT OF WAY

(CONTINUED)

MGA Section 658

Cancellation of plan of subdivision

Cancellation of plan of subdivision

658(1) On the application of one or more owners of a parcel of land in a plan of subdivision, a council may by bylaw order the plan cancelled, in whole or in part.

(2) A council may pass a bylaw under subsection (1) only with the consent of

(a) the owners of the parcel of land in the plan of subdivision,

(b) every person shown on the certificate of title of the land in the plan of subdivision as having an estate or interest in it, and

(c) the Crown in right of Alberta, if the plan of subdivision shows a highway or road or other right of way vested in the Crown for which no certificate of title has been issued.

(3) A plan cancellation may not be effected only or primarily for the purpose of disposing of reserves.

(3.1) If all of a plan is cancelled, deferred reserve caveats and environmental reserve easements are also cancelled.

(4) If all reserve land has been cancelled from a plan of subdivision, the resulting parcel of land, if it is subsequently subdivided, may be subject to the provisions of this Part respecting reserves.

(5) If a plan is cancelled in part, a deferred reserve caveat may be placed against the consolidated certificate of title reflecting any reserve land that was cancelled and that will be owing if the parcel is subsequently subdivided.

DRAFT

BYLAW OF THE SUMMER VILLAGE OF SOUTH VIEW, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF CANCELLING A PORTION OF PLAN 4187 KS

BEING A BYLAW FOR THE PURPOSE OF CANCELLING A PORTION FOR PLAN 4187 KS.

WHEREAS Section 658 of the *Municipal Government Act* empowers a municipality to cancel a plan of subdivision in whole or in part;

AND WHEREAS the owners of the parcels of land in the portion of the plan to be cancelled have consented to the proposed cancellation;

AND WHEREAS every person shown on the certificate of titles of the land in the plan of subdivision as having an estate or interest in it have consented to the proposed cancellation;

NOW THEREFORE the Council of the Summer Village of South View in the Province of Alberta, duly assembled, hereby enacts as follows:

1. **IT IS HEREBY ORDERED** that the lands described as Lot 2 and Lot 3, Block 1, Plan 4187 KS are to be cancelled from the plan of subdivision of Record which is registered in the Land Titles Office for the North Alberta Land Registration District.
2. **IT IS FURTHER ORDERED** the cancelled lands be established as a single new lot known as Lot 2A.
3. **THIS ORDER** shall not be effective unless filed by the applicant in the office of the Registrar within NINETY DAYS from the date of this ORDER.

THE REGISTRAR for NORTH Alberta Land Registration District shall make all cancellations, issue all certificates of title and do such things as necessary, in his opinion, to give effect to this Order; including, but not restricted to, carry forward all encumbrances, charges, liens, interests, and reservations as to mines and minerals in the existing certificate(s) of title.

ANY EXPENSES in the connection with carrying out this Order shall be borne by the applicant.

Read a first time on this 22nd day of November, 2024.

Read a second time on this 22nd day of November, 2024.

Unanimous Consent to proceed to third reading on this 22nd day of November, 2024.

Read a third and final time on this 22nd day of November, 2024.

Signed this 22nd day of November, 2024.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman
BYLAW NO. 252-2024