

SUMMER VILLAGE OF SOUTH VIEW

AGENDA

Regular Council Meeting held at the Onoway Civic Centre
Due to COVID restrictions, the public may participate via teleconference,
call the office to arrange for same.

Wednesday, April 21st, 2021 commencing at 9:30 a.m.

1. Call to Order

2. Agenda: a) April 21st, 2021 Regular Council Meeting Agenda

3. Minutes: p 1-b a) March 17th, 2021 Regular Council Meeting

4. Appointments: a) 9:35 a.m. – Laura Marcato of Seniuk & Company to present the draft 2020 Audited Financial Statements (*approve statements as presented or amended, or some other direction as given by Council at meeting time*)

b) 10:00 a.m. – Chris Kipfer with Bugs Lawn Care to review summer season and contract (*direction as given by Council at meeting time*)

c) 10:30 a.m. – Dwight Moskalyk consultant working on potential Land Use Bylaw revisions (*direction as given by Council at meeting time*)

5. Bylaws: Before giving consideration to these bylaws, if we could first jump down to Business a) and approve the 2021 Operating and Capital Budget, then come back to these bylaws.

a) Bylaw 225-2021 – Attached is the 2021 Tax Rates bylaw for the Summer Village of South View – Administration is requesting approval of this Bylaw (*that Bylaw 225-2021, a bylaw to authorize the several rates of taxation imposed for all purposes for the 2021 tax year, be given all readings (1st reading, 2nd reading, unanimous consent to consider 3rd reading, 3rd and final reading)*)

p 7-9

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P 10-11

- b) Bylaw 226-2021 – Further to discussion and direction at our last Council meeting, attached is Bylaw 226-2021 which imposes penalties on unpaid taxes. The penalty structure is as follows:
- an 18% Penalty applied on January 1st on the total outstanding taxes;
 - a 2% penalty applied on July 1st on the current year taxes owing;
 - a 4% penalty applied on August 1st to the current year taxes owing;
 - a 6% penalty applied on September 1st and a 6% penalty applied on October 1st to the current year taxes owing

(that Bylaw 226-2021, a bylaw to impose penalties on unpaid taxes for the 2021 year, be given all 4 readings (1st reading, 2nd reading, unanimous consent to consider 3rd reading, and 3rd and final reading))

6. Business:

- a) 2021 Operating and Capital Budget – further to discussion and direction as our last Council meeting, attached is the 2021 Draft Budget with a 3.7% increase in municipal tax dollars collected from the prior year and with the minimum municipal tax being set at \$1,050.00 per property which is up \$25.00 from 2020 (was \$1,025.00 per property) *(that Council approve the 2021 Draft Budget as presented with a 3.7% increase in municipal tax dollars collected from the previous year, and that the minimum tax be set at \$1,050.00 per property)*
- b) Resident Concern with respect to ditches in the Summer Village – please refer to the April 10th, 2021 letter attached expressing their concerns with the ditches and drainage within the Summer Village. I don't recall that the Summer Village has completed a drainage study of the entire community. Further discussion at meeting time *(direction as given by Council at meeting time)*

P 12-13

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- c) Seasonal Dock Requests – further to direction of Council in 2020 we are starting to get requests for 2021 year. As new provincial regulations require a Temporary Field Authorization from the Province and along with the application must a letter from the municipality approving or having no objection to the placement of this dock. Administration has granted the following letters of no objection, which we are now asking for Councils' ratification of same:

P14-16

P17-19

- (1) Tracy & Craig Underwood of 10003-99 Street to place a seasonal dock off Lot R2 Plan 3767 MC
(2) Robert McLeod of 214 Oscar Wikstrom Drive to place a seasonal dock off Lot P, Block 1, Plan 2647KS

(that Council of the Summer Village ratify the actions of Administration in providing letters of no objection to the placement of seasonal docks as noted above providing all provincial guidelines are followed and provincial approvals are in place)

d)

e)

f)

7. Financial a) Income and Expense Statement – March 31, 2021

8. Council Reports

- a) Mayor Benford
b) Deputy Mayor Johnson
c) Councillor Ward

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9. Chief Administrator's Report

- p 20-47 a) Municipal Government Board appeal update
- p 48-55 b) Tri-Village Regional Sewage Services Commission
- p 56-57 c) Alberta Municipal Affairs March 23 letter on Senate vote
- p 58-59 d) Alberta Municipal Affairs March 19 letter on Municipal Restructuring
- e)

10. Information and Correspondence

- p 60 a) Government of Alberta Statement of Direct Deposit:
 - Mar. 2 in the amount of \$292.00 for March FCSS
 - Mar. 4 in the amount of \$149.00 for Fines Distribution
 - Mar. 30 in the amount of \$292.00 for April FCSS
- p 61 b) Lac Ste. Anne Foundation – March 9th, 2021 letter on 2021 contributions
- p 62 c) Community Peace Officer Report for February and March
- p 63 d) Alberta Public Works Association – March 24th, 2021 letter on National Public Works week May 17-23, 2020
- p 64-67 e)
- p 68-70

11. Closed Meeting Session (n/a)

12. Next meeting:

13. Adjournment

Upcoming Meetings:

- June 5th, 2021 SVLSACE
- June 12th, 2021 Nomination Day
- June 16th, 2021 Regular Council
- July 10th, 2021 Election Day
- July 21st, 2021 Regular Council

SUMMER VILLAGE OF SOUTH VIEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 17, 2021
AT THE ONOWAY CIVIC CENTRE

(DUE TO COVID RESTRICTIONS THE PUBLIC MAY PARTICIPATE VIA TELECONFERENCE)

PRESENT: Council: Mayor Sandi Benford
Deputy Mayor Brian Johnson
Councillor Garth Ward (Absent)

Administration: Wendy Wildman, Chief Administrative Officer (CAO)
Heather Luhtala, Assistant CAO (Via Teleconference)

Appointments: Jim Woslyng – Resident at 42 Hillside (Via Teleconference)
Diane Burtnick, Development Officer
Michelle Gallagher, Legal Counsel

Public at Large: None

	MOTION #	
1.	CALL TO ORDER	Mayor Benford called the meeting to order at 9:30 a.m.
2.	AGENDA 15-21	MOVED by Deputy Mayor Johnson that the March 17, 2021 Agenda be approved as presented. CARRIED
3.	MINUTES 16-21	MOVED by Deputy Mayor Johnson that the January 20, 2021 Regular Council Meeting Minutes be approved as presented. CARRIED
4.	APPOINTMENTS	Deferred to later in meeting
5.	BYLAWS 17-21 18-21 19-21	Bylaw 223-2021 MOVED by Deputy Mayor Johnson that Bylaw 223-2021 being a Bylaw for the purpose of establishing one or more assessment review boards and the appointment of an assessment review board clerk for the Summer Village of South View, be given 1 st reading. CARRIED MOVED by Mayor Benford that Bylaw 223-2021 be given second reading. CARRIED MOVED by Deputy Mayor Johnson that Bylaw 223-2021 be considered for third reading. CARRIED UNANIMOUSLY



SUMMER VILLAGE OF SOUTH VIEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 17, 2021
AT THE ONOWAY CIVIC CENTRE

(DUE TO COVID RESTRICTIONS THE PUBLIC MAY PARTICIPATE VIA TELECONFERENCE)

	<p>20-21</p> <p>21-21</p> <p>22-21</p> <p>23-21</p> <p>24-21</p>	<p>MOVED by Deputy Mayor Johnson that Bylaw 223-2021 be given third and final reading. CARRIED</p> <p>Bylaw 224-2021 MOVED by Mayor Benford that Bylaw 224-2021 being a Bylaw for the purpose of establishing the position of a designated officer (Assessment Review Board Clerk) for the Summer Village of South View, be given 1st reading. CARRIED</p> <p>MOVED by Deputy Mayor Johnson that Bylaw 224-2021 be given second reading. CARRIED</p> <p>MOVED by Deputy Mayor Johnson that Bylaw 224-2021 be considered for third reading. CARRIED UNANIMOUSLY</p> <p>MOVED by Mayor Benford that Bylaw 224-2021 be given third and final reading. CARRIED</p>
<p>6.</p>	<p>BUSINESS</p> <p>25-21</p> <p>26-21</p> <p>27-21</p>	<p>MOVED by Deputy Mayor Johnson that the Summer Village of South View set its nomination day for the purpose of the 2021 municipal election for Saturday, June 12th, 2021 from 10:00 a.m. to 12:00 noon at the Darwell Community Hall. CARRIED</p> <p>MOVED by Deputy Mayor Johnson that the Summer Village of South View set its election day for the purpose of the 2021 municipal election for Saturday, July 10th, 2021 from 10:00 a.m. to 7:00 p.m. at the Darwell Community Hall. CARRIED</p> <p>MOVED by Deputy Mayor Johnson that the Summer Village of South View set its advance voting day for the purpose of the 2021 municipal election for Friday, July 2nd, 2021 from 4:00 p.m. to 8:00 p.m. at the Darwell Community Hall. CARRIED</p>

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**SUMMER VILLAGE OF SOUTH VIEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 17, 2021
AT THE ONOWAY CIVIC CENTRE**

(DUE TO COVID RESTRICTIONS THE PUBLIC MAY PARTICIPATE VIA TELECONFERENCE)

28-21	<p>MOVED by Mayor Benford that the 2020 Annual Internal Review of the Summer Village of South View's Safety Codes Program and Accreditation be accepted for information.</p> <p style="text-align: right;">CARRIED</p>
29-21	<p>MOVED by Deputy Mayor Johnson that the Summer Village of South View appoint the following to the Assessment Review Board (ARB): ARB Chairperson - Raymond Ralph Certified ARB Clerk – Richard Barham Certified ARB Panelists – Darlene Chartrand, Tina Groszko, Stewart Hennig, Richard Knowles, Raymond Ralph</p> <p style="text-align: right;">CARRIED</p>
30-21	<p>MOVED by Mayor Benford that Council accept for information the Lac Ste. Anne County/Town of Mayerthorpe press releases with respect to Intermunicipal Collaborative Framework negotiations.</p> <p style="text-align: right;">CARRIED</p>
31-21	<p>MOVED by Deputy Mayor Johnson that Council approve the amending agreement between The Inspections Group Inc. and the Summer Village of South View for the provision of safety code services for an additional 6-year period with annual renewal on April 30 of each year and authorize execution of the document.</p> <p style="text-align: right;">CARRIED</p>
32-21	<p>MOVED by Mayor Benford that the Summer Village accept the offer to purchase Lot 15, Block 2, Plan 4772KS in the amount of \$45,500.00 and authorize execution of the offer to purchase and subsequent real estate documents.</p> <p style="text-align: right;">CARRIED</p>
33-21	<p>MOVED by Mayor Benford that the penalty structure be set as follows for the 2021 Tax Year with the 2021 taxes being due and payable on or before midnight of June 30, 2021, penalty bylaw to be presented at the regular Council meeting in April:</p> <ul style="list-style-type: none"> 18% January 1st (total taxes owing) 2% July 1st (current year taxes) 4% August 1st (current year taxes) 6% September 1st (current year taxes) 6% October 1st (current year taxes) <p style="text-align: right;">CARRIED</p>

(3)

**SUMMER VILLAGE OF SOUTH VEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 17, 2021
AT THE ONOWAY CIVIC CENTRE**

(DUE TO COVID RESTRICTIONS THE PUBLIC MAY PARTICIPATE VIA TELECONFERENCE)

	34-21	<p>MOVED by Deputy Mayor Johnson that Council approve the Draft 2021 Operating and Capital Budget totaling \$277,742.00 which is an increase of 3.7% in municipal tax dollars collected from the prior year, and that the minimum municipal tax collected for each taxable property be set at \$1,050.00 (<i>was \$1,025.00 in 2020</i>), final budget and tax rate bylaw to be presented at the regular Council meeting in April.</p> <p style="text-align: right;">CARRIED</p>
7.	FINANCIAL 35-21	<p>MOVED by Deputy Mayor Johnson that Council accept for information the Income and Expense Statement as of February 28, 2021 as presented.</p> <p style="text-align: right;">CARRIED</p>
8.	COUNCIL REPORTS 36-21	<p>MOVED by Mayor Benford that Council accept for information the Council reports as presented.</p> <p style="text-align: right;">CARRIED</p>
9.	CAO REPORT 37-21	<p>MOVED by Deputy Mayor Johnson that Council accept for information the Chief Administrative Officer report as presented.</p> <p style="text-align: right;">CARRIED</p>
10.	INFORMATION AND CORRESPONDENCE 38-21	<p>MOVED by Deputy Mayor Johnson that the following information and correspondence be accepted:</p> <ul style="list-style-type: none"> a) Government of Alberta Statement of Direct Deposit: -February 2nd, 2021 in the amount of \$292.00 for February FCSS b) Placement of Seasonal Dock – adjacent to Lot P for property owner M & A Heidt c) Community Peace Officer Report for November, December and January d) AUMA Vice President Villages West Angela Duncan February 22nd, 2021 email update from the Board e) Fortis Alberta – February 1st, 2021 revised letter on approved 2021 rates

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SUMMER VILLAGE OF SOUTH VEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 17, 2021
AT THE ONOWAY CIVIC CENTRE

(DUE TO COVID RESTRICTIONS THE PUBLIC MAY PARTICIPATE VIA TELECONFERENCE)

	41-21	<p>MOVED by Deputy Mayor Johnson that Council accept for information the discussion with Jim Woslyng with respect to his 42 Hillside Street development and that pending the receipt of further information/documentation from Mr. Woslyng, Council defer any decision in respect of this matter to the next regular Council meeting.</p> <p style="text-align: right;">CARRIED</p> <p>Diane Burtnick, Development Officer (exited the meeting at 11:36 a.m.) Michelle Gallagher, Legal Counsel (exited the meeting at 11:36 a.m.)</p>
12.	NEXT MEETINGS	The next Regular Council meeting is scheduled for Wednesday, April 21, 2021 at 9:30 a.m. (in-person attendance by Council and Administration only, public attendance via teleconference).
13.	ADJOURNMENT	The meeting adjourned at 11:40 a.m.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman



BYLAW OF THE SUMMER VILLAGE OF SOUTH VIEW, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE SEVERAL RATES OF TAXATION IMPOSED FOR ALL PURPOSES FOR THE YEAR 2021.

WHEREAS the total requirements of the Summer Village of South View in the Province of Alberta as shown in the budget estimates are as follows:

Municipal General	159,174.12
Minimum Municipal	29,211.88
Lac Ste. Anne Foundation Requisition	3,804.68
ASFF Residential School Requisition	44,774.00
ASFF Non-Residential School Requisition	445.00
Designated Industrial Property Tax Requisition	<u>9.37</u>
Total:	\$ 237,419.05

WHEREAS the total taxable assessment of land, buildings and improvements amounts to:

Assessment Description	Total
RESIDENTIAL (VACANT)	762,260.00
RESIDENTIAL (LINEAR)	17,466,530.00
NON-RESIDENTIAL (LINEAR)	122,340.00
EXEMPT (MUNICIPAL)	<u>1,733,860.00</u>
Total:	\$ 20,084,990.00

WHEREAS, the estimated municipal expenditures and transfers set out in the budget for the Summer Village of South View for 2021 total \$277,742.00; and

WHEREAS, the estimated municipal revenues and transfers from all sources other than taxation is estimated at \$89,356.00 and \$29,211.88 from "Minimum Municipal Tax" and the balance of \$159,174.12 is to be raised by general municipal taxation; and

WHEREAS, the rates hereinafter set out are deemed necessary to provide the amounts required for municipal school and other purposes, after making due allowance for the amount of taxes which may reasonably be expected to remain unpaid;



Municipal Government Act RSA 2000 Chapter M-26

Part 10 Division 2 Property Tax

WHEREAS, the Council is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the *Municipal Government Act* RSA 2000 Chapter M-26 Part 10 Division 2; and

1. The Municipal Administrator is hereby authorized and required to levy the following rates of taxation on the assessed value of all land, buildings and improvements as shown on the assessment and tax roll:

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE (in mills)</u>
General Municipal			
Residential	156,767.69	18,228,790	8.600005
Non-residential (Linear)	2,406.43	122,340	19.67
TOTAL	\$159,174.12	\$18,351,130	

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE (in mills)</u>
Alberta School Foundation Fund			
Residential	44,774.00	18,228,790	2.4562245
Non-residential (Linear)	445.00	122,340	3.6374040
TOTAL	\$45,219.00	\$18,351,130	

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE (in mills)</u>
Lac Ste. Anne Seniors Foundation			
Residential	3,779.32	18,228,790	0.2073267
Non-residential (Linear)	25.36	122,340	0.2073267
TOTAL	\$3,804.68	\$18,351,130	

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE (in mills)</u>
Designated Industrial Property			
Non-Residential (Linear)	9.37	122,340	0.0766
TOTAL	\$9.37	\$122,340	



Municipal Government Act RSA 2000 Chapter M-26
Part 10 Division 2 Property Tax

2. The minimum amount payable as property tax for general municipal purposes shall be:

	<u>TAX RATE</u>	<u>TAX LEVY</u>
Minimum Municipal Tax		
Residential (Vacant)	\$1,050.00	17,594.55
Residential (Improved)	\$1,050.00	10,818.12
Non-Residential (Linear)	\$1,050.00	799.21
TOTAL		\$29,211.88

3. THAT this BYLAW shall come into force and effective for 2021 taxation on the date of the third and final reading.

Read a first time on this 21st day of April, 2021.

Read a second time on this 21st day of April, 2021.

Unanimous Consent to proceed to third reading on this 21st day of April, 2021.

Read a third and final time on this 21st day of April, 2021.

Signed this 21st day of April, 2021.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman

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BYLAW OF THE SUMMER VILLAGE OF SOUTH VIEW, IN THE PROVINCE OF ALBERTA, TO IMPOSE PENALTIES ON UNPAID TAXES

WHEREAS, Section 344 and 345 of the Municipal Government Act, being Chapter M26, R.S.A. 2000, permits Council to pass a bylaw to impose a penalty on unpaid taxes, and

WHEREAS, the Council of the Summer Village of South View, in the province of Alberta, deems it expedient to impose penalties on unpaid taxes, and

WHEREAS, the Taxes in the Summer Village of South View are due and payable by June 30th, for the year in which the taxes are levied;

NOW THEREFORE, the Council of the Summer Village of South View enacts as follows;

1. Where any taxes levied for the current year remain unpaid after June 30th, these outstanding taxes are subject to a penalty thereon in the amount of 2% on the first day of July, 4% on the first day of August, 6% on the first day of September, and 6% on the first day of October.
2. For the purpose of section 1 a reference to "the outstanding taxes" shall be deemed not to include the amount of any penalties thereon.
3. Any taxes which are not paid on or before the 31st day of December of the current year, shall be deemed to be in arrears and shall be in each subsequent calendar year, subject to a penalty of 18% on the first day of January with respect to the amount of taxes so in arrears. This provision applies to any taxes which are levied but remain unpaid as of the 31st day of December, and to all taxes which may hereafter be deemed to be in arrears in accordance with section 345 of the Municipal Government Act.
4. THAT Bylaw 218-2020 is hereby repealed.
5. THAT this Bylaw shall come into force and have effect on the date of the third and final reading.

Read a first time on this 21st day of April, 2021.

Read a second time on this 21st day of April, 2021.

Unanimous Consent to proceed to third reading on this 21st day of April, 2021.

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BYLAW NO. 226-2021

**Municipal Government Act RSA 2000 Chapter M-26
Section 344 & 345**

Read a third and final time on this 21st day of April, 2021.

Signed this 21st day of April, 2021.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman



Village of South View
Box 8
Alberta Beach, AB
TOE 0E0

April 10, 2021

RE: Culverts and Ditches

Dear Council

This letter is to make a formal complaint about the culverts and ditches in the Village. The reason for this complaint is because of run off and drainage that happens in my yard. This will be the 6th summer that we have been living in the community and for the past 2 summers we have experienced standing water in the low parts of our yard. We have a small drainage ditch which drains into the south ditch along Oscar Wickstrom Drive. Normally the runoff water flows into that ditch however over the years due to runoff, silt and organic material build up, the Grade of the ditch is now higher that the bottoms of the culverts. Due to this, our drainage ditch does not perform the way it normally should.

With a quick walk-through town, it seems that this is the case in almost all of the culverts and ditches throughout the Village. As there are culverts all over town that are totally covered and drainage is poor throughout town.

It is my hope that the Village find some infrastructure money to bring the ditches throughout town to a proper grade level and also to clear the ends of all culverts to alleviate the standing water issues that occur over the course of the spring and summer seasons.

I thank you for the opportunity to express my concern and hope to hear from you very soon as to the direction the Village is willing to take regarding this complaint.

Regards.

Curtis Fedyk

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----- Original Message -----

Subject: Formal Complaint: Culverts and Ditches South View

From: "Curtis fedyk" <cef@wildwillowenterprises.com>

Date: 4/10/21 3:56 pm

To: "administration@wildwillowenterprises.com" <administration@wildwillowenterprises.com>

Please find attached a letter of complaint as per above noted concern.

I hope this is passed along to the Village Council for immediate action and look forward to a formal response.

Thank You

Curtis Fedyk

Sent from Mail for Windows 10

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Box 8, Alberta Beach, Alberta T0E 0A0
Phone: 587-873-5765 Fax: 780-967-0431
Email: administration@wildwillowenterprises.com

*Emailed
April 12-2021*

April 12, 2021

Dear Mr. & Mrs. Underwood:

Re: Placement of a Seasonal Dock adjacent to Municipal Reserve Lands located at Lot R2 Plan 3767MC within the Summer Village of South View (the "Lands")

This letter is in response to your request, as the "Upland Landowner", for the placement of a Seasonal Dock adjacent to the noted "Lands" as required by Alberta Public Lands.

The Council for the Summer Village of South View (Motion #91-20) herein provides this letter of no objection to your application for a Temporary Field Authorization (TFA) to allow for the installation of a Seasonal Dock adjacent to the noted "Lands".

Note: This letter is in no way to be construed as authorization to construct any works prior to obtaining required approvals through the various Provincial and Federal agencies.

If you have any questions or concerns, please feel free to contact the administration office at 587-873-5765

Sincerely,

Wendy Wildman,
Chief Administrative Officer

cc: Diane Burtnick, Development Officer

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Letter of consent

Sent: 4/12/2021 10:13 AM

To: ""administration@wildwillowenterprises.com"" <administration@wildwillowenterprises.com>

Good morning. I am wanting to apply for a dock permit in the summer village of Southview and I am reading that I need to retain a letter of content from your office. We are land owners at 10003-99st in the village. If you could send me the proper paperwork to proceed, I would appreciate the help.

If you have any questions or concerns, please feel free to contact me.

Thank you for your time.

Sent from my iPad

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SUMMER VILLAGE
OF
SOUTH VIEW

DAVID B. HOGGINS ALS CLS
2017

SCALE 1:2000



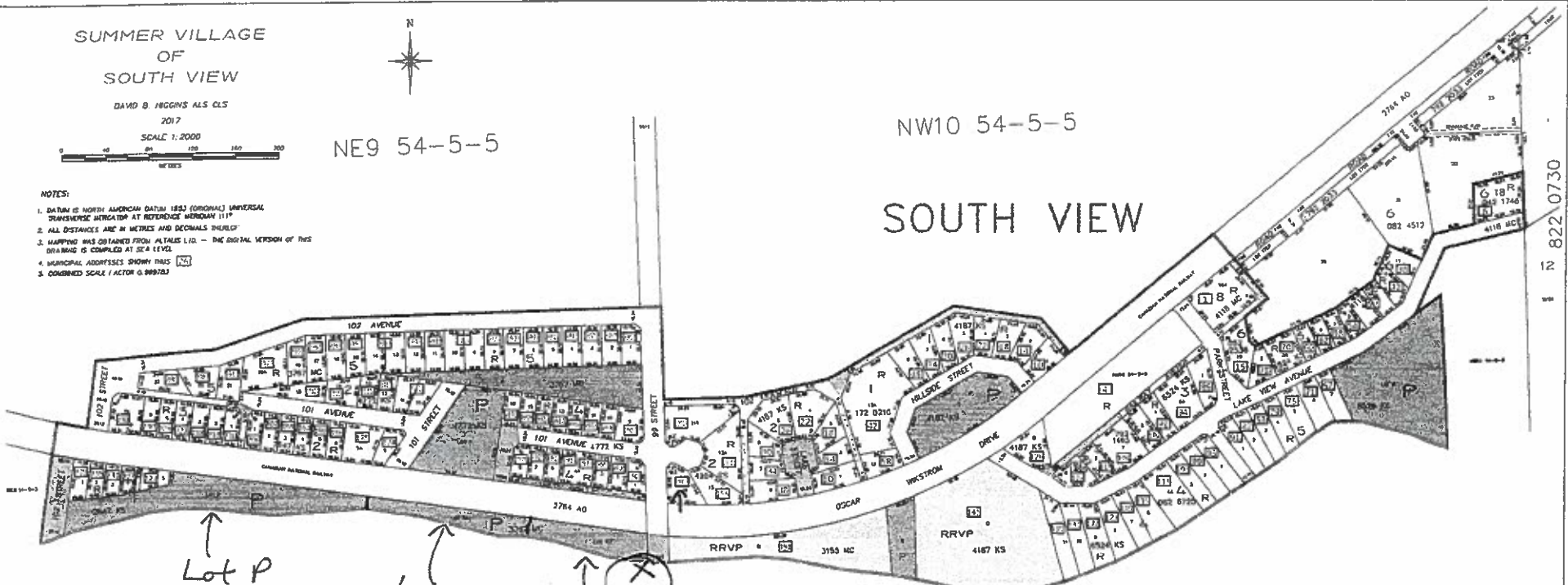
NE9 54-5-5

NW10 54-5-5

SOUTH VIEW

NOTES:

1. DATUM IS NORTH AMERICAN DATUM 1983 (ORIGINAL) UNIVERSAL TRANSVERSE MERCATOR AT REFERENCE MERIDIAN 111°
2. ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
3. MAPPING WAS OBTAINED FROM ALTALES LTD. - THE DIGITAL VERSION OF THIS DRAWING IS COMPILED AT SEA LEVEL
4. MUNICIPAL ADDRESSES SHOWN THIS [Symbol]
5. CORRECTED SCALE / FACTOR 0.999783



↑ Lot P

↑ Lot R1

↑ (X) Lot R2

— Confirmed location
ISLE LAKE with
Tracing

LAND USE LEGEND:

- [R] RESIDENTIAL R1
- [P] PARK
- [RRVP] RESIDENTIAL R. V. PARK (RRVP)
- [] UNDEVELOPED ROAD WAY

NAVLAND GEOMATICS INC.
10112 - 18th STREET, EDMONTON, ALBERTA
PHONE NO. 780-481-1118 FAX NO. 780-481-0210
FILE NO. 2673/11 DRG NO. 2673-172PQ

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Box 8, Alberta Beach, Alberta T0E 0A0
Phone: 587-873-5765 Fax: 780-967-0431
Email: administration@wildwillowenterprises.com

emailed
April 12-2021

April 12, 2021

Dear Mr. McLeod:

Re: Placement of a Seasonal Dock adjacent to Municipal Reserve Lands located at Lot P Block 1 Plan 2647KS within the Summer Village of South View (the "Lands")

This letter is in response to your request, as the "Upland Landowner", for the placement of a Seasonal Dock adjacent to the noted "Lands" as required by Alberta Public Lands.

The Council for the Summer Village of South View (Motion #91-20) herein provides this letter of no objection to your application for a Temporary Field Authorization (TFA) to allow for the installation of a Seasonal Dock adjacent to the noted "Lands".

Note: This letter is in no way to be construed as authorization to construct any works prior to obtaining required approvals through the various Provincial and Federal agencies.

If you have any questions or concerns, please feel free to contact the administration office at 587-873-5765

Sincerely,

Wendy Wildman,
Chief Administrative Officer

cc: Diane Burtnick, Development Officer

SUMMER VILLAGE
OF
SOUTH VIEW

DAVID B. HIGGINS ALS CLS
2017

SCALE 1:2000



NE9 54-5-5

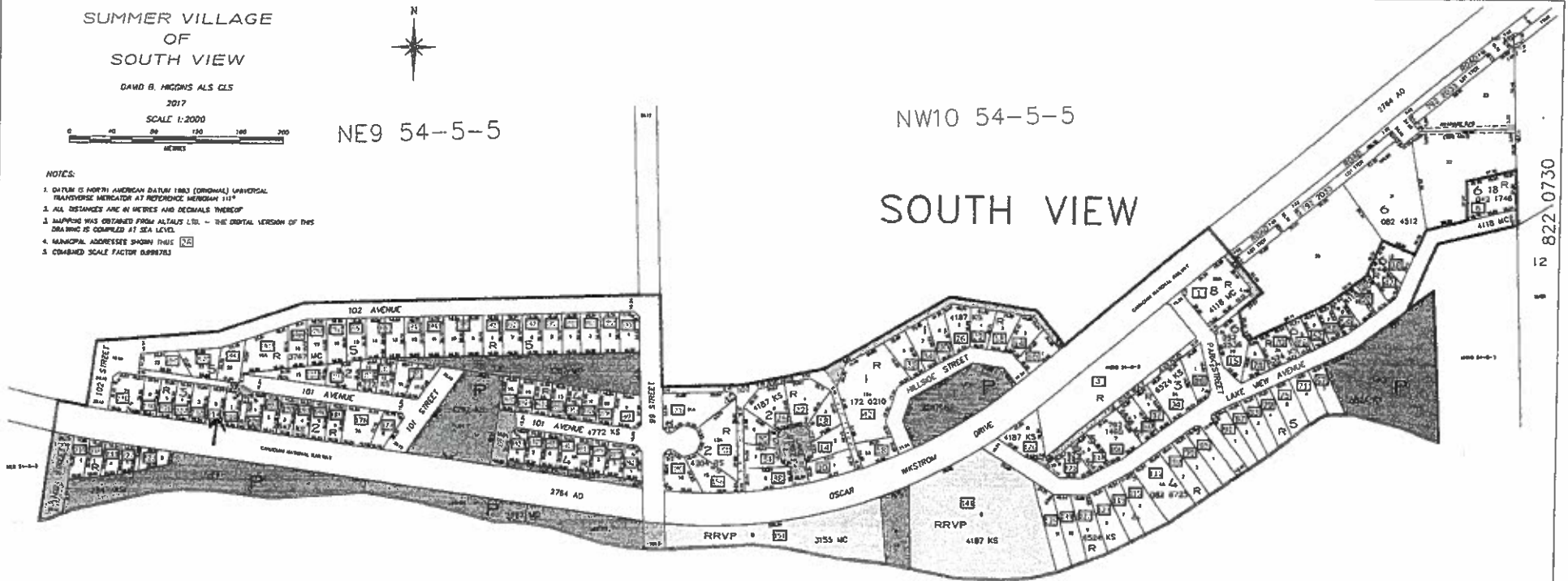
NW10 54-5-5

SOUTH VIEW

822 0730

NOTES:

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3. MAPPOW WAS OBTAINED FROM ALTAUS LTD. - THE DIGITAL VERSION OF THIS DRAWING IS COMPILED AT SEA LEVEL
4. MUNICIPAL ADDRESSES SHOWN THIS [Symbol]
5. COMBINED SCALE FACTOR 89993765



LAND USE LEGEND:

- [R] RESIDENTIAL R1
- [P] PARK
- [RRVP] RESIDENTIAL R. V. PARK (RRVP)
- [] UNDEVELOPED ROAD WAY

ISLE LAKE

NAVLAND GEOMATICS INC.
10722 - 181st STREET, EDMONTON, ALBERTA
PHONE NO. 780-488-1116 FAX NO. 780-483-0240
FILE NO. 2873/17 DRG NO. 2873-17.000

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April 10th 2021

Summer Village of Southview

Via Email: administration@wildwillowenterprises.com

RE: Dock Permit

Dear Council,

This letter is to request our annual dock permission for our dock to be located across from our property at 214 Oscar Wikstrom Drive to extend from Lot P 2647KS. The dock will be placed in May and remain weather permitting to October 2021.

Thank you,

Robert McLeod

Mailing Address:

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MUNICIPAL GOVERNMENT BOARD

In the Matter Of A Subdivision Appeal filed by B. van Os on behalf of Alberta Environment and Parks (Appellant) under Part 17 of the *Municipal Government Act* being Chapter M-26 of the Revised Statutes of Alberta 2000 (*Act*).

Citation: Alberta Environment and Parks v Summer Village of South View (Subdivision Authority) (*RE: D. Slemko and G. Shewchuk, G. and R. John, D. Ward, P. and V. Baril, T. Baril, and Summer Village of South View*) 2021 ABMGB 15

Date: March 30, 2021

File Number: S20/SOUT/SV-024

Board Order Number: MGB 015/21

Before:

Members:

H. Kim, Presiding Officer

D. Mullen, Member

S. Steinke, Member

Case Manager:

K. Lau

This is an appeal to the Municipal Government Board (MGB) from a decision of Summer Village of South View Subdivision Authority (SA) respecting the proposed subdivision of Lots 1 to 5 and Lot P, Block 1, Plan 2647KS. Upon notice being given to the interested parties, a hearing was held by videoconference on February 2, 2021.

OVERVIEW

[1] The MGB must consider whether to approve a boundary adjustment to remove 0.162 hectares (ha) of Park Reserve adjacent to Isle Lake, to be consolidated with five adjacent residential parcels. The SA approved the subdivision application after the Summer Village of South View (Summer Village) adopted Bylaw 207-2019 (Bylaw) pursuant to section 676 of the *Act*, to dispose of a portion of reserve lands adjacent to Isle Lake and consolidate it with the adjoining privately held land. Alberta Environment and Parks (AEP) filed an appeal, arguing that Environmental Reserve (ER) adjacent to the lake was beneficial and necessary, and that the proposed subdivision should not be approved. The MGB found the proposal did not conform with the uses of land in the Land Use Bylaw (LUB), was not consistent with the Alberta Land Use Policies (LUP), or the draft Municipal Development Plan (MDP) and refused the subdivision.



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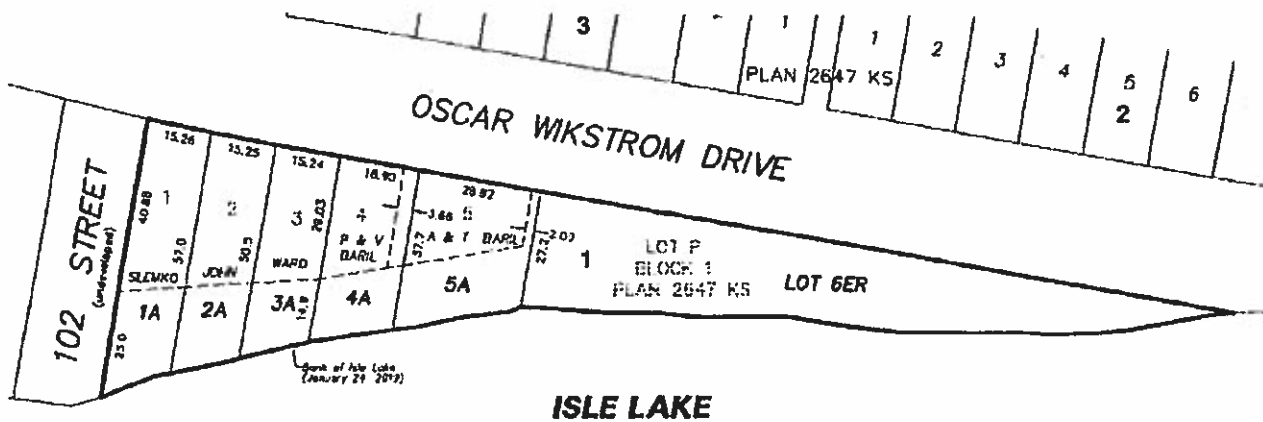
REASONS APPEAL HEARD BY MGB INSTEAD OF SDAB

[2] Section 678(2) of the *Act* directs subdivision appeals to the MGB when the subject land is within the provincial “Green Area” or within prescribed distances of features of interest to the province, including a highway, body of water, sewage treatment, waste management facility, or historical site. The distances are found in section 22 of the *Subdivision and Development Regulation, Alta Reg 43/2002 (Regulation)*. In this case, the land is within the prescribed distance of two such features, namely:

- Highway: Highway 633 is within 1.6 km
- Body of water: The parcel is adjacent to Isle Lake

PROPOSAL

[3] To subdivide 0.162 ha (0.40 acre) from an existing reserve parcel, to be to be consolidated with five adjacent residential parcels, with the remainder to be designated ER.



BACKGROUND

[4] The land to be subdivided is a 1.08 acre (ac) parcel shown as Lot P (Park Reserve) adjacent to Isle Lake in Plan 2647KS, which was registered in 1957. It extends between five residential lots and Isle Lake. There had been discussion in the Summer Village since 2009 with respect to whether there had been an error in the boundary of the Park Reserve lands. After investigation and analysis, the Council of the Summer Village passed the Bylaw, removing the “Park Reserve” designation on Lot P, changing the boundaries of Lot P and designating the remaining land (Lot 6ER) as ER. First reading of the Bylaw occurred on April 24, 2019. A public hearing was held on January 18, 2020, and the Bylaw passed second and third readings on April 15, 2020.

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[5] The subject application for subdivision was received on April 10, 2019 and deemed complete on April 23, 2020 after the Bylaw was adopted. The application was approved by the SA on July 15, 2020 subject to the following conditions (typos corrected):

1. That the instrument effecting this tentative plan of subdivision have the effect of consolidating those portions of Lot P, Block 1, Plan 2647 KS with Lots 1, 2, 3, 4 and part of Lot 5 as shown on the conditionally approved plan in such a manner that the resulting titles cannot be further subdivided without Subdivision Authority approval.
2. Further, that the instrument effecting this tentative plan of subdivision have the effect of consolidating a portion of Lot 5 with Lot 4 as shown on the conditionally approved plan in such a manner that the resulting title cannot be further subdivided without Subdivision Authority approval.
3. That prior to endorsement of an instrument effecting this plan, approaches, including culverts and crossings to the proposed parcel(s) and to the residual of the land, be provided at the owner's and/or developer's expense and to the specifications and satisfaction of the Summer Village of South View.
4. That taxes are fully paid when final approval (endorsement) of the instrument effecting the subdivision is requested.
5. That the instrument for endorsement have the effect of identifying the water boundary of Isle Lake which is adjacent to the subdivision area, to the satisfaction of AB Environment and Parks.
6. Pursuant to Section 655(1) of the *Act*, the proposed subdivision must meet Part 1 Section 7(g) of the *Subdivision and Development Regulation*. In order to satisfy this requirement the proponent must provide, prior to endorsement of an instrument effecting this plan, a Certificate of Compliance stating that the existing sewage disposal system(s) on the subject site meet current code requirements or have been relocated or redesigned to comply with the current Alberta Private Sewage Systems Standard of Practice.

[6] The SA decision deleted a condition recommended by the SA's planning consultant. It stated:

Further to Condition 5, that any encroachments into the shore lands located within the subject site, be removed and/or remediated to the satisfaction of AB Environment and Parks prior to endorsement of an instrument effecting this plan.

[7] On August 10, 2020, Alberta Environment and Parks (AEP) filed an appeal against the approval, stating as its reasons for appeal:

1. AEP believes that it is not legally permissible under the *Municipal Government Act (MGA)* for the local municipality to remove the designation of an environmental



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- reserve (ER). A municipality's powers over an ER, once created, are limited to those powers listed in s. 676 of the *MGA* which does not include removal of the ER designation.
2. AEP also believes that the Municipal Government Board (MGB) does not have the jurisdiction to hear an appeal to remove the designation of an ER. Should the decision be upheld, AEP may challenge this decision by judicial review of Council's decision in the Court of Queen's Bench.
 3. AEP is the adjoining landowner as owner of the lake and its bed and shore. These lands are public land administered and regulated under the *Public Lands Act*. As an adjoining landowner, there is always a provincial interest involved when local decisions are made involving reserve parcels that share a boundary with the Crown owned lake bed. AEP is referred to on any application involving subdivision decisions involving a water body.
 4. The *MGA* provides direction that Environmental Reserves should be taken when land subdivision occurs for a variety of stated reasons.
 5. As AEP is a beneficiary of the functions ERs provide to our resource management, AEP always recommends that ER be taken next to waterbodies when multi-lot subdivisions are created (we have standard guidelines). The ER is a buffer to development and greatly assists to limit degradation to the lake bank and supporting physical and ecological functions of the shore area.
 6. Although management of the ER resides with the local municipality, how those ER lands are used has a direct impact on the aquatic environment of the adjoining water body.
 7. Benefits of ERs to a waterbody include:
 - a. Buffer against development – generally these areas are meant to remain in a natural state
 - b. Natural vegetated area supports habitat for wildlife including passage to safely move from one area to another and nesting areas for riparian bird species
 - c. Natural vegetation on banks of waterbody provide:
 - i. Bank stability - deep rooted native species reduce erosion potential.
 - ii. Adjoining riparian vegetation protects against wave erosion by their deep anchoring roots.
 - iii. Intact bank and riparian vegetation provides habitat and water quality controls to the aquatic environment.
 8. ERs also have a risk management function in that if they flood by high water or are subjected to ice heave, no private land is impacted.
 9. Consistent with the *MGA*, such areas also provide access to the lake by the public or for the public's use as a park.
 10. Loss of ER would remove ability of local landowners in the subdivision including the public, to have access to the water body. Public waters should be publicly accessible.

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11. It's important to protect the principles for which ERs are designated, and to support AEP resource management objectives.

De-designation and consolidation with private property would have the following negative consequences:

1. Increase development to the water's edge.
2. Landscaping over time has high probability that much of riparian vegetation would be removed.
3. Removal of bank vegetation would significantly increase probability of erosion, requiring expenditures for creating erosion protection works to stop erosion.
4. Increased probability of the removal of aquatic vegetation by adjacent landowners in the adjoining littoral area. This has consequential impacts as follows:
 - a. Reduction in wave dampening that aquatic vegetation would provide and resultant increase wave attack and increased erosion potential
 - b. Removal of fish habitat
 - c. Removal of nesting habitat for aquatic dependent birds
5. Hardening of shoreline.
6. Loss of shore. Loss of ability for local residents and Albertans to have passage along the bed and shore of the lake.

In addition, the de-designation and consolidation of ER lands with private property would:

1. Set a precedent for other municipalities to do away with their existing ERs.
2. May set justification to local authorities that ERs need not be taken in the future when subdivision occurs.
3. The local community loses benefit of having public accessible municipal lands currently available for public use as park, natural area use, or access to the lake.

[8] The MGB scheduled a hearing on October 15, 2020. At the hearing, AEP requested a postponement. The MGB granted the request in DL 042/20, postponing the hearing to November 10, 2020. On November 2, 2020, AEP submitted a letter withdrawing its appeal on the understanding that the MGB did not have authority to hear it. As the request for withdrawal was less than 15 days prior to the hearing, the MGB Procedure Rules required the parties to attend and explain the reasons for the late withdrawal and whether the MGB should accept it. The MGB then issued MGB 053/20 on November 30, 2020 deciding while it did not have authority to hear a challenge of the Bylaw, it did have authority to determine an appeal of the subdivision approval. The MGB allowed AEP 14 days from the decision date to retract its withdrawal. On December 8, 2020 the AEP submitted a letter advising that it would proceed with the initial appeal.

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[9] In all cases, the legislation requires the MGB to address whether a proposed subdivision complies with the *Act*, the *Regulation*, the LUP, uses of land as prescribed in the LUB, standards and requirements in the LUB, and requirements set out in any statutory plans (see section 680(2) of the *Act*). In this particular case, the parties focused on the following issues:

1. Does the MGB have the authority to consider the merits of the subdivision application in view of the adoption of the Bylaw?
2. If so, should ER be provided adjacent to Isle Lake?
 - a. If ER should be provided, how much should be required?
3. Does the proposed use conform with the uses of land in the LUB?

SUMMARY OF THE SA'S POSITIONValidity of the Bylaw

[10] The SA recognized the MGB had made a determination on whether it had jurisdiction to hear this matter in MGB 053/20, but stated for the record that it would maintain its position that the MGB does not have jurisdiction over the Bylaw. The SA's position was set out in detail in MGB 053/20; but, in summary, the Summer Village has the power under section 676(1)(d) of the *Act* to "change the boundaries of an environmental reserve or environmental reserve easement in order to correct an omission, error or other defect in the certificate of title, or to rectify an encroachment problem or other concern." The Summer Village concluded that an omission, error or other defect in the certificate of title existed and passed the Bylaw after holding a public hearing.

[11] The subdivision process is only necessary to give effect to the Bylaw because this is the mechanism by which the change in ER boundaries is implemented at the Land Titles Office (LTO). The SA submitted there is nothing in section 676 that suggests that the decision can be reviewed by the MGB, nor in the section dealing with the powers of the MGB. The SA submitted that there cannot be two bodies with competing powers and clearly Council has the power to pass the Bylaw. The SA concedes that this has not been judicially considered, but cited cases that dealt with competing jurisdiction.

[12] The proposed subdivision involves adjusting the boundary of the Park Reserve parcel. While the "Park Reserve" designation no longer exists in the current legislation, there is no dispute that it would be most similar to the current designation of ER. Council followed the procedure set out in section 676 of the *Act* and the subdivision application was incidental to the adoption of the Bylaw.

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[13] It is not the MGB's role to determine the reasonableness of Council's decision. The records submitted by AEP are historical land titles documents that often do not tell the whole story. The landowner who subdivided the land is deceased, and there is a variety of historical evidence that was presented to Council when they made their decision to adopt the bylaw.

[14] In response to questions from the MGB, D. Higgins of Navland Geomatics Inc., the applicant for the subdivision, stated that he had investigated with the LTO whether the boundary adjustment pursuant to the Bylaw could be registered, and had been advised that subdivision approval was required. He provided correspondence dated January 3, 2018 that was sent to the LTO requesting confirmation that the proposed form of bylaw would not require subdivision approval. The correspondence included LTO's response that stated "As per discussion with Merlyn Cajindos, supervisor surveys, LTO, this removal and subdivision/consolidation requires subdivision approval and plan of survey."

ER Adjacent to Lake

[15] The SA presented photos of the subject and neighbouring land. The five lots represent less than 100 m of width along the lake, and the proposed Lot 6ER is the remainder. The photographs show how it fits with other land along the lake – there is a fairly small strip with the five lots, a longer strip of scrubby area, a large park-like area and then a long row of other lots to the east that extend to the lake. There is no meaningful loss of access to the lake from this small strip of land, as there is a large park immediately to the east.

Land Use

[16] The SA agrees that the MGB must conform with the uses of land referred to in a LUB. In this case, the proposed subdivision would consolidate some former reserve lands with residential lands. The lands at issue are in the Residential (R) District and the Park (P) District in the LUB. Within the R District, single detached dwellings, modular homes, buildings and uses accessory to permitted uses and recreational vehicles and temporary living accommodations are permitted uses, while the P District has permitted uses including parks and playgrounds, and minor recreation and cultural facilities.

[17] The purpose of the Bylaw and subdivision is to adjust the boundaries of the ER, not to remove it, so the practical effect of the boundary change is to adjust the lands that fall within the respective districts. The existing private lands are being used for permitted uses under the R district; adjusting the boundaries of the lands does not change this. The remainder of the lands to be redesignated as ER will continue to be used for permitted uses. In essence, the proposed subdivision does not change the actual use of the lands as they have been used for a very long time. The existing residential use is continuing and the boundary adjustment merely formalizes the long-

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term status quo. It only changes the boundaries to correct a historical error. The uses conform to the LUB and the lands will remain in their respective districts.

[18] On the merits, the application should be approved, considering all the relevant factors including: history, consistency with the statutory plans, reasonable conditions, and compliance with uses of land in the LUB.

SUMMARY OF THE POSITION OF THE SA'S PLANNING CONSULTANT

ER Adjacent to Lake

[19] The SA's planning consultant, Municipal Planning Services (2009) Ltd. (MPS) prepared the report to the SA which outlined the proposal and provided analysis and recommendation. Shorelands adjacent to the bed and shore of a lake are considered environmentally significant lands. It is consistent with planning and environmental best practices to have an ER buffer to mitigate potential negative impacts from development on the water quality of the lake and also to ensure that the proposed lots do not include lands that are potentially subject to flooding, ice damage or other hazards such as slope instability which would make the lands unsuitable for residential use. Information such as a geotechnical report with information about slope stability, water table and recommended development setbacks, were not provided.

[20] The Summer Village does not have an approved MDP; however, the draft MDP has been reviewed by Council and circulated to the community. It includes policies that are inconsistent with the proposed subdivision:

- Figure 4 - Future Land Use and Development in the draft MDP identifies all of Lot P, Blk. 1, Plan 2647KS as within the Parks and Open Space Area.
- Policy 3.1.6 which states that lands deemed to be environmentally significant shall be protected via Environmental Reserve dedication or an environmental easement registered at the time of subdivision.

[21] If a new subdivision were proposed today to create new residential lots, reserves would be required between the bed and shore of the lake and the proposed residential lots to protect the environmentally significant shorelands and to ensure that flood hazard lands are not included in the residential lots. It is inconsistent with planning best practices to include the shorelands within the residential lots and would also create a conflict with the draft MDP. Further, in the absence of a report from a qualified engineer which delineates the bed and shore to the satisfaction of AEP and provides a recommended setback from the bed and shore of the lake, the proposed subdivision may result in the inclusion of hazard lands within the residential lots.

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[22] The existence of encroachments into the reserve area does not justify eliminating the ER to include the encroaching buildings in the parcels. The photographs show that the lake level fluctuates and that the land is subject to flooding. Of note, the parcels further east that do extend to the lake have buildings right on the shore and very little vegetation, whereas the subject parcels have significant vegetation. There is value in maintaining the buffer.

Land Use

[23] The subject site is located in the Residential (R1) District and the Park (P) District of the LUB. Residential uses are not permitted in the P District. Therefore, approval of the proposed subdivision would be inconsistent with the LUB.

[24] In the subdivision report, MPS had recommended the application be refused for the reasons stated.

SUMMARY OF AEP'S (APPELLANT'S) POSITION

Validity of the Bylaw

[25] The Crown owns the bed and shore of the lake and has an interest in maintaining the ER. AEP challenged the assertion that the original subdivision was made in error and that the existing encroachments can only be addressed by invoking section 676(1)(d) of the *Act*, which states:

676(1) A council may by bylaw, after giving notice in accordance with section 606 and holding a public hearing in accordance with section 230,

...

(d) change the boundaries of an environmental reserve or environmental reserve easement in order to correct an omission, error or other defect in the certificate of title, or to rectify an encroachment problem or other concern.

[26] There is no omission that requires correction; thus, the SA is proposing to amend the existing plan to address existing encroachments on the Park reserve, and to correct an error or other defect in the certificate of title for the reserve.

[27] The petitioners have argued that the Park reserve was never intended to separate their properties from the lake. AEP disagrees - there is no evidence of an error in the original 1955 subdivision of lands. The sketch plan of properties showing the lots extending to the lake (Ex. 1 page 110) is not a registered plan of survey, and cannot be relied on as evidence of intent. There may have been various proposed subdivision plans prepared by a surveyor for consideration by the landowner in 1954 and it is not uncommon for the plan to be adjusted to meet the intent of the



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subdividing landowner's objectives and to ensure alignment with regulatory requirements at the time, which likely included the need to dedicate a portion of the lands as Park Reserve.

[28] AEP submitted a copy of the registered plan of survey, Plan 2647 KS, for the subject land. The plan has signatures, under oath, by the surveyor and the landowner dated February 10 and 11, 1956 respectively. The Provincial Planning Advisory Board approved the subdivision plan on February 8, 1957. The surveyor showed a change in the boundary of the lake since the original 1904 survey, which was reviewed by the then Department of Lands and Forests and consented to on February 15, 1957. The provincial Director of Surveys further approved the plan of survey for registration purposes on 19 February 1957, and it was registered with the LTO on March 7, 1957. The plan was reviewed for accuracy no less than six times, including by the landowner. If the intent was to have Lots 1 to 5 extend to the lake without an intervening reserve, the surveyor would have reflected that on the plan. There is no evidence of an error.

[29] Section 676(1)(d) allows the reserve boundary to be changed to rectify an encroachment problem, but clearly the intent of this clause is to allow for reasonable adjustments and not to remove the ER entirely. It is not uncommon for properties adjacent to an ER to make use of it as an extension of their own land, as there is direct access and often no physical boundary marker. This is often in the form of cleared vegetation, sitting areas and fire pits, and seasonal equipment such as mooring structures. Fixed buildings, however, are uncommon. The building location plan prepared by Navland Geomatics (Ex. 1 p 23) shows the level of encroachments. Found iron survey posts indicated on the sketch are the legal survey posts and indicate the boundary of the lots.

[30] Minor structural encroachments can be addressed using encroachment agreements. AEP submitted that a reasonable accommodation could be made allowing the land owners to continue to use their sheds without removing the reserve. The use of section 676(1)(d) of the *Act* to de-designate portions of the reserve and give the lands to the lot owners is an over-reach to address the three encroaching sheds, and is unnecessary. AEP's preference and recommendation are that the Summer Village issue encroachment agreements for the sheds to assert its authority over its lands and allow the sheds' use until such time as they are no longer used, or require substantial repair or reconstruction. At that time, the sheds should be required to be removed at the owner's expense.

ER Adjacent to Lake

[31] AEP detailed the importance of riparian areas and buffers in the reasons for appeal. AEP referenced Provincial Policy, Guideline or Strategy related to Riparian Land Management:

Water For Life Strategy - Two of the three stated goals for this strategy include: 1) the maintenance of safe drinking water and 2) the maintenance of healthy aquatic

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ecosystems. The appropriate management of riparian lands is central to achieving desired outcomes as stated under the GOA water strategy.

Municipal Land Use Policies - Section 5 encourages municipalities to minimize habitat loss and other negative impacts of development through appropriate land use planning and practices. Section 6 encourages municipalities to incorporate measures into planning and land use practice that minimizes negative impacts on water resources, including surface and groundwater quality & quantity, water flow, soil erosion, sensitive fisheries habitat, and other aquatic resources.

Guidelines for Recommended Minimum Reserve Widths Adjacent to Water Features - Suggested minimum reserve widths to minimize impact to waterbodies and maintain public access to land resources located on public lands.

Stepping Back from the Water: A Beneficial Management Practices Guide for New Developments Near Water Bodies - Provides discretionary guidance to local authorities and watershed management groups to assist with “decision making and watershed management relative to structural development near water bodies” primarily within the settled area of AB.

[32] There is a large body of scientific evidence that riparian areas perform key ecological functions and shoreline development negatively affects them. The 2018 Sturgeon Watershed Riparian Assessment assessed the Summer Village of South View as having very low riparian intactness. Provincial policies require the ER and it should be maintained. With respect to the amount of ER, a survey should be conducted during the late spring or early summer when vegetation has emerged, to establish the boundary of the lake.

SUMMARY OF AT’S POSITION

[33] Alberta Transportation (AT) did not attend the hearing, but sent in a written submission and provided comments during the circulation period. AT stated that it is currently protecting Highway 633 to a minor undivided highway standard at this location. The parcels being subdivided are not adjacent to Highway 633 and access to all parcels is via the local road system. This proposal does not meet the requirements of sections 14 and 15(3) of the *Regulation*. Considering the nature of the proposal, AT is willing to approve the variance by the SA of the requirements of section 14. AT requires that any appeal of this subdivision be referred to the MGB.



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[34] The adoption of the Bylaw and the subdivision application was initiated by the owners of Lots 1 to 5, who had petitioned the Summer Village in 2009 and in 2011 seeking return of property acquired in error through expropriation. The petition set out the history of the parcels and stated that the Park Reserve in the 1955 survey was acquired through error and without proper consultation to the original land owners. The properties were purchased prior to 1954 and, at the time, there were no requirements for a Park Reserve adjacent to the properties. In 1951 and 1952, the owner, Anker Satermo, placed stakes to delineate the properties and Lots 1, 3 and 4 were purchased via what was called a "survey by description" and was perceived by the owners to be legal.

[35] A survey was undertaken in 1953 to provide the purchasers clear definition of their property, but it could not be registered due to problems with ownership. The petitioners found a metal stake at the high water mark between Lots 2 and 3 in 2008 which was reminiscent of the 1953 survey. This shows that the purchasers, sellers and surveyors believed that the lots went to the high water line of the lake shore. It was discovered later through a search of the LTO archives that the reason the 1953 survey could not be accepted was the subject land was still owned by the Canadian Northern Railway which had previously expropriated it for railway use. In 1955, it was transferred from the railway to Ellen Satermo.

[36] In further support of their position, the petitioners noted that within the Summer Village, the 1959 subdivision plan for Southview Village East did not require Park Reserve on lake front lots, nor is there reserve on other lots in the area. They also noted that five cottages had already been built on the subject land at the time of subdivision registration in 1957, and tax notices from 1956 were presented showing the names of the cottage owners. Three of the cottages have porches encroaching on the Park Reserve, while one cottage built in 1955 is partly sitting on Park Reserve. The boathouses were built in their locations on the understanding that it was part of the parcels. It is the position of the petitioners that the Park Reserve was taken in the 1957 subdivision plan without notice or remuneration. The petitioners requested this error be corrected through the process under section 676 of the *Act* to have the titles of the properties reverted back to the existing property owners.

[37] G. Ward, the owner of Lot 3 noted that there was a letter from the Provincial Planning Advisory Board on June 1954 and a response on July 1954 supporting approval of the subdivision. There is no drawing attached but there is a land description. Mr. Ward agreed to submit the letters and they were noted as Ex. 16L. The letters had been included in the original package (Ex. 1 p. 150 and 151).



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[38] Mr. Ward stated that with respect to AEP's concerns about losing vegetation in the water, they already have boat moorings on the lake front. Public access does not currently take place as the land is not easily accessible by anyone else - the only people that use it are the landowners. With respect to flooding of the area last spring, Mr. Ward submitted photographs to show that it only affected a very small corner of the property. S. Benford requested that the MGB consider a lesser amount of ER between the shoreline and property line than the current approximately 60 feet.

[39] Several other Lots 1 to 5 landowners observed the videoconference but did not make any presentations or written submissions.

SUMMARY OF OTHER LANDOWNERS' POSITIONSValidity of the Bylaw

[40] J. Woslyng attended the hearing in addition to providing written submission. He argued that there was no mistake in the original subdivision; that the Council of the Summer Village had failed to act in the best interests of the Summer Village; and had held the public hearing in winter when ratepayers would not likely attend.

[41] P. and L. Adams did not attend the hearing but provided written submission. They also questioned the likelihood of an error, as creation of a buffer zone between residential properties and a lake is consistent with good environmental planning. They also noted that while the Bylaw indicates that the five lots have been taxed as though they extend to the lake, it is surprising that a property assessor would not consult a village lot plan, and not realize that the properties do not extend to the lake.

[42] J. and P. Napora also did not attend the hearing but provided a written submission and photograph. They stated that this application was approved without the consent of Summer Village taxpayers and that all of the lot owners fully understood where their property boundaries were.

ER Adjacent to Lake

[43] Mr. Woslyng referenced the Lake Isle Area Structure Plan / Area Redevelopment Plan, which was adopted in 1984 by the Summer Village, and rescinded in 2017. It states:

All future intensive residential or recreational development proposals will be required to include an adequate strip of reserve land between the proposal and the lakeshore. This reserve may be a combination of environmental and municipal reserve to provide

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public access, to define property boundaries, to preserve the aesthetic character of the shoreland, to provide wildlife habitat and to provide environmental protection from hazards such as ice and wave erosion. As a general guideline, this reserve should not exceed 200 feet (60 m) in width. The highest recorded lake level of 730.7 m.a.s.l.; will be used to determine flood prone areas and will assist in determining the location of future reserves.

[44] Mr. Woslyng stated that there is a new Municipal Development Plan that had first reading and was shown to the public in September, but second and third reading had not yet occurred, and suggested it was held up pending the outcome of this application. One of the policies in this plan is that parks and open spaces shall be preserved and maintained for the use and enjoyment of residents and visitors. This is coming under threat, with a large section of park reserve proposed to be given over to private hands. The east end of the Summer Village has virtually no public access to the lake. The west end where the subject land is has the only level access to the lake. He is a back lot owner and has very little access to the lake, and would not like to see it reduced further.

[45] Mr. Napora submitted that the survey does not show the high water mark, as it indicates the shoreline in January 2019. He attached a photograph taken in May 2020 between Lots 1 & 2 which shows the lake level and degree of flooding. If any further land is allowed for development it will be within the lake boundary. The lake level typically peaks in early June so the water would have risen further than the level shown.

FINDINGS

1. The MGB does not have the authority under the *Act* to rule on the validity of the Bylaw.
2. ER should be provided adjacent to Isle Lake, but the flood line must be established to properly determine the amount that should be provided.
3. The proposed subdivision does not conform to the uses of land in the LUB.

DECISION

[46] The appeal is allowed and the subdivision is refused.

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[47] The *Act* sets out the MGB's jurisdiction in section 488 of the *Act*, which does not include the power to determine the validity of a bylaw passed by a municipality – section 536 directs that responsibility to the Court of Queen's Bench. However, section 488(1)(i) does give the MGB power to hear appeals from subdivision decisions pursuant to section 678(2)(a). The SA made a decision to approve the subdivision now under appeal, and the MGB has an obligation to consider the appeal.

[48] As noted in MGB 053/20, the Registrar of the LTO has jurisdiction to cancel and reissue certificates of title in accordance with requirements of a bylaw made under section 676. This section does not give the MGB the same authority. In contrast, the MGB authority to grant subdivisions and the considerations relevant to the exercise of that authority stems from sections 678 and 680.

[49] In stating that subdivision approval was required, it is possible that the LTO considered the proposal exceeded the scope of the boundary change contemplated in section 676. In any event, any disagreement by the Summer Village with LTO's direction is more appropriately the subject of a court application to order the LTO to accept the plan of subdivision.

[50] As a matter of interest, the MGB notes that the letters from June and July 1954 did not have the referenced attachment, and the only plan that was submitted in support of the subject lots 1 to 5 were originally intended to extend to the lake was in Ex. 1 p. 110. While the drawing does show the lots extending to the lake, the MGB notes the dimensions specified on the lot lines are the same as the dimensions on the registered plan of survey. It would be expected that had the plan been intended to show the lots extending to the lake, the dimensions would have been different.

Land Use

[51] As mentioned above, section 680(2) of the *Act* sets out the matters the MGB must consider to determine an appeal. In particular, 680(2)(b) states that in determining an appeal, the MGB "must conform" with the uses of land referred to in a land use bylaw.

[52] Lot P is districted P – Parks under the LUB, and the Bylaw did not redistrict the portion of the land to be consolidated with the adjacent residential parcels when it removed the reserve designation from Lot P. Residential uses are not a permitted or discretionary use in the P district. The SA argued that as a practical matter, the current park and residential uses will continue on the consolidated land. The MGB rejects that argument. If the former reserve land is consolidated it

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will be privately held land that is part of a residential lot and used for residential purposes. Accordingly, the MGB determined that the proposal did not conform with the uses of land and that the MGB could not approve the subdivision.

[53] In addition to conforming with uses in the LUB, section 680(2)(a.1) requires the MGB to have regard to any statutory plans. As noted by MPS, the Summer Village does not have an adopted MDP, but a draft plan has received first reading and was submitted to the MGB. The draft MDP has several policies that discuss the importance of reserve land and public access to the lake, as noted by MPS – the SA’s Planning Consultant - as well as one of the area landowners. These provisions are inconsistent with the proposal to convert existing reserve land to private residential use. The MGB placed less weight on the provisions as they are only in draft form; however, the MGB finds they reflect prudent planning policy and align with the Provincial Land Use Policies as described below.

ER Adjacent to Lake and Site Suitability

[54] The MGB has some sympathy for the landowners, as it is clear that ER was not historically required and that other subdivisions in the Summer Village - which were registered after the subject land - do extend to the lake. However, in view of the current body of evidence with respect to the need for setbacks from bodies of water, it would not be advisable to eliminate existing ER.

[55] The *Act, Regulation* and provincial policies address reserve lands adjacent to lakes - in particular, where the land is subject to flooding. The photographic evidence shows flooded land, and the MGB finds that some amount of setback is required. Further studies are needed to show the extent of land prone to flooding and to ensure site suitability.

[56] The Land Use Policies contain relevant goals and policies. Specifically, Goal 5.0 Natural Environment Policy 3 states that municipalities are encouraged to identify areas that are prone to flooding and to establish appropriate land use patterns within these areas. In the absence of further studies, the MGB finds reserve land is the appropriate land use for the subject reserve lands. Similarly, 6.3 Water Resources aims to protect water resources - including lakes - by mitigating negative impacts of subdivision and development. Further, municipalities are “encouraged to facilitate public access and enjoyment of these water features, and to protect sensitive fisheries habitat and other aquatic resources” (Policy 6.3.3). Converting existing reserve land adjacent to a lake to be used for private residential use does not conform to these policies and goals – whether or not the land is still in its natural state.



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Bylaw 207-2019

[57] Section 680 of the *Act* does not mention bylaws under s 676 as one of the enactments for which the MGB must comply or for which it must have regard. Nevertheless, the MGB's practice is to be consistent with other bylaws established under Part 17 of the *Act* where possible and where they are consistent with the higher-level policies, including the LUP. However, in this case, having found it would be inconsistent with the LUP to convert environmental reserve to private residential use, the MGB cannot also give effect to the Bylaw 207-2019, which purports to adjust the reserve boundary by effectively deleting the reserve in most areas. Section 618.4 of the *Act* directs that all "action undertaken pursuant to this Part by a municipality... or the Municipal Government Board must be consistent with the land use policies..."

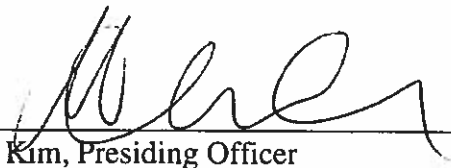
[58] A further consideration is that although the MGB has no power to declare bylaws invalid, it is well established that courts and tribunals with the power to decide questions of law should not give effect to legislation created that is ultra vires or otherwise unconstitutional (see for example *Nova Scotia (Workers' Compensation Board) v. Martin*, 2003 SCC 54, at para 28; *Calgary (City) v. Canadian Natural Resources Limited*, 2010 ABQB 417 at para 89). In this case, it is difficult to reconcile the power granted by the *Act* to adjust ER boundaries to correct errors with what the Bylaw has done – which is to convert ER to private use where the evidence does not establish any errors took place.

Summary

[59] In conclusion, the MGB agrees with the accommodation suggested by AEP, that an encroachment agreement between the landowners and the Summer Village would achieve many of the objectives of the application without the need to eliminate the reserve land.

DATED at the City of Edmonton, in the Province of Alberta, this 30th day of March 2021.

MUNICIPAL GOVERNMENT BOARD



H. Kim, Presiding Officer

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APPENDIX "A"

PARTIES WHO ATTENDED, MADE SUBMISSIONS OR GAVE EVIDENCE AT THE HEARINGS:

<u>NAME</u>	<u>CAPACITY</u>
B. van Os	Appellant, Alberta Environment and Parks
G. Haekel	Alberta Environment and Parks
A. MacFarlane Dyer	Alberta Environment and Parks (Nov 10, 2020 hearing only)
M. Gallagher	Counsel for SA
J. Dauphinee	Municipal Planning Services, Consultant for Summer Village
K. Miller	Municipal Planning Services (Nov 10, 2020 hearing only)
D. Slemko	Landowner, Lot 1, observer
G. Ward	Landowner, Lot 3
S. Benford	Mayor, Summer Village of South View
V. Baril	Landowner, Lot 4, observer
T. Baril	Landowner, Lot 5, observer
J. Woslyng	Area Landowner
R. McLeod	Adjacent Landowner, observer
W. Wildman	CAO, Summer Village of South View
H. Luhtala	Assistant CAO, Summer Village of South View
D. Higgins	Navland Geomatics Inc. Applicant for Subdivision
B. Johnson	Deputy Mayor, Summer Village of South View
R. John	Landowner, Lot 2, Observer (Nov 10, 2020 hearing only)

APPENDIX "B"

DOCUMENTS RECEIVED PRIOR TO THE HEARING:

<u>NO.</u>	<u>ITEM</u>
1	Information package
2A	AEP PowerPoint Presentation
3AT	Alberta Transportation Submission
4R	SA Submission
5L	Email and Letter to Council from P. Abrams (Area landowner)
6L	Email from J. Napora (Area Landowner)
7L	Email from J. Woslyng (Area Landowner)
8L	Additional email from J. Woslyng

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9R Photographs of parcels and surroundings
10R Agenda Jan 2020 Public Hearing
11R Public Hearing Minutes Bylaw 207-2019
12A Plan of Subdivision 2647KS
13A AEP Submission

APPENDIX "C"

DOCUMENTS RECEIVED AFTER THE HEARING:

NO.	ITEM
14R	AEP email correspondence October 2019
15R	Land Titles Office correspondence January 2018
16L	Letters from Provincial Planning Advisory Board 1954
17L	Photos of flooding
18R	Lake Isle ASP and Bylaws to adopt and rescind
19L	J. Woslyng Rebuttal
20A	SA Rebuttal

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APPENDIX "D"**LEGISLATION**

The *Act* and associated regulations contain criteria that apply to appeals of subdivision decisions. While the following list may not be exhaustive, some key provisions are reproduced below.

Municipal Government Act

Application to the Court of Queen's Bench

A bylaw may be challenged:

536(1) A person may apply to the Court of Queen's Bench for

(a) a declaration that a bylaw or resolution is invalid, or

(b) an order requiring a council to amend or repeal a bylaw as a result of a vote by the electors on the amendment or repeal.

(2) A judge may require an applicant to provide security for costs in an amount and manner established by the judge.

Purpose of this Part

Section 617 is the main guideline from which all other provincial and municipal planning documents are derived. Therefore, in reviewing subdivision appeals, each and every plan must comply with the philosophy expressed in 617.

617 The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and

(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Subdivision approval required

The *Act* sets out the requirement for when subdivision approval is required.

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652(1) A Registrar may not accept for registration an instrument that has the effect or may have the effect of subdividing a parcel of land unless the subdivision has been approved by a subdivision authority.

(2) Despite subsection (1) and subject to subsection (4), a Registrar may accept for registration without subdivision approval an instrument that has the effect or may have the effect of subdividing a parcel of land described in a certificate of title if registration of the instrument results in the issuing of one or more certificates of title and the parcel of land described in each certificate of title so issued would consist only of any or all of the following:

(a) a quarter section;

(b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;

(c) a lake lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;

(d) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;

(e) a part of the parcel of land described in the existing title if the boundaries of the part are shown and delineated on a plan of subdivision;

(f) a parcel of land created pursuant to a bylaw passed by a municipality under section 665.

Decision

The Act provides for appealing a decision of the subdivision authority.

656(1) A decision of a subdivision authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the subdivision authority is required by the subdivision and development regulations to give a copy of the application.

(2) A decision of a subdivision authority must state

(a) whether an appeal lies to a subdivision and development appeal board or to the Municipal Government Board, and

(b) if an application for subdivision approval is refused, the reasons for the refusal.

Designation of municipal land

A parcel of land created pursuant to a bylaw passed by a municipality under section 665 does not require subdivision approval.

665(1) A council may by bylaw require that a parcel of land or a part of a parcel of land that it owns or that it is in the process of acquiring be designated as municipal reserve, school reserve, municipal and school reserve, environmental reserve, conservation reserve or public utility lot.

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(2) Subject to subsection (3), on receipt of a copy of a bylaw under this section and the applicable fees, the Registrar must do all things necessary to give effect to the order, including cancelling the existing certificate of title and issuing a new certificate of title for each newly created parcel of land with the designation of

- (a) municipal reserve, which must be identified by a number suffixed by the letters "MR",*
- (b) public utility lot, which must be identified by a number suffixed by the letters "PUL",*
- (c) environmental reserve, which must be identified by a number suffixed by the letters "ER",*

(c.1) conservation reserve, which must be identified by a number suffixed by the letters "CR",

- (d) school reserve, which must be identified by a number suffixed by the letters "SR",*
- (e) municipal and school reserve, which must be identified by a number suffixed by the letters "MSR", or*
- (f) a lot, which must be identified by a number.*

(3) The certificate of title for a municipal reserve, school reserve, municipal and school reserve, environmental reserve, conservation reserve or public utility lot under this section must be free of all encumbrances, as defined in the Land Titles Act.

(4) For greater certainty, where a bylaw of the council requires that land be designated as environmental reserve, the designation becomes effective on the day the Registrar issues a new certificate of title for the land under subsection (2)(c).

Changes to environmental reserve's use or boundaries

The Act provides for a council to change the boundaries of an environmental reserve by bylaw:

676(1) A council may by bylaw, after giving notice in accordance with section 606 and holding a public hearing in accordance with section 230,

- (a) use an environmental reserve for a purpose not specified in section 671(1),*
- (b) transfer an environmental reserve to the Crown or an agent of the Crown for consideration, as agreed,*
- (c) lease or dispose of an environmental reserve other than by a sale for a term of not more than 3 years, and*
- (d) change the boundaries of an environmental reserve or environmental reserve easement in order to correct an omission, error or other defect in the certificate of title, or to rectify an encroachment problem or other concern.*

(2) A council may include terms and conditions in a bylaw under subsection (1).

(3) Any proceeds from a lease or other disposition under subsection (1) may be used only to provide land for any or all of the purposes referred to in section 671(2).

(4) On receipt of a bylaw under subsection (1)(b) or (d), the Registrar must cancel the existing certificates of title or amend an environmental reserve easement affected by the bylaw and issue

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any new certificates of title required by the bylaw.

Appeals

Section 678 of the *Act* sets out the requirements for appeal of a decision by the subdivision authority and the appeals that are heard by the MGB.

678(1) The decision of a subdivision authority on an application for subdivision approval may be appealed

...

(b) by a Government department if the application is required by the subdivision and development regulations to be referred to that department,

...

(2) An appeal under subsection (1) may be commenced by filing a notice of appeal within 14 days after receipt of the written decision of the subdivision authority ...

(a) with the Municipal Government Board

...

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii)...

Hearing and decision

Section 680(2) of the *Act* requires that MGB decisions conform to the uses of land referred to in the relevant land use district of the LUB. It does not require that the MGB abide by other provisions of the LUB, the MDP or the *Subdivision and Development Regulation*, although regard must be given to them.

680(2) In determining an appeal, the board hearing the appeal

(a) repealed 2020 c39 s10(48);

(a.1) must have regard to any statutory plan;

(b) must conform with the uses of land referred to in a land use bylaw;

(c) must be consistent with the land use policies;

(d) must have regard to but is not bound by the subdivision and development regulations;

(e) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;

(f) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to this Part or the regulations or bylaws under this Part.

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Subdivision and Development Regulation - Alberta Regulation 43/2002

Application referrals

Section 5 of the *Regulation* deals with application referrals.

5

...
 (5) On an application for subdivision being determined or deemed under section 653.1 of the *Act* to be complete, the subdivision authority must send a copy to

-
- (e) the Deputy Minister of the Minister responsible for administration of the *Public Lands Act* if the proposed parcel
 - (i) is adjacent to the bed and shore of a body of water, or
 - (ii) contains, either wholly or partially, the bed and shore of a body of water;

Relevant considerations

While the MGB is not bound by the *Subdivision and Development Regulation*, it is the MGB's practice to evaluate the suitability of a proposed site for the purpose intended using the criteria in section 7 as a guide.

7 In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,

- (a) its topography,
- (b) its soil characteristics,
- (c) storm water collection and disposal,
- (d) any potential for the flooding, subsidence or erosion of the land,
- (e) its accessibility to a road,
- (f) the availability and adequacy of a water supply, sewage disposal system and solid waste disposal,
- (g) in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the *Private Sewage Disposal Systems Regulation* (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in section 4(4)(b) and (c),
- (h) the use of land in the vicinity of the land that is the subject of the application, and
- (i) any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

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ALBERTA LAND USE POLICIES

Land Use Policies were established by Lieutenant Governor in Council pursuant to section 622 of the *Act*. These policies apply in this case, since there is, as of yet, no applicable *Alberta Land Stewardship Act (ALSA)* regional plan for the subject area.

2.0 The Planning Process

Goal

Planning activities are to be carried out in a fair, open, considerate, and equitable manner.

Policies

1. Municipalities are expected to take steps to inform both interested and potentially affected parties of municipal planning activities and to provide appropriate opportunities and sufficient information to allow meaningful participation in the planning process by residents, landowners, community groups, interest groups, municipal service providers, and other stakeholders.
2. Municipalities are expected to ensure that each proposed plan amendment, reclassification, development application, and subdivision application is processed in a thorough, timely, and diligent manner.
3. When considering a planning application, municipalities are expected to have regard to both site specific and immediate implications and to long term and cumulative benefits and impacts.

...

5.0 THE NATURAL ENVIRONMENT

Goal

To contribute to the maintenance and enhancement of a healthy natural environment.

Policies

1. Municipalities are encouraged to identify, in consultation with Alberta Environmental Protection, significant ravines, valleys, stream corridors, lakeshores, wetlands and any other unique landscape area, and to establish land use patterns in the vicinity of these features, having regard to their value to the municipality and to the Province.

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2. If subdivision and development is to be approved in the areas identified in accordance with policy #1 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures designed to minimize possible negative impacts.
3. Municipalities are encouraged to identify, in consultation with Alberta Environmental Protection, areas which are prone to flooding, erosion, landslides, subsidence, or wildfire and to establish appropriate land use patterns within and adjacent to these areas.
4. If subdivision and development is to be approved in the areas identified in accordance with policy #3 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures to minimize the risk to health, to safety, and to loss due to property damage.
5. Municipalities are encouraged to identify, in consultation with Alberta Environmental Protection, areas of significant fish, wildlife and plant habitat and to establish appropriate land use patterns designed to minimize the loss of valued habitat within and adjacent to these areas.
6. If subdivision and development is to be approved in the areas identified in accordance with policy #5 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures to minimize the loss of habitat.

6.0 RESOURCE CONSERVATION

...

6.3 Water Resources

Goal

To contribute to the protection and sustainable utilization of Alberta's water resources, including lakes, rivers, and streams, their beds and shores, wetlands, groundwater, reservoirs, and canals.

Policies

1. Municipalities are encouraged to identify, in consultation with Alberta Environmental Protection, significant water resources within their boundaries.
2. Municipalities are encouraged to determine appropriate land use patterns in the vicinity of the resources identified in accordance with policy # 1, having regard to impacts on an entire watershed as well as local impacts.
3. If subdivision and development is to be approved in the vicinity of the resources identified in accordance with policy #1, municipalities are encouraged to, within the scope of their jurisdiction, incorporate measures which minimize or mitigate any negative impacts on water quality, flow and supply deterioration, soil erosion, and ground water quality and availability. Municipalities are also encouraged to facilitate public access and enjoyment of these water features, and to protect sensitive fisheries habitat and other aquatic resources.

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MUNICIPAL BYLAWS AND STATUTORY PLANS

Statutory Plan

3-1 Future Development

Goals

- a) To maintain South View as a recreation focused, residential lakeside community.
- b) To be supportive of new development and infill that is sensitive to the surrounding community.

Policies

- 3.1.1 Single-family residential development is encouraged on vacant residential lots.
- 3.1.2 Natural vegetation and tree cover should be retained when development occurs, where possible.
- 3.1.3 Servicing requirements and off-site upgrades shall be at the expense of the developer.
- 3.1.4 Buildings shall be setback from the high-water mark of Isle Lake.
- 3.1.5 The maximum Municipal Reserve as indicated by the MGA shall be required for all subdivision. These reserves may be in the form of land, cash-in-lieu or a combination thereof.
- 3.1.6 Lands deemed to be environmentally significant shall be protected via Environmental Reserve dedication or an environmental easement registered at the time of subdivision.
- 3.1.7 Future Area Structure Plans shall conform to the MGA.
- 3.1.8 New Campgrounds are not permitted in the Summer Village.

3-2 Parks, Open Space and Recreation

Goals

- a) To develop and maintain green spaces and recreational areas for South View residents.
- b) To provide additional recreational opportunities and facilities.

Policies

- 3.2.1 Parks and Open Spaces shall be preserved and maintained for the use and enjoyment of residents and visitors.
- 3.2.2 The development of new recreation facilities for both active and passive uses is encouraged.

3-3 Mobility

Goals

- a) To maintain a well-connected, walkable community.
- b) To provide a safe and efficient road network that meets residents' current and future needs.

Policies

- 3.3.1 Trails and pathways shall be maintained and enhanced to link parks and open spaces and provide lake access.

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3.3.2 Opportunities to improve safety and connectivity for pedestrians and cyclists, such as separate walkways are encouraged.

3.3.3 The roadway network shall be maintained to meet current and future needs.

...

Land Use Bylaw

SUMMER VILLAGE OF SOUTH VIEW Land Use Bylaw No. 179

...

5.5 P – Parks

1. General Purpose of District

This district is generally intended to establish an area for recreational and leisure activities

2. Permitted Uses

- Parks and playgrounds
- Publicly owned minor recreation and cultural facilities

Discretionary Uses

- Commercial recreation facility
- Major recreation and cultural facility
- Schools
- Buildings and uses accessory to discretionary uses
- Other uses, which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

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TriVillage Regional Sewage Services Commission

March 23, 2021

Mr. Joe Blakeman
Chairperson
Darwell Lagoon Commission
Box 219
Sangudo, AB
T0E 2A0

RECEIVED
MAR 30 2021

Attention: Reeve Blakeman

RE: Lac Ste. Anne County (LSAC) 17 March 2021 Press Release "County Announces Green Infrastructure Funding Milestone"

The Tri Village Regional Sewer Service Commission (TVRSSC) is made up of council representatives from Alberta Beach and the Summer Villages of Val Quentin and Sunset Point, and operates independently of the municipalities that comprise its membership. The TVRSSC was surprised and confused to see LSAC's above noted press release. Upon reading the release, the TVRSSC felt it prudent to outline some specific areas of confusion or disagreement, as well as concerns around communication.

Communication

There has been a general lack of communication between LSAC/Darwell Lagoon Commission (DLC) and the TVRSSC. First, it is poor practice to publish a press release regarding another party without also notifying the other party that you have done so. Ideally, TVRSSC should have been provided a copy of the release in advance and been given an opportunity to provide comment.

Additionally, there has been a lack of communication around the potential connection to the TVRSSC lagoon. LSAC's press release implies that this is a done deal, it is not. On Aug 26, 2020 TVRSSC sent DLC a letter outlining our ongoing concerns and requesting further information and independent studies. No response has been received. Owing to the lack of response from DLC, combined with rumours that the DLC was no longer intending to connect to the TVRSSC system (in favour of discharging directly to the Sturgeon River), the TVRSSC was under the impression that the DLC was no longer pursuing a connection to the TVRSSC. Attached is our Aug 26, 2020 letter for information and follow-up.

Box 277, Alberta Beach, Alberta T0E 0A0
Phone: 780-446-1426 email: d.evans@xplor.net

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Finally, it is important to point out that this grant was applied for without any commitment either verbally or in writing from the TVRSSC. The TVRSSC did not sign onto or provide a letter of support for the grant, nor was one requested. Additionally, we have not seen a copy of the grant application or grant approval.

Darwell Lagoon Commission Regional Transmission Line

Although it is not explicitly stated, the noted press release implies that there is an agreement, at least in principle, to move forward with the Regional Transmission Line. Neither the TVRSSC nor our member municipalities has been engaged in conversations around the full regional transmission line project since the fall of 2018. At that time, the TVRSSC indicated, in writing, that we were not interested in being a party to the project owing to the prohibitive costs involved, as shown in the draft report of Oct. 19, 2018. Also at that time, the TVRSSC was asked to postpone making a decision regarding withdrawal as it was felt to be too early. The TVRSSC was told that the cost structure would be redeveloped. In the interest of regional cooperation, the TVRSSC agreed to postpone withdrawal.

The TVRSSC not seen a new cost structure nor any additional information for the full regional transmission line project. Additionally, there has been no governance structure, formal commitment from the regional municipalities involved, nor agreement in principle with the Alberta Capital Region Wastewater Commission (ACRWC), who would ultimately receive effluent from the region. To our knowledge, these important conversations have not taken place.

It is misleading to present the regional line to the public without more formalized commitments and agreements in place. It also places the TVRSSC in a disagreeable position. There is a strong possibility that the regional transmission line will not proceed past Phase B, the connection to the TVRSSC system. Additionally, it is possible that after allowing the connection, the costs of the full project will continue to be too high for the TVRSSC to participate. What happens then? The TVRSSC would like to see a long term plan finalized, including a governance structure, cost structure, and letters of intent from participating municipalities and the ACRWC. This will give the TVRSSC and its members confidence that the project is fiscally feasible and that the project will not be abandoned.

Tying in to the TVRSSC lagoon

As mentioned above, there are outstanding items that need to be addressed before we can further consider allowing the DLC to tie into the TVRSSC system, including, but not limited to;

Initial Capital payment to ensure that the lifespan of the TVRSSC system is not reduced by allowing the tie in. The cost of such payment to be determined by an independent analysis of the effect on the lifespan of our system.

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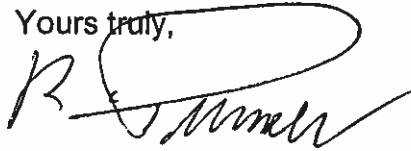
- As an example and to provide a fuller understanding on the impact of the DLC tie in to the TVRSSC system, documentation provided to the TVRSSC from the DLC indicates that the remaining lifespan of our anaerobic cell will be reduced from 17 to 3 years.
- An equitable rate structure to ensure that TVRSSC members do not bear any costs in relation to the DLC tie in now or in the future.
- The TVRSSC received a letter dated Jul. 15, 2020 which had an enclosed proposed rate structure, which is not acceptable to the TVRSSC. The TVRSSC responded on Jul 28, 2020 with a letter that requested "that the Darwell Lagoon Commission agree to cover all expenses related to a project review and development of a fair and equitable utility rate by a consultant and or engineering firm of our choosing. We request this, as we would not have to incur these expenses if we were not considering the tie in of the Darwell lagoon to ours." A response to this request has not been received.
- Additional outstanding concerns, as outlined in the attached letter of Aug 26, 2020.

It is important to note that in verbal conversations between TVRSSC Directors and Reeve Blakeman, our Directors were told that the TVRSSC has been provided the answers to its questions and that we are being unreasonable. The TVRSSC does not see it this way and will not be pressured to move forward without adequate information and appropriate agreements in place that protect TVRSSC interests. The TVRSSC position remains that it should bear no costs to advance this initiative, as there is no real benefit to the TVRSSC. Further, that appropriate independent studies must be completed to ensure the long term sustainability of the TVRSSC system, inclusive of, but not limited to, costing, infrastructure, water quality, and discharge schedules. Additionally, the TVRSSC must be an active partner and engaged in the development of these studies and plans.

If the DLC is of the opinion that the TVRSSC is being unreasonable or that we are asking for information that has been adequately provided, the TVRSSC requests that the DLC outlines its concerns in writing, and provides record of the information that has been sent to the TVRSSC.

The TVRSSC continues to be willing to work collaboratively, through an informed and engaged process. The protection of TVRSSC assets, investments, and ratepayers is of the utmost importance. The TVRSSC considers this due diligence, and trusts that you would do the same.

Yours truly,



Brian Purnell
Chairperson
TVRSSC

Enclosure

CC Alberta Beach
Summer Village of Val Quentin
Summer Village of Sunset Point
Lac Ste. Anne County Council
Summer Village of Silver Sands
Summer Village of Southview
Town of Onoway
Summer Village of Sandy Beach
Summer Village of Sunrise Beach

TriVillage Regional Sewage Services Commission

August 26, 2020

Mr. Joe Blakeman
Chairperson
Darwell Lagoon Commission
Box 219
Sangudo, AB
T0E 2A0

RE: DARWELL REGIONAL TRANSMISSION LINE

Dear Mr. Blakeman,

In reference to your letter dated August 12, 2020, with regards to the Darwell Regional Wastewater Transmission Line. First of all, thank you for offering to allow our Operations Manager to attend the phase B technical committee meetings. We would request that the Darwell Lagoon cover the costs associated with him attending. The Tri Village Regional Sewer Services Commission (TVRSSC) appreciates your recognition of our current issues restricting us from accepting additional flows as well as your willingness to explore remedial options for discharging.

However, we still have outstanding questions and concerns that need to be addressed before the TVRSSC can make an informed decision.

In our August 20, 2019 and again in our Spring 2020 letter we asked:

- What the quantity of water would be for the original draw down and the trickle (flow rate) thereafter? While, the response provided projected annual flows based on the SRS unit, it did not state what the initial draw down would be and the frequency thereafter. Nor did it provide volumes for the low-pressure system from Darwell.

-The quality of water was answered with the results of the sample taken September 17, 2019. Are there results for other times of the year to show a true representation of quality?

-How the extra sewage will affect our infrastructure over the next 25yrs? Based on attachments 5&6 of your response letter it shows a 14-year reduction in the life span of our storage cells and our anaerobic cell will require an expansion in 3 years. The TVRSSC will require the Darwell Lagoon Commission to cover the costs in their entirety for any and all upgrades required to our lagoon system and discharge pumps. Additionally, due to the reduction in the life span we will require these costs upfront. It is a major concern of the TVRSSC to see these substantial reductions to the life cycle of our infrastructure.

Box 277, Alberta Beach, Alberta T0E 0A0
Phone: 780-446-1426 email: d.evans@xplornet.com

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Additionally, we have the questions and comments:

-What is the ultimate plan? Is there a plan to tie in more low-pressure systems in between the Darwell lagoon and the Tri Village lagoon? If so, what are those projected volumes? Would these tie ins be directly into the transmission line? How would tying these in change the quality of sewage coming into Tri Village?

-Has an assessment of the receiving water been completed and if so, what were the findings? If not, why not or when will this be undertaken?

-Has AE&P approved this project? Should we not have an approval from regulators before commencing a project of this magnitude?

-Have other participants in the regional transmission line study group signed on to become active members, is the Capital Region willing to accept the effluent down the line?

-What measures will the Darwell Lagoon Commission take to prevent effluent coming in from outside the member area?

-When this becomes a full regional line back to the Capital Region what will the TVRSSC's share of the O&M costs be? We are being told that we can't use the numbers previously provided by Stantec, but we need to have a cost projection in order to do our due diligence and future planning of our communities.

-In the original plan Stantec had said that when the TVRSSC could no longer handle the additional flows it would trigger the next phase. That phase being a line from the TVRSSC lagoon to the Onoway lagoon, has Onoway committed to accepting these additional flows? Being that we currently cannot handle the additional flows, should we not be looking at making this a part of the phase from Darwell to TVRSSC? And can the Onoway lagoon handle the additional flows?

-Will the Darwell Lagoon Commission commit to covering the costs associated with having a consultant(s) and/or engineer(s) of our choice to review this project and the potential impact to our system, and determine what an appropriate utility may look like? As indicated in our previous correspondence we would not have to undertake this work if we were not considering the potential of an outside connection to our system.

We are committed to working with our regional partners to better provide for our residents, however the TVRSSC has to be diligent in their assessment and review of the potential impacts to their own system and operations to ensure there will be no negative impacts in the years to come. The Tri Village Regional Sewer Services Commission requests that all up to date information and alignments be provided for review.

Yours truly,

Roger Montpellier
Chairperson

Box 277, Alberta Beach, Alberta T0E 0A0
Phone: 780-446-1426 email: d.evans@xplornet.com

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Visit LSAC.ca to explore the latest County news and events in greater detail.



LAC STE. ANNE COUNTY ANNOUNCES GREEN INFRASTRUCTURE FUNDING MILESTONES

Canada and Alberta invest in County infrastructure projects to strengthen the economy and build resilient communities.

Sangudo, Alberta, Wednesday, March 17, 2021 – Lac Ste. Anne County is pleased to announce its receipt of joint federal and provincial grant funding totalling \$11,800,000 for construction of a wastewater transmission line between lagoon facilities in the County's southeast quadrant. When complete, this line will connect the Hamlet of Darwell lagoon facility to the Tri-Village Regional Sewer Commission lagoon facility in Alberta Beach.

This project — referred to as the Darwell Lagoon Commission Regional Wastewater Transmission Line - Phase B (Darwell to Tri-Village) — is one of two sub-phases of a more comprehensive regional wastewater transmission system. Under the guidance of the Darwell Lagoon Commission, the County has secured close to \$23 million in federal and provincial grant dollars for this system over two years, representing 90% of the cost of this critical wastewater infrastructure project.

I commend the federal and provincial government for their investments in our region," shared Lac Ste. Anne County Reeve Joe Blakeman. "This funding will help further reduce our dependence on aging infrastructure. It will also create local jobs, strengthen our economy, and support healthier and more sustainable communities for generations to come."

In March of 2019, Alberta's Transportation Minister approved \$11,272,500 in **Water for Life Strategy** grant funding for Phase A of this project, which entails construction of a regional wastewater transmission line from the Summer Village of Sandy Beach to the Town of Onoway lagoon facility. This funding covers 90 per cent of the estimated eligible project costs up to \$11,272,500 for the Darwell Regional Wastewater Transmission line - Phase A (Sandy Beach/Sunrise Beach to Onoway).

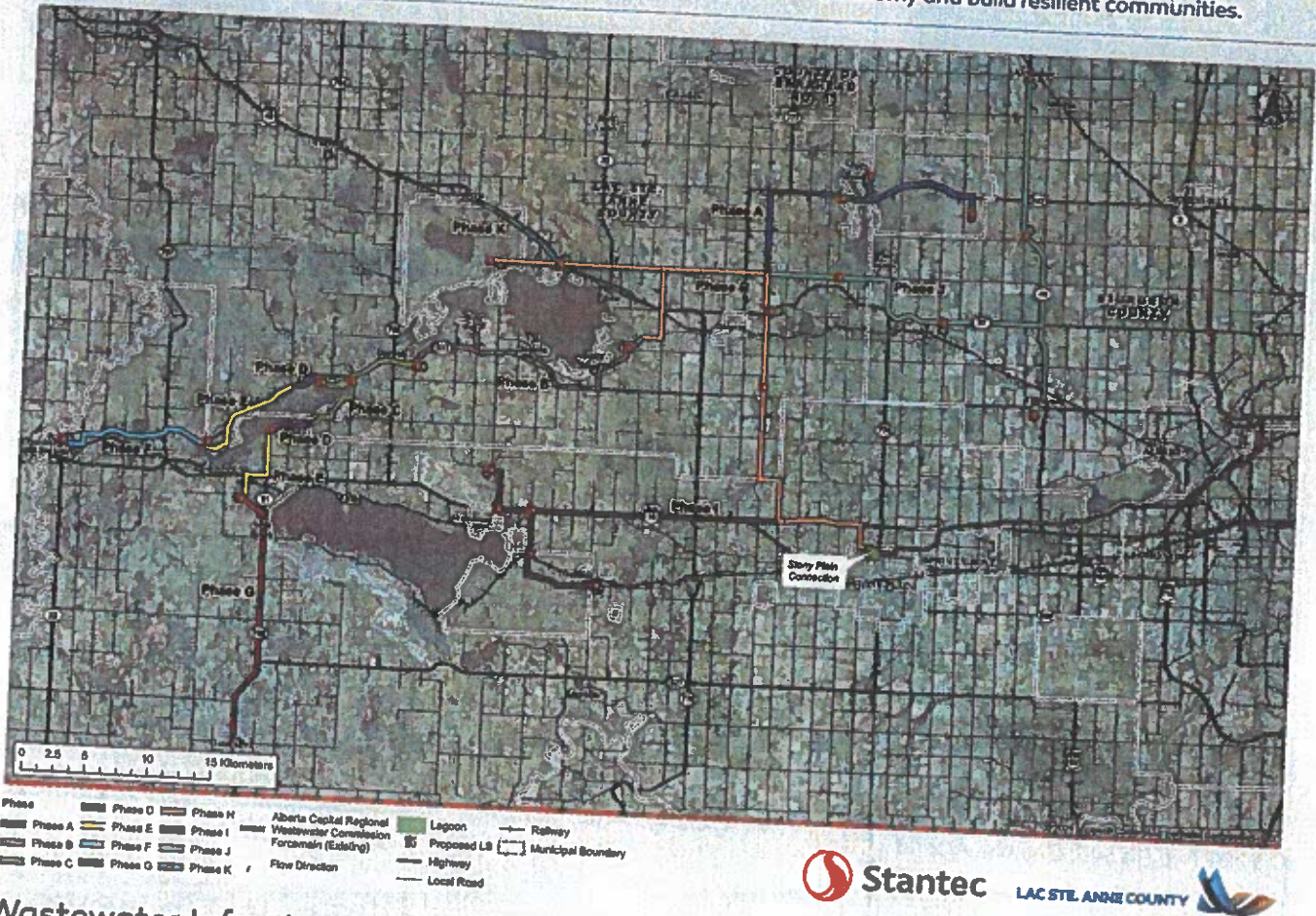
In June of 2020, Alberta's Minister of Infrastructure approved grant funding for the Phase B wastewater project through the **Investing in Canada Infrastructure Program (ICIP)**. The County received the maximum federal funding under ICIP, which is 40% of the total eligible costs up to \$4,720,000. The County received additional grant funding under the **Water for Life Strategy** that covers 50% of eligible project costs to a maximum of \$5,900,000. The chart below shows federal and provincial grant funding amounts to date for this project.

Darwell Regional Wastewater Transition Line	Federal Funding	Provincial Funding	Municipal/ Other Funding	Totals
Phase A (Sandy Beach/Sunrise Beach to Onoway)	\$ 0	\$ 11,272,500	\$ 1,252,500	\$ 12,525,000
Phase B (Darwell to Tri-Village)	\$ 4,720,000	\$ 5,900,000	\$ 1,180,000	\$ 11,800,000
				\$ 24,325,000

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MEDIA RELEASE: COUNTY ANNOUNCES GREEN INFRASTRUCTURE FUNDING MILESTONES
 Canada and Alberta invest in infrastructure projects to strengthen the economy and build resilient communities.



Wastewater Infrastructure Background

For years, Lac Ste. Anne County and its municipal neighbours have sought ways to decrease nutrient loading caused by wastewater inefficiencies, and thus improve the water quality of the region's lakes. A study was conducted to determine the feasibility of a wastewater transmission system to service the northwestern portion of Parkland County, the south of Lac Ste. Anne County; the west of Sturgeon County; and various localities within or adjacent to this area. The outcome of this study was the Regional Wastewater Transmission Line Conceptual Design Report. This document outlined a long-term plan for a wastewater transmission system to service the area, but also recommended that critical priority be given to **Phase I** of this system; further divided into two sub-phases: a transmission line from the Summer Village of Sandy Beach to the Town of Onoway lagoon facility, and another line from the Hamlet of Darwell lagoon facility to the Tri-Village Regional Sewer Commission lagoon facility in Alberta Beach.

Both sub-phases of the master wastewater project are slated to begin construction in the Fall of 2021. Future phases hinge on growth, utilization of existing lagoon facilities; and the availability of funding from senior governments. If variables continue at the anticipated pace, the total build-out of the system as provided in the Darwell Lagoon Commission's conceptual design may be completed over the next 10 to 20 years.

Visit infrastructure.gc.ca/plan/icip-pidc-eng and alberta.ca/water-for-life-strategy.aspx for details on the grant programs.

Media Contact: Joe Blakeman, Reeve, Lac Ste. Anne County
 TEL 780.918.1916 | jblakeman@LSAC.ca

55

AR104673

March 23, 2021

Ms. Wendy Wildman
Chief Administrative Officer
Summer Village of South View
PO Box 8
Alberta Beach AB T0E 0A0

RECEIVED
MAR 30 2021

Dear Ms. Wildman:

As you may be aware, the Government of Alberta has indicated the intent to conduct province wide Senate selection as well as referenda votes on issues of concerns to Albertans in conjunction with the October 18, 2021 general municipal election. Alberta Municipal Affairs is responsible for ensuring the conduct of the vote for electors residing in improvement districts, summer villages, special areas, the City of Lloydminster (Alberta side) and Indian Reserves (First Nations) as these communities do not hold municipal elections on October 18, 2021, the date when the senate and referenda votes must take place. As the department does not have sufficient resources to directly conduct these votes, we would like to enter into an agreement with your municipality to conduct the Senate selection and referenda votes in accordance with the *Local Authorities Election Act* in your community.

Should you be willing to conduct the votes on behalf of Municipal Affairs in your jurisdiction, Elections Alberta is responsible for providing ballots to your municipality for both Senate and referenda votes, or if you use a tabulator they will provide the information to be printed on the ballot for your tabulator vendor. Elections Alberta has compiled an information sheet you may wish to review for further information. This information sheet can be accessed at www.elections.ab.ca/wp-content/uploads/Senate-Information-for-Municipalities-October-2020.pdf.

In exchange for your support of this important voting opportunity, a payment will be made to your municipality to assist with any additional costs incurred. Should your municipality host votes for multiple jurisdictions beyond your own, payments will be made for each additional jurisdiction your municipality conducts the vote for. All payments will be in accordance with the provisions of the *Senate Elections Grant Regulation* and *Referendum Payments Regulation*.

.../2

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Please respond to Andrew Wood at Andrew.Wood@gov.ab.ca by April 9, 2021 to confirm your willingness to hold the Senate selection and referenda votes for your municipality.

Thank you for supporting the democratic process by helping to ensure all Albertans can participate in these important decisions.

Thank you,

A handwritten signature in black ink, appearing to read 'C. Maniego'.

Cathy Maniego
Executive Director
Municipal Capacity and Sustainability

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ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
Deputy Government House Leader
M.L.A., Calgary-Hays*

AR104649

MAR 19 2021

His Worship Richard Martin
Mayor
Summer Village of Sunset Point
PO Box 596
Alberta Beach AB T0E 0A0

RECEIVED
MAR 30 2021

Dear Mayor Martin and Council:

Thank you for your grant application under the Municipal Restructuring component of the 2020/21 Alberta Community Partnership program.

I am pleased to inform you that the Summer Village of Sunset Point has been approved for a grant of \$100,000 for completion of a regional governance study, which includes a review of shared services.

While this is less than the grant amount requested, this amount reflects the maximum grant amount the partnership is eligible for under the 2020/21 Municipal Restructuring component. I would be pleased to consider providing an additional \$100,000 to support negotiations if the regional governance study results in the initiation of amalgamation proceedings – under Section 103 of the *Municipal Government Act* – for any of the partnering municipalities.

The conditional grant agreement will be mailed to your Chief Administrative Officer shortly to obtain the appropriate signatures.

I congratulate the partnership on initiating this project, and I wish you every success in your efforts as you explore regional governance and shared service delivery options.

Sincerely,

Ric McIver
Minister

.../2

cc: Mayor Ian Kupchenko and Council, Summer Village of Castle Island
Mayor Marge Hanssen and Council, Summer Village of Nakamun Park
Mayor Bernie Poulin and Council, Summer Village of Silver Sands
✓ Mayor Sandra Benford and Council, Summer Village of South View
Mayor Roger Montpellier and Council, Summer Village of Val Quentin
Mayor Larry St. Amand and Council, Summer Village of West Cove
Mayor Russ Purdy and Council, Summer Village of Yellowstone
Matthew Ferris, Chief Administrative Officer, Summer Village of Sunset Point
Shelley Marsh, Chief Administrative Officer, Summer Village of Castle Island
Dwight Moskalyk, Chief Administrative Officer, Summer Village of Nakamun Park
Wendy Wildman, Chief Administrative Officer, Summer Village of Silver Sands,
Summer Village of South View, Summer Village of West Cove, and
Summer Village of Yellowstone
Dennis Evans, Chief Administrative Officer, Summer Village of Val Quentin

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VENDOR		VENDOR ID		DATE ISSUED	
SUMMER VILLAGE OF SOUTH VIEW				02-Mar-2021	
DEPOSITED AT BANK:		DEPOSIT NO	DATE	AMOUNT	
BRANCH:	ACCOUNT:	2000828602	02-Mar-2021	\$292.00	
				TOTAL	\$292.00

DEPOSIT NO: 2000828602		DEPOSIT DATE: 02-Mar-2021		
VOUCHER	DESCRIPTION/REASON FOR PAYMENT	INVOICE/CREDIT NOTE	AMOUNT	SUB-TOTAL
1901014913	FCSS MARCH PAYMENT	095261319FCS0321	\$292.00	
	Total Payment From CASS For Inquiries Call 825 455 4314			\$292.00
DEPOSIT TOTAL				\$292.00

RECEIVED
MAR 09 2021

JCA6254912 E D

02648

SUMMER VILLAGE OF SOUTH VIEW
PO BOX 8
ALBERTA BEACH, AB
T0E 0A0

60

JCA6254912-0005295-02648-0001-0001-00-

VENDOR		VENDOR ID		DATE ISSUED	
SUMMER VILLAGE OF SOUTH VIEW		2000836699		04-Mar-2021	
DEPOSITED AT BANK:		DEPOSIT NO	DATE	AMOUNT	
BRANCH:	ACCOUNT:	2000836699	04-Mar-2021	\$149.00	
				TOTAL	\$149.00

DEPOSIT NO: 2000836699		DEPOSIT DATE: 04-Mar-2021		
VOUCHER	DESCRIPTION/REASON FOR PAYMENT	INVOICE/CREDIT NOTE	AMOUNT	SUB-TOTAL
1901033635	FINES DISTRIBUTION	210228	\$149.00	
	Total Payment From Fines Dist For Inquiries Call 780 427 4997			\$149.00
RECEIVED MAR 09 2021				
DEPOSIT TOTAL				\$149.00

JCA6263832 E D

02945

SUMMER VILLAGE OF SOUTH VIEW
PO BOX 8
ALBERTA BEACH, AB
T0E 0A0



61

JCA6263832-0005889-02945-0001-0001-00-

VENDOR		VENDOR ID		DATE ISSUED	
SUMMER VILLAGE OF SOUTH VIEW				30-Mar-2021	
DEPOSITED AT BANK		DEPOSIT NO	DATE	AMOUNT	
BRANCH:	ACCOUNT:	2001102058	30-Mar-2021	\$292.00	
				TOTAL	
				\$292.00	

DEPOSIT NO: 2001102058		DEPOSIT DATE: 30-Mar-2021		
VOUCHER	DESCRIPTION/REASON FOR PAYMENT	INVOICE/CREDIT NOTE	AMOUNT	SUB-TOTAL
1901360511	FCSS APRIL PAYMENT	095261319FCS0421	\$292.00	
	Total Payment From C&SS For Inquiries Call 825 468 4314			\$292.00
			DEPOSIT TOTAL	\$292.00

RECEIVED
APR 01-2021

JCA6347205 E D

04109

SUMMER VILLAGE OF SOUTH VIEW
PO BOX 8
ALBERTA BEACH, AB
T0E 0A0

62

JCA6347205-0008217-04109-0001-0001-00-



Lac Ste. Anne
Foundation

March 09, 2021

RECEIVED
MAR 18 2021

ADMINISTRATION
OFFICE
4407 42A Avenue
Box 299
Mayerthorpe, AB
T0E 1N0
Phone: 780-786-3100
Fax: 780-786-4810

Summer Village of South View
Box 8
Alberta Beach AB T0E 0A0

Attention: Wendy Wildman, Chief Administrative Officer

RE: 2021 Municipal Requisition

Dear Wendy;

Please accept this letter as formal communication regarding the approved 2021 Municipal Requisition amounts for your Community.

As per the Lac Ste. Anne Foundation Municipal Requisition Policy;

The municipalities for which the organization provides supportive living accommodation shall be requisitioned annually based on the current year's approved budget. The total requisition shall be shared on the basis of the proportion that a municipality's equalized assessment bears to the total of the equalized assessments of all the municipalities to be requisitioned. Payments shall be made in quarterly installments the 1st banking day of January, April, July and October. Contributing Municipalities with total requisition in the annual amount less than \$20,000 shall pay on the 1st banking day of July. January and April quarterly payments will be equal to the previous year's quarterly payment. By April 1st the current year Equalized Assessment and approved current year's operating/capital deficit will be calculated and a balancing invoice will be issued.

Your total requisition amount is **\$3804.68** based on the 2021 Provincial Equalized Assessment Report and will be invoiced for payment July 1, 2021.

Thank you for your ongoing support of the Lac Ste. Anne Foundation and its seniors.

If you have any questions or concerns, please contact me at 780-786-3167.

Yours truly,


Dena Krysik
Chief Administrative Officer

PLEASANT VIEW
LODGE
4407 42A Avenue
Box 299
Mayerthorpe, AB
T0E 1N0
Phone: 780-786-2393
Fax: 780-786-4810

SPRUCEVIEW
LODGE & HEIGHTS
12 Sunset Boulevard
Whitecourt, AB T7S 1S9
Phone: 780-778-5530
Fax: 780-778-5215

CHATEAU LAC STE.
ANNE
5129-49 Ave
Onoway, AB T0E 1V0
Phone: 780-967-0475
Fax: 780-967-0470

SUPPORTIVE HOUSING
SERVICES
4503-52 Ave
Whitecourt, AB T7S 1M4
Phone: 780-778-3623
Fax: 780-786-4810

63

Town of Mayerthorpe

RECEIVED
MAR 09 2021

Report Title : SOUTHVIEW DAILY EVENTS
Report Range 2/1/2021 12:00 am to 2/28/2021 11:59 pm

Daily Event Log Report

Date: 2021/02/02

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/02/02 1430 **Event End:** 2021/02/02 1600

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: QUIET DAY IN THE VILLAGE, SNOW AND COLD, WATCHED SCHOOL BUS DROP KIDS AT DIFFERENT LOCATIONS, NO TRAFFIC PASSING THE RED LIGHTS. RADAR ON MAIN ROAD BUT ONLY ONE VEHICLE

Total Group Events: 1 **Total Time on Events:** 0 Days 2 Hours 30 Minutes

Total Events By Date: 1

Date: 2021/02/13

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/02/13 1630 **Event End:** 2021/02/13 1800

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROLLED VILLAGE, COULD NOT FIND [REDACTED] TO PERSONALLY SERVE DOCUMENTS FROM [REDACTED], SHE DID EMAIL THES DOCUMENTS 2 DAYS PRIOR. I DID LEAVE THE DOCUMENTS IN AN ENVELOPE UNDER HIS WIPER ON HIS VEHICLE. CHECKED ON THE HOME ALSO.

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Total Group Events: 1 **Total Time on Events:** 0 Days 2 Hours 30 Minutes

Total Events By Date: 1

Date: 2021/02/18

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/02/18 1340

Event End: 2021/02/18 1450

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROLLED VILLAGE CHECKING SECURITY OF HOMES, DROVE PASSENGER CAR AND ENVELOPE I LEFT UNDER DRIVERS WIPER WAS GONE. DROPPED KEY OFF FOR DRIVER IN SANGUDO FOR WALKER AS HE HAD SOME APPTS TODAY AND COULDN'T MEET.

Total Group Events: 1

Total Time on Events: 0 Days 2 Hours 10 Minutes

Total Events By Date: 1

Date: 2021/02/27

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/02/27 1230

Event End: 2021/02/27 1345

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROLLED VILLAGE CHECKING RESIDENCES, CHECKED ON DRIVERS, HAVE NOT SEEN ANYTHING NEW MOVED OUT OF THERE SINCE LAST TIME, DID SOME RADAR ON MAIN ROAD, NO TRAFFIC, BUT LOTS OUT ON THE ICE.

Total Group Events: 1

Total Time on Events: 0 Days 2 Hours 15 Minutes

Total Events By Date: 1

Total Report Events: 4

65

Town of Mayerthorpe

Report Title : SOUTHVIEW DAILY EVENTS
Report Range 3/1/2021 12:00 am to 3/31/2021 11:59 pm

Daily Event Log Report

Date: 2021/03/03

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/03/03 1230

Event End: 2021/03/03 1345

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROLLED VILLAGE ROADWAYS CHECKING ON PROPERTIES, QUIETER AFTERNOON, BUT VERY NICE WEATHER TODAY. RADAR ON MAIN ROAD BUT ONLY ONE VEHICLE THROUGH. EMAIL THROUGH THE WEEK WITH MICHELLE

RECEIVED
APR 13 2021

Total Group Events: 1

Total Time on Events: 0 Days 2 Hours 15 Minutes

Total Events By Date: 1

Date: 2021/03/13

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/03/13 1015

Event End: 2021/03/13 1130

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROLLED SUMMER VILLAGE, LOT'S OF PEOPLE OUT AT THE COTTAGES ALREADY WITH THE GREAT WEATHER, RADAR ON MAIN ROAD

bb

Total Group Events: 1

Total Time on Events: 0 Days 2 Hours 15 Minutes

Total Events By Date: 1

Date: 2021/03/19

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/03/19 1345 Event End: 2021/03/19 1500

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROL SUMMER VILLAGE AND CHECK SECURITY OF HOMES. WAS INFORMED THAT RESIDENCE HAS SOLD. WILL NEED TO TOUCH BASE WITH [REDACTED] TO LET HIM KNOW SO THERE ISN'T ANY ISSUES WITH THE TRANSITION. BEAUTIFUL DAY AGAIN AND LOTS OF PEOPLE OUT AGAIN TODAY.

Total Group Events: 1 Total Time on Events: 0 Days 2 Hours 15 Minutes

Total Events By Date: 1

Date: 2021/03/27

Group: TOWN OF MAYERTHORPE

Officer: DAWN, DWIGHT

Backup Officer:

Group: TOWN OF MAYERTHORPE

Event Start: 2021/03/27 1300 Event End: 2021/03/27 1415

Event: GENERAL PATROL

Location: SOUTHVIEW

Specific Location: SUMMER VILLAGE

Notes: PATROL SUMMER VILLAGE, CHECKING RESIDENCES, DID SPEAK WITH [REDACTED] FOR INFORMING HIM THAT AFTER MARCH 31ST THE RESIDENCE IS SOLD AND HAS NEW OWNERS, HE DID NOT SAY TOO MUCH ABOUT IT, BUT THAT HE WAS STILL FIGHTING IT, BUT I LET HIM KNOW THAT HE COULD BE CHARGED BY THE [REDACTED] IF THERE IS ANY INTERFERENCE BY HIM WITH THE NEW OWNERS.

Total Group Events: 1 Total Time on Events: 0 Days 2 Hours 15 Minutes

Total Events By Date: 1

Total Report Events: 4

BT



Garry Webster
President

March 24, 2021

Mike Haanen
President Elect

Attention: Honourable Mayors/Reeve's,
Members of Council and Chief Administrative Officers

RECEIVED
April 3/21

Peter McDowell
Past President
APWA Delegate

Re: National Public Works Week, May 17-23, 2020 – “Stronger Together”

Patty Podoborzny
CPWA Delegate

The APWA Alberta Chapter is seeking your support to recognize and promote National Public Works Week (NPWW) by acknowledging May 16-22, 2021 as National Public Works Week in your community. This year's theme is "Stronger Together." This year's exciting poster challenges our members and their citizens to think about the role public works plays in creating a great place to live. By working together, the impact citizens and public works professionals can have on their communities is magnified and results in the ability to accomplish goals once thought unattainable.

Mike Stasiuk
Director, Sustainability

Chris Dechkhoff
Director, Allied Members

Public Works helps maintain a community's strength by working together to provide an infrastructure of services in transportation, water, wastewater, and stormwater treatment, public buildings and spaces, parks, and grounds, emergency management and first response, solid waste, and right-of-way management. Public Works provides togetherness needed for collaboration with all the stakeholders in capital projects, infrastructure solutions, and quality of life services.

Greg Zirk
Director, Outreach

Dean Berrecloth
Director, Idea Group
Leader

Joe Guido
Director, Special Events

National Public Works Week is observed each year during the third full week of May and this is the 61st year. The APWA encourages public works agencies and professionals to take the opportunity to celebrate the week by parades, displays of public works equipment, high school essay contests, open houses, programs for civic organizations and media events. The occasion is marked each year with scores of resolutions and proclamations from Mayors and Premiers and raises the public's awareness of public works issues and increases confidence in public works agencies like yours who are dedicated to improving the quality of life for present and future generations.

Brittany Wolbeck
Director, Emerging Leaders

For your convenience, I have attached a sample Council proclamation that you may consider using. You may wish to go to www.publicworks.ca for a digital copy of the proclamation and information about this year's theme and resources on making your Public Works Week a success. Also please consider entering your event for our annual awards as well as the National Public Works Week award from CPWA. www.cpwa.net If you have any further questions or require any additional information, please do not hesitate to contact Jeannette Austin, Executive Director at 403.990.2792. Thank you for making a difference.

Jeannette
Executive Director
APWA - Alberta Chapter
p: 403-990-APWA (2792)
admin@publicworks.ca

68

Please note that declarations should be forwarded to
office@publicworks.ca or by mail to:
APWA Alberta Chapter
PO BOX 44095 Garside Postal Outlet
EDMONTON AB T5V 1N6

Yours truly,



Garry Webster, APWA President



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National Public Works Week

May 16 – 22, 2021

“Stronger Together”

Provincial/Territorial Proclamation (SAMPLE)

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of **[insert Province/Territory]**; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in **[Insert Province/Territory]** to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association be it now,

RESOLVED, I, **[Insert Full Name]**, **[Insert Premier -or- other title]** of **[Insert Province/Territory]**, do hereby designate the week May 16 – 22, 2021 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of **[Insert Province/Territory]** (to be affixed),

DONE at the **[City/Town/Rural Municipality]** of **[Insert City/Town/Rural Municipality]**, **[Insert Province/Territory]** this _____ day of _____ 2021.

[Insert Full Name of Premier]

[SEAL]

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