

**SUMMER VILLAGE OF BIRCH COVE  
AGENDA**

Thursday, November 21<sup>st</sup>, 2024 – 4:00 p.m.  
Wildwillow Administration Office and via zoom  
2317 Township Road 545 Lac Ste. Anne County

1.	<b><u>Call to Order</u></b>		
2.	<b><u>Agenda</u></b>	a)	Thursday, November 21 <sup>st</sup> , 2024 Regular Council Meeting  <i>(that Council approve as is or as amended)</i>
3.	<b><u>Minutes:</u></b> <i>Pages 1-7</i>	a)	Thursday, August 22 <sup>nd</sup> , 2024 Organizational Council Meeting  <i>(approve as presented or with amendments)</i>
	<i>Pages 8-12</i>	b)	Thursday, August 22 <sup>nd</sup> , 2024 Regular Council Meeting  <i>(approve as presented or with amendments)</i>
4.	<b><u>Public Hearings:</u></b>		N/A
5.	<b><u>Delegations/ Appointments:</u></b> <i>4:10 p.m. Tony Sonnleitner, Development Officer</i>	a)	Development Officer, Tony Sonnleitner – Land Use Bylaw Review  <i>(that the discussion regarding the amendments to the Land Use Bylaw to define and regulate Short Term Rentals in the Summer Village of Birch Cove be accepted as presented)</i>
6.	<b><u>Business Arising:</u></b> <i>Pages 13-63</i>	a)	Land Use Bylaw Amendments – the Summer Village of Birch Cove has directed administration to provide an amendment to the Land Use Bylaw to clarify the use of short-term rentals. The Summer Village is intending to impose a principal residence requirement to limit short-term rentals to the host's principal residence, plus one secondary suite or accessory dwelling unit (e.g. laneway home/garden suite) on the property. The proposed provisions of the Land Use Bylaw will apply to all lands within the Summer Village.  <i>(direction as given by Council at meeting time)</i>
	<i>Pages 64-65</i>	b)	Special Tax – Recreation – this item was deferred from the last meeting for further discussion. Council is wishing to implement a special tax for recreational expenses incurred, attached are the applicable sections of the Municipal Government Act. Further discussion to take place at meeting time.

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			<i>(direction as given by Council at meeting time)</i>
7.	<b>Bylaws &amp; Policies</b> <i>Bylaw 164-2024, Chief Administrative Officer Bylaw Pages 66-67</i>	a)	<p>When gathering information for the Municipal Accountability Program review for Birch Cove, it was noted that the Chief Administrative Officer Appointment Bylaw was out of date. We have updated the Bylaw to reflect the change.</p> <p><i>(that Bylaw 164-2024, being a Bylaw to establish the position of Chief Administrative Officer be given first reading)(as presented or amended)</i></p> <p><i>(that Bylaw 164-2024 be given second reading) (as presented or amended)</i></p> <p><i>(that Bylaw 164-2024 be considered for third reading) (as presented or amended)</i></p> <p><i>(that Bylaw 164-2024 be given third and final reading) (as presented or amended)</i></p>
8.	<b>New Business:</b>	a)	<p>2025 Interim Operating Budget, each year (prior to the end of the previous year) Council must pass an Interim Operating Budget until such time as the final operating and capital budget is passed.</p> <p><i>(that an Interim 2025 Operating Budget be passed at ½ the 2024 Approved Operating and Capital Budget and that this Interim 2025 Operating Budget cease to have any force and effect once the 2025 Operating and Capital Budget is approved)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
		b)	<p>Regional Municipalities Meeting – The next Regional Municipalities Meeting has been scheduled for Friday, May 9<sup>th</sup>, 2025 from 9:30 a.m. to 3:00 p.m. at the Alberta Beach Seniors.</p> <p><i>(authorize attendance of Council and Administration to the Regional Municipalities Meeting that has been scheduled for Friday, May 9<sup>th</sup>, 2025 from 9:30 a.m. to 3:00 p.m. at the Alberta Beach Seniors)</i></p> <p>Or</p>

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			<i>(some other direction as given by Council at meeting time)</i>
	Page 68	c)	<p>Rural Highspeed Internet – the Summer Villages of Lac Ste. Anne County East (SVLSACE) regional partners have been working with Connect Mobility to access the Universal Broadband Fund (UBF) to secure funding for local highspeed internet upgrades in “underserved” communities. The service mapping has now been complete and most members of the SVLSACE area are eligible to be included in the latest round of project funding. The project application was due November 9<sup>th</sup>, 2024 with Letters of Support to be submitted on or before November 8<sup>th</sup>, 2024 in order to complete a bid on time. At this time there is no commitment in terms of funding required from the Summer Village. If/when the bid is successful there would be discussion on if the Summer Village cost shares the capital install. If we did cover the project costs ourselves (we would retain business operating rights) or Connect Mobility will cover our portion of capital costs (in exchange for our franchise rights). The Summer Village of Birch Cove was approved at 61 dwellings.</p> <p><i>(that Council ratify the Letter of Support forwarded for Connect Mobility’s 2024 Project Application under the Universal Broadband Fund (Alberta Broadband Fund branch) for the installation and delivery of highspeed internet services to the area, inclusive of the Summer Village of Birch Cove.</i></p> <p>Or</p> <p><i>(other direction as given at meeting time)</i></p>
		d)	<p>Waste Token Phase Out Discussion – Administration has been made aware of plans to end the token system at Lac Ste. Anne County landfill facilities with an expected transition date of January 1<sup>st</sup>, 2025. To date we have not received any formal communication on this and that is resulting in a short timeline for a changeover. Administration is not certain how utilized the token system is in the Summer Village, however would like to have Council thoughts on how they would like to proceed with finding an alternative service, if warranted.</p>

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			<i>(direction as given by Council at meeting time)</i>
	Pages 69-70	e)	<p>Onoway Regional Medical Clinic Request – the Summer Village of Birch Cove (along with participating municipalities) have received a request from Lac Ste. Anne County to support the Onoway Regional Medical Clinic by forwarding a letter to the Minister of Health as well as MLA’s Shane Getson and Martin Long, in support for the continued operation of the Clinic and the need for assistance from the Province. Birch Cove is not a member of the Onoway Regional Medical Clinic, however this closure may in fact affect Birch Cove residents. This letter is a result of doctors leaving Alberta to work in other Provinces for better pay and work conditions. While the clinic has 2 doctors, they are in need of another 1 – 2 doctors to sustain itself. There is not a downside to sending a letter of support.</p> <p><i>(that the Summer Village of Birch Cove ratify the letter sent to the Minister of Health and copied to MLA’s Shane Getson and Martin Long, requesting the Province’s assistance with doctor recruitment and retention to ensure the viability of the Onoway Regional Medical Clinic as noted in Lac Ste. Anne County’s request and template letter)</i></p>
	Pages 71-80	f)	<p>Canada Community Building Fund (CCBF) – Alberta and Canada have agreed to a renewed administrative agreement for the CCBF program. The program had been governed by a 10-year administrative agreement that covered the 2014-15 to 2023-24 period and expired in March 2024. The renewed CCBF administrative agreement, signed in July 2024, covers the 2024-25 to 2033-34 period. Starting in 2024, all eligible local governments receive a base funding amount (\$50,000 for most communities; \$5,000 for summer villages), with the remaining federal funding distributed on a per capita basis. In the past, funding was distributed on a per capita basis with each community guaranteed a minimum of \$50,000 (although summer villages received a base funding amount). This change ensures local governments benefit from any increases to federal CCBF funding over the course of the administrative agreement.</p> <p>Other noted changes to the program include annual reporting requirements on project outcomes in addition to expenditure and project status, a revised payment condition that requires financial</p>

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AGENDA**

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			<p>reporting to be certified prior to the payment of CCBF funding, a federal requirement for local governments to maintain a distinct bank account for CCBG funding, and the introduction of CCBF spending restrictions for local governments with infrastructure management challenges, in alignment with the restrictions under the Local Government Fiscal Framework program.</p> <p>Of note, Birch Coves' 2024 CCBF Allocation is \$8,903.00.</p> <p><i>(that the Canada Community Building Fund (CCBF) Memorandum of Agreement between His Majesty in Right of Alberta as represented by the Minister of Municipal Affairs and the Summer Village of Birch Cove for the period April 1<sup>st</sup>, 2024-25 to March 31<sup>st</sup>, 2033-34 be approved and execution authorized)</i></p>
	Pages 81-91	g)	<p>Capital Region Assessment Services Commission (CRASC) – our assessment review board services agreement with CRASC expires at the end of December, 2024. They have forwarded a new agreement that covers 2025, 2026 and 2027. The new agreement affords several changes to the current agreement, primarily to better clarify the obligations of the Commission and the Members; also, to adjust the fees that CRASC will charge. The Hearing, Panellist and Presiding Officer fees have increased by 10% and a fee for Judicial Review has been added. The Hearing and Assessment Clerk fees been unchanged. The member fees have increased from \$800 to \$900 core fees and per parcel fee has increased from \$0.30 to \$0.35.</p> <p><i>(that the Capital Region Assessment Services Commission Memorandum of Agreement for 2025, 2026 and 2027 to provide Assessment Review Board Services be approved as presented and execution authorized)</i></p> <p><i>(some other direction as given by Council at meeting time)</i></p>
	Page 92	h)	<p>Highway 43 East Waste Commission – November 13<sup>th</sup>, 2024 letter from Commission Manage, Mike Primeau offering high-quality crushed concrete available at \$15.00/tonne. The Commission is requesting whether the Summer Village has use for the product as they plan to being crushing the stockpile.</p>

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			<p><i>(that the Summer Village of Birch Cove acknowledge and thank the offer of crushed concrete from the Highway 43 East Waste Commission and advise that we have no discernable use for the product in 2025)</i></p> <p><i>(other direction as given by Council at meeting time)</i></p>
		i)	<p>Draft 2025 Operating and Capital Budget – provided is our first review of the draft 2025 Operating Budget for the Summer Village of Birch Cove. This draft budget will be reviewed at meeting time.</p> <p><i>(that the 1<sup>st</sup> review of the Draft 2025 Operating and Capital Budget be accepted for information, and that Administration make changes to this Draft 2025 Operating and Capital Budget as directed at meeting time, and that a 2<sup>nd</sup> review of the updated Draft 2025 Operating and Capital Budget take place at the January, 2025 Council meeting)</i></p>
		j)	
		k)	
		l)	
9.	<b><u>Financial</u></b>		<p>Income and Expense Statement – October 31<sup>st</sup>, 2024</p> <p><i>(that the October 31<sup>st</sup>, 2024 Income and Expense Statement be accepted as presented)</i></p>
10.	<b><u>Correspondence</u></b> Page 93-96	a)	<p>Universal Broadband Fund and Alberta Broadband Fund – call for interest – October 6<sup>th</sup>, 2024 email from ASVA Executive Director</p>
	Page 97	b)	<p>Alberta Municipal Affairs – October 2<sup>nd</sup>, 2024 letter from Municipal Affairs Minister Ric McIver on the Carbon Tax Impact</p>
	Page 98	c)	<p>October 8<sup>th</sup>, 2024 email from Lac Ste. Anne County regarding Highway 43 East West Commission Recycling List</p>

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<i>Page 99-100</i>	d)	24DP03-43, 41 Spruce Street – Demolition of an Existing Detached Dwelling & Detached Garage
<i>Pages 101-102</i>	e)	2025 Equalized Assessment Report (based on the 2023 Assessment) - Birch Cove Equalized Assessment Comparison is 2025/2024 Residential \$15,418,082 / \$14,183,959 and 2025 / 2024 Non-Residential \$57,380 / \$54,950. In accordance with legislation, assessment levels must fall within a range of 95 to 105 percent market Value. Birch Cove's assessment level is .970 or 97.0% of the market value.
<i>Page 103-104</i>	f)	Local Government Fiscal Framework (LGFF) – Capital Funding – we have received confirmation of our LGFF funding for the next few years as follows: 2024 - \$66,991, 2025 - \$68,127 and 2026 - \$70,273.
<i>Page 105</i>	g)	Letter from Minister of Municipal Affairs, Ric McIver outlining concerns with regard to the federal carbon tax's impact on municipalities.
<i>Pages 106-107</i>	h)	<p>Alberta Municipalities – October 28<sup>th</sup>, 2024 email from President, Tyler Gandam regarding information on the impact of Provincial decisions on municipal tax payers regarding Grants in Place of Property Taxes (GIPOT). Properties owned by the Government of Alberta are exempt from municipal property taxes, however the Province provides a Grants in Place of Taxes program to fund municipalities for the municipal services provided to Provincial properties. The 2019-2020 Provincial budgets have made significant reductions in GIPOT funding thereby placing an unfair and disproportionate burden on municipal ratepayers by downloading these costs to the ratepayers within the municipalities. As the Summer Village of Birch Cove does not have any government owned properties, this will not affect the Summer Village, although it is good to know what other municipalities may be facing.</p> <p>As well, the email also outlines the decision to remove vote counting machines. Again, this is not an issue for the Summer Village of Birch Cove.</p>
<i>Pages 108</i>	i)	October 29 <sup>th</sup> , 2024 email from Tyler Gandam, President of ABMunis regarding the Alberta Interim Police Advisory Board (AIPAB).

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	Pages 109-110	j)	Government of Alberta – Red Tape Reduction, Nov. 5/24 email from Minister Nally regarding Bill 34 and the updated FOIPP Act in Alberta.
	Pages 111-126	k)	November 6 <sup>th</sup> , 2024 – advice that Policing Costs for Small Municipalities going up 39% but Alberta government will cover the overage for one year (2025).
	Pages 127-128	l)	Municipal Musings, October 2024 Edition – information newsletter on updates, Municipal Training Sessions, Municipal Statistics, On Time Financial Reporting
	Pages 129-130	m)	Lac Ste. Anne County Organizational Chart
	Pages 131-132	n)	Alberta Beach Organizational Chart
	Pages 133-134	o)	Town of Onoway – Organizational Chart
	Pages 135-136	p)	Oct. 22, 2024 Alberta Municipalities – Casual Legal Article – Share Wisely
	Pages 137-138	q)	November 14/24 – Emerging Trends in Municipal Law – Brownlee LLP scheduled for Edmonton February 13 <sup>th</sup> , 2025. More information will be forthcoming.
		r)	<i>(that the correspondence items be accepted for information)</i>
11.	<b><u>Council Reports</u></b>	a) b) c)	Mayor Deputy Mayor Councillor  <i>(that the Council Reports be accepted for information)</i>
12.	<b><u>Chief Administrative Officer Report</u></b>	a) b)	To Do List – August 22 <sup>nd</sup> , 2024 MAP Review Update



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		c) d) e)	Next Meeting – scheduled for January 16 <sup>th</sup> , 2025 4:00 p.m. (including budget review) Assessment Sub Class Bylaw  <i>(that the Chief Administrative Officer Reports be accepted as information)</i>
13.	<b><u>Confidential Matters</u></b>		N/A
14.	<b><u>Adjournment</u></b>		

Next Meetings:      January 16<sup>th</sup>, 2025 Regular Council Meeting  
                               March 20<sup>th</sup>, 2025 Regular Council Meeting  
                               May 15<sup>th</sup>, 2025 Regular Council Meeting  
                               May 9<sup>th</sup>, 2025 Regional Municipalities Meeting 9:30 a.m. Alberta Beach

SUMMER VILLAGE OF BIRCH COVE  
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THURSDAY, AUGUST 22<sup>ND</sup>, 2024 – 4:00 P.M.  
HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

	<p><b>PRESENT:</b></p> <p>Councillors: Dean Preston Dory Sample (via zoom) Steve Tymafichuk (via zoom)</p> <p>Administration: Wendy Wildman, Chief Administrative Officer Diane Wannamaker, Administration</p> <p>Attendees: 0 via zoom, 0 in person</p> <p>Public at Large: 0</p>
1.	<p><b>CALL TO ORDER</b></p> <p>Wendy Wildman called the meeting to order at 4:00 p.m.</p>
2.	<p><b>AGENDA</b> 80-24</p> <p><b>MOVED</b> by Councillor Tymafichuk that the Agenda be approved as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
3.	<p><b>MAYOR NOMINATION &amp; APPOINTMENT</b></p> <p>81-24</p> <p>Wendy Wildman called for nominations for Mayor.</p> <p>Councillor Tymafichuk nominated Councillor Preston.</p> <p>Wendy Wildman called for nominations for Mayor a second time.</p> <p>Wendy Wildman called for nominations for Mayor a third time.</p> <p><b>MOVED</b> by Councillor Sample that nominations for Mayor cease.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p>Councillor Preston was declared Mayor and assumed the Chair.</p>
4.	<p><b>DEPUTY MAYOR NOMINATION &amp; APPOINTMENT</b></p> <p>Mayor Preston called for nominations for Deputy Mayor.</p> <p>Mayor Preston nominated Councillor Sample.</p> <p>Mayor Preston called for nominations for Deputy Mayor a second time.</p> <p>Mayor Preston called for nominations for Deputy Mayor a third time.</p>

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	82-24	<p><b>MOVED</b> by Councillor Tymafichuk that nominations for Deputy Mayor cease.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p>Councillor Sample was declared Deputy Mayor</p>
5.	<p><b>CONFIRMATION OF COUNCIL MEETING DATES &amp; TIME</b> 83-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that regular Council meetings be scheduled for the 3<sup>rd</sup> Thursday of every second month beginning the month of November, 2024 at 4:00 p.m. at the Administration office at 2317 Township Road 545, Lac Ste. Anne County with the next meeting January 16<sup>th</sup>, scheduled for 2025.</p> <p style="text-align: right;"><b>CARRIED</b></p>
6.	<p><b>CONFIRMATION OF BANKING SIGNING AUTHORITY</b> 84-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the signing authority be confirmed as follows:</p> <ul style="list-style-type: none"> <li>• Two signatures are required</li> <li>• One signature to be any member of Council (Dean Preston, Dory Sample, Steven Tymafichuk)</li> <li>• One signature to be any member of Administration (Chief Administrative Officer, Wendy Wildman or Administrative Assistant, Diane Wannamaker)</li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>
7.	<p><b>CONFIRMATION OF BANKING AUTHORITY</b> 85-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the banking authority for the Summer Village of Birch Cove be confirmed as Alberta Treasury Branches.</p> <p style="text-align: right;"><b>CARRIED</b></p>
8.	<p><b>CONFIRMATION OF CAO APPOINTMENT</b> 86-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the Chief Administrative Officer appointment be confirmed as Wendy Wildman of Wildwillow Enterprises Inc.</p> <p style="text-align: right;"><b>CARRIED</b></p>

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9.	<b>CONFIRMATION OF AUDITOR APPOINTMENT</b> 87-24	<p><b>MOVED</b> by Deputy Mayor Sample that the auditor for the Summer Village of Birch Cove be confirmed as Senuik and Company.</p> <p style="text-align: right;"><b>CARRIED</b></p>
10.	<b>CONFIRMATION OF SOLICITOR APPOINTMENT</b> 88-24	<p><b>MOVED</b> by Councillor Tymafichuk that the Solicitor appointment be confirmed as Patriot Law Group.</p> <p style="text-align: right;"><b>CARRIED</b></p>
11.	<b>CONFIRMATION OF SUBDIVISION &amp; DEVELOPMENT APPEAL BOARD &amp; CLERKS</b> 89-24	<p><b>MOVED</b> by Councillor Tymafichuk that Milestone Municipal Services be confirmed as the Subdivision and Development Appeal Board.</p> <p style="text-align: right;"><b>CARRIED</b></p>
12.	<b>CONFIRMATION OF ASSESSMENT REVIEW BOARD</b> 90-24	<p><b>MOVED</b> by Deputy Mayor Sample that the Assessment Review Board be confirmed as Capital Region Assessment Services Commission.</p> <p style="text-align: right;"><b>CARRIED</b></p>
13.	<b>CONFIRMATION OF FOIP COORDINATOR</b> 91-24	<p><b>MOVED</b> by Deputy Mayor Sample that the Freedom of Information and Protection of Privacy Coordinator be confirmed as the Chief Administrative Officer, Wendy Wildman.</p> <p style="text-align: right;"><b>CARRIED</b></p>

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14.	<b>CONFIRMATION OF PLANNING &amp; SUBDIVISION AUTHORITY</b> 92-24	<p><b>MOVED</b> by Councillor Tymafichuk that as per agreement, the Planning &amp; Subdivision Authority be confirmed as Municipal Planning Services - Jane Dauphinee (Bylaw 146-18).</p> <p style="text-align: right;"><b>CARRIED</b></p>
15.	<b>CONFIRMATION OF INTEGRITY COMMISSIONER</b> 93-24	<p><b>MOVED</b> by Deputy Mayor Sample that the Integrity Commissioner appointment be confirmed as Victoria Message.</p> <p style="text-align: right;"><b>CARRIED</b></p>
16.	<b>CONFIRMATION OF DESIGNATED OFFICERS</b>  94-24 Bylaw 161-24, Designated Officer Appointment  95-24  96-24  97-24  98-24	<p><b><u>Assessor Appointment</u></b></p> <p><b>MOVED</b> by Councillor Tymafichuk that Council give first reading to Bylaw 161-2024, Designated Officer Appointment, as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Mayor Preston that Council give second reading to Bylaw 161-2024 as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Deputy Mayor Sample that Council give unanimous consent to consider third reading to Bylaw 161-24 as presented.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> <p><b>MOVED</b> by Councillor Tymafichuk that Council give third and final reading to Bylaw 161-2024 as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Deputy Mayor Sample that the Designated Officers be confirmed as follows:</p> <p><b>Assessor Appointment:</b> Municipal Assessment Services Group, Travis Horne (Bylaw 161-24)</p>

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		<p><b>Development Authority:</b> Tony Sonnleitner, Development Officer (Bylaw 112-13)</p> <p><b>Assessment Review Board Clerk:</b> Geryl Amarin, Capital Region Assessment Services Board (Bylaw 157-2023)</p> <p style="text-align: right;"><b>CARRIED</b></p>
17.	<p><b>CONFIRMATION OF COMMITTEE APPOINTMENTS</b> 99-24</p>	<p><b>MOVED</b> by Mayor Preston that the Committee Appointments be approved as follows:</p> <ul style="list-style-type: none"> <li>a) Highway 43 East Waste Commission (Councillor Tymafichuk - Representative)</li> <li>b) Ste. Anne Emergency Management Agency – Regional Emergency Services Agency (Councillor Tymafichuk Representative &amp; Director of Emergency Management – Renee Jackson)</li> <li>c) Summer Villages of Lac Ste. Anne County East (Councillor Tymafichuk, representative if available, with Mayor Preston and Deputy Mayor Sample as alternates)</li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>
18.	<p><b>MUNICIPAL OFFICE LOCATION</b> 100-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the Municipal Office location be confirmed as Wildwillow Administration Office, 2317 Twp. Rd. 545, Lac Ste. Anne County, Alberta.</p> <p style="text-align: right;"><b>CARRIED</b></p>
19.	<p><b>POLICY 1-08, COUNCIL REIMBURSEMENT POLICY</b> 101-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that Council has reviewed and accepted Policy 1-08, Council Reimbursement Policy as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>

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20.	<b>CODE OF CONDUCT FOR MEMBERS OF COUNCIL</b> 102-24	<b>MOVED</b> by Councillor Tymafichuk that Council review Bylaw 136-18, Code of Conduct for Members of Council, and that changes be made as discussed and a new Bylaw be brought back to Council for consideration.  <b>CARRIED</b>
21.	<b>PUBLIC PARTICIPATION POLICY &amp; PLAN (JULY, 2018)</b> 103-24	<b>MOVED</b> by Councillor Tymafichuk that Council has reviewed and approved the July, 2018 Public Participation Policy & Plan as presented.  <b>CARRIED</b>
22.	<b>COUNCIL'S LEGISLATIVE RESPONSIBILITY</b> 104-24	<b>MOVED</b> by Mayor Preston that pursuant to Section 201(1) of the Municipal Government Act outlining Council's Legislative responsibilities, that the following be acknowledged as previously received:  <ul style="list-style-type: none"> <li>• Roles &amp; Responsibilities of Municipal Officials</li> <li>• Pecuniary Interest for Municipal Councillors</li> <li>• What Every Councillor Needs to Know</li> <li>• A Council Member Handbook</li> <li>• Municipal Government Act</li> <li>• Council Committee Procedural Bylaw</li> <li>• Code of Conduct for Members of Council Bylaw</li> </ul> <b>CARRIED</b>
23.	<b>ADJOURNMENT</b>	The meeting adjourned at 4:17 p.m.

(6)

SUMMER VILLAGE OF BIRCH COVE  
MINUTES OF THE ORGANIZATIONAL MEETING  
THURSDAY, AUGUST 22<sup>ND</sup>, 2024 – 4:00 P.M.  
HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

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Mayor, Dean Preston

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Chief Administrative Officer, Wendy Wildman

UNAPPROVED

7



SUMMER VILLAGE OF BIRCH COVE  
REGULAR COUNCIL MEETING MINUTES

THURSDAY, AUGUST 22<sup>ND</sup>, 2024

HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

	<b>PRESENT:</b>	<p>Mayor: Dean Preston  Deputy Mayor: Dory Sample – via zoom  Councillor: Steve Tymafichuk – via zoom</p> <p>Administration: Wendy Wildman, Chief Administrative Officer  Diane Wannamaker, Administrative Assistant</p> <p>Attendees: 0 via zoom, 0 in person</p> <p>Public at Large: 0</p>
1.	<b>CALL TO ORDER</b>	Mayor Preston called the meeting to order at 4:18 p.m.
2.	<b>AGENDA</b> 105-24	<p><b>MOVED</b> by Councillor Tymafichuk that the August 22<sup>nd</sup>, 2024 Regular Council Meeting agenda be approved with the following:</p> <p><b>Additions:</b>  8.g) Land Use Bylaw - Amendments</p> <p style="text-align: right;"><b>CARRIED</b></p>
3.	<b>MINUTES</b> 106-24	<p><b>MOVED</b> by Councillor Tymafichuk that the minutes of the June 20<sup>th</sup>, 2024 Regular Meeting be approved as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
4.	<b>PUBLIC HEARING(S)</b>	N/A
5.	<b>DELEGATIONS(S)</b>	N/A
6.	<b>BUSINESS ARISING</b> 107-24	<p><b>MOVED</b> by Councillor Tymafichuk that the Special Recreation Tax discussion be tabled to a future meeting for further information and consideration.</p> <p style="text-align: right;"><b>CARRIED</b></p>

SUMMER VILLAGE OF BIRCH COVE  
REGULAR COUNCIL MEETING MINUTES  
THURSDAY, AUGUST 22<sup>ND</sup>, 2024

HELD IN PERSON AT 2317 TWP RD 545. LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

<p><b>7. BYLAWS/POLICIES</b></p> <p>108-24 <i>Bylaw 162-2024, Code of Conduct Bylaw</i></p> <p>109-24</p> <p>110-24</p> <p>111-24</p> <p>112-24 <i>Bylaw 163-2024, Enforcement Officer Bylaw</i></p> <p>113-24</p> <p>114-24</p> <p>115-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that Bylaw 162-2024, being the Code of Conduct Bylaw for the Summer Village of Birch Cove, be given first reading.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Deputy Mayor Sample that Bylaw 162-2024 be given second reading.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Mayor Preston that Bylaw 162-2024 be considered for third reading.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> <p><b>MOVED</b> by Councillor Tymafichuk that Bylaw 162-2024 be given third and final reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Councillor Tymafichuk that Bylaw 163-2024, Bylaw Enforcement Officer Bylaw for the Summer Village of Birch Cove, be given first reading.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Mayor Preston that Bylaw 163-2024 be given second reading.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Deputy Mayor Sample that Bylaw 163-2024 be considered for third reading.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> <p><b>MOVED</b> by Councillor Tymafichuk that Bylaw 163-2024 be given third and final reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
<p><b>8. NEW BUSINESS</b></p> <p>116-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the quote provided by Reline Painting for the line painting required for the tennis/basketball court be ratified as submitted in the amount of \$3,144.00, cost to be funded by available grant funds.</p> <p style="text-align: right;"><b>CARRIED</b></p>

SUMMER VILLAGE OF BIRCH COVE  
REGULAR COUNCIL MEETING MINUTES

THURSDAY, AUGUST 22<sup>ND</sup>, 2024

HELD IN PERSON AT 2317 TWP RD 545, LAC STE, ANNE COUNTY, ALBERTA  
AND VIA ZOOM

117-24		<p><b>MOVED</b> by Councillor Tymafichuk that the Municipal Accountability Program Cycle 2 review for the Summer Village of Birch Cove in 2024/25 be accepted for information and further that administrative costs with regard to time involved for the review be compensated as referenced in the Administration with Wildwillow Enterprises Inc. contract with costs being covered through reserves.</p> <p style="text-align: right;"><b>CARRIED</b></p>
118-24		<p><b>MOVED</b> by Councillor Tymafichuk that the Proposed 2025 Budget submitted by the Ste. Anne Summer Villages Regional Emergency Management Partnership be endorsed as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
119-24		<p><b>MOVED</b> by Councillor Tymafichuk that Council approve Christine Greene for the position of Deputy Director of Emergency Management effective immediately and further that the Summer Village of Birch Cove cover the costs of required training for Ms. Greene as well as additional training required for Director of Emergency Management Renee Jackson as approved by Administration.</p> <p style="text-align: right;"><b>CARRIED</b></p>
120-24		<p><b>MOVED</b> by Mayor Preston that the Alberta Municipal Affairs 2023 Municipal Indicator Performance Measure Results along with the applicable responses be accepted as presented for the Summer Village of Birch Cove.</p> <p style="text-align: right;"><b>CARRIED</b></p>
121-24		<p><b>MOVED</b> by Mayor Preston that the next regular Council meeting for the Summer Village of Birch Cove be scheduled for Thursday, November 21<sup>st</sup>, 2024 at 4:00 p.m.</p> <p style="text-align: right;"><b>CARRIED</b></p>
122-24		<p><b>MOVED</b> by Councillor Tymafichuk that Administration invite Development Officer, Tony Sonnleitner to the November 21<sup>st</sup>, 2024 meeting to initiate amendments to the Land Use Bylaw regarding Short Term Rentals, inclusive of the requirement of annual permits regarding same, with the intent of moving this process forward as soon as possible.</p> <p style="text-align: right;"><b>CARRIED</b></p>
9.	<p><b>FINANCIALS</b> 123-24</p>	<p><b>MOVED</b> by Councillor Tymafichuk that the July 31<sup>st</sup>, 2024 Income and Expense Statement be accepted for information.</p> <p style="text-align: right;"><b>CARRIED</b></p>

SUMMER VILLAGE OF BIRCH COVE  
REGULAR COUNCIL MEETING MINUTES  
THURSDAY, AUGUST 22<sup>ND</sup>, 2024  
HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

10.	<b>CORRESPONDENCE</b> 124-24	<p><b>MOVED</b> by Mayor Preston that the following correspondence be accepted for information:</p> <ul style="list-style-type: none"> <li>➤ Government of Alberta, Municipal Affairs – June 24<sup>th</sup>, 2024 Ministerial Order confirming requisitions payable</li> <li>➤ July 23<sup>rd</sup>, 2024 letter from Minister McIver advising that the Canada Community Building Fund (CCBF) allocation for the Summer Village of Birch Cove for 2024 is \$8,903</li> <li>➤ 24DP02-43, Development Permit, 8 Willow Crescent for construction of an addition (solarium) to an existing detached dwelling</li> <li>➤ Lac Ste. Anne Foundation – Board Meeting Minutes March 26<sup>th</sup>, 2024</li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>
11.	<b>COUNCILLOR REPORTS</b> 125-24  126-24	<p><b>MOVED</b> by Councillor Tymafichuk that Administration reach out to various telecommunication companies regarding the possibility of constructing a tower on Summer Village property to assist with telecommunication reliability issues.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>MOVED</b> by Mayor Preston that the Councillor reports be accepted for information as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
12.	<b>ADMINISTRATION REPORTS</b> 127-24	<p><b>MOVED</b> by Mayor Preston that the Administration report be accepted for information as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
13.	<b>CONFIDENTIAL MATTERS</b>	N/A
15.	<b>ADJOURNMENT</b>	The meeting adjourned at 5:27 p.m.

SUMMER VILLAGE OF BIRCH COVE  
REGULAR COUNCIL MEETING MINUTES  
THURSDAY, AUGUST 22<sup>ND</sup>, 2024

HELD IN PERSON AT 2317 TWP RD 545. LAC STE. ANNE COUNTY, ALBERTA  
AND VIA ZOOM

---

Mayor, Dean Preston

---

Chief Administrative Officer, Wendy Wildman

UNAPPROVED



# Summer Village of Birch Cove

Land Use Bylaw 165-2024

DRAFT

Summer Village of Birch Cove  
Consolidated by the Summer Village of Birch Cove Planning and Development Services

Passed \_\_\_\_\_

Land Use Bylaw No. 165-2024

# Contents

<b>PART 1: GENERAL</b> .....	<b>2</b>
Section 1 Title.....	2
Section 2 Scope .....	2
Section 3 Purpose.....	2
Section 4 Relationship to the Municipal Government Act .....	2
Section 5 Metric and Imperial Measurements.....	2
Section 6 Previous Municipal Bylaws .....	3
Section 7 Effective Date .....	3
Section 8 Establishment of General Conditions.....	3
Section 9 Other Legislative and Bylaw Requirements .....	3
Section 10 Definitions.....	3
<b>PART 2: DEVELOPMENT CONTROL AGENCIES</b> .....	<b>14</b>
Section 11 Establishment of a Development Officer .....	14
Section 12 Subdivision Officer.....	14
Section 13 Subdivision and Development Appeal Board .....	14
<b>PART 3: DEVELOPMENT CONTROL</b> .....	<b>15</b>
Section 14 Development Permit Required.....	15
Section 15 Where a Development Permit is Not Required .....	15
Section 16 Non-Conforming Buildings and Uses.....	16
Section 17 Application for Development Permit.....	16
Section 18 Decisions on Development Permit Applications .....	17
Section 19 Notice of Proposed Development .....	19
Section 20 Notice of Decision.....	20
Section 21 Effective Date of Permit.....	20
Section 22 Validity of Development Permits .....	21
Section 23 Deemed Refusals .....	21
Section 24 Subsequent Applications .....	21
Section 25 Suspension or Cancellation of Development Permits .....	21
Section 26 Developer's Responsibility.....	22
<b>PART 4: SUBDIVISION OF LAND</b> .....	<b>24</b>
Section 27 Control of Subdivision.....	24
Section 28 Subdivision Fees .....	24
<b>PART 5: AMENDMENT AND ENFORCEMENT</b> .....	<b>25</b>
Section 29 Development Appeals and Procedures.....	25
Section 30 Subdivision Appeals and Procedures .....	25
Section 31 Application to Amend Bylaw .....	25
<b>PART 6: CONTRAVENTION, PENALTIES AND FINES</b> .....	<b>28</b>
Section 32 Contravention .....	28
Section 33 Offenses and Penalties.....	28
<b>PART 7: GENERAL REGULATIONS</b> .....	<b>30</b>

Section 34	On-Parcel and Off-Parcel Services and Improvements.....	30
Section 35	Utility Easements.....	30
Section 36	Parcel Grading .....	30
Section 37	Building Appearance and Building Exteriors .....	30
Section 38	Mobile Homes .....	30
Section 39	Corner and Double Fronting Sides .....	30
Section 40	Dwelling Units on a Parcel.....	31
Section 41	Building Attached to Principal Buildings.....	31
Section 42	Relocation of Existing Buildings Within the Boundaries of the Summer Village of Birch Cove.....	31
Section 43	Garages and Accessory Buildings .....	31
Section 44	Accessory Uses.....	33
Section 45	Home Occupations .....	33
Section 46	Short Term Rentals.....	34
Section 47	Development on Lands Containing a High-Water Table .....	35
Section 48	Flood Prone Lands .....	36
Section 49	Environmentally Sensitive Lands .....	36
Section 50	Sewage Disposal.....	37
Section 51	Water Supply.....	37
Section 52	Development of Hazardous Lands.....	38
Section 53	Building Demolition.....	38
Section 54	Off-Street Parking Development Regulations .....	38
Section 55	Number of Off-Street Parking Stalls Required .....	39
Section 56	Fences and Screening.....	40
Section 57	Non Conforming Uses .....	40
Section 58	Prohibited Structures .....	41
Section 59	Temporary Living Accommodation .....	41
Section 60	Landscaping.....	41
Section 61	Signs .....	41
<b>PART 8:</b>	<b>ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS .....</b>	<b>43</b>
Section 62	Land Use Districts .....	43
Section 63	Land Use District Map .....	43
Section 64	R – Residential District .....	43
Section 65	P – Park and Recreation District.....	45
<b>SCHEDULE A – LAND USE BYLAW MAP .....</b>	<b>.....</b>	<b>48</b>



**BYLAW NO. 165-2024**

Being a Bylaw of the Summer Village of Birch Cove, in the Province of Alberta.

**WHEREAS** the *Municipal Government Act, R.S.A. 2000, c M-26* and any amendments thereto, mandates the Council of a municipality to enact a Bylaw to regulate the use and development of land and buildings.

In this Bylaw, the words imparting the singular shall include the plural and words imparting the masculine shall include the feminine or neuter forms or corporations, or vice versa, save where the context otherwise requires.

Therefore the Municipal Council repeals the Summer Village of Birch Cove Land Use Bylaw No. 96-10 and all amendments thereto, on the date of the final passing of this Bylaw, \_\_\_\_\_, enacts as follows (including all Schedules):

DRAFT

## **PART 1: GENERAL**

### **Section 1 Title**

This Bylaw may be referred to as "The Summer Village of Birch Cove Land Use Bylaw."

### **Section 2 Scope**

No subdivision or development shall hereafter be carried out within the boundaries of the Summer Village of Birch Cove except in conformity with the provisions of this Bylaw.

### **Section 3 Purpose**

The purpose of this Bylaw is to, amongst other things:

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate the use(s) for each district;
- (3) to establish the office of Development Officer;
- (4) to establish the Subdivision Officer;
- (5) to establish a method of making decisions on applications for development permits and the issuance of development permits;
- (6) to provide the manner in which notice of the issuance of a development permit is to be given;
- (7) to establish a method for making decisions on applications for subdivision approval in accordance with the Municipal Government Act and its regulations;
- (8) to implement the policies of the statutory plans of the Summer Village of Birch Cove;
- (9) to establish supplementary regulations governing certain specific land uses; and
- (10) to establish the procedures for making amendments to this Bylaw.

### **Section 4 Relationship to the Municipal Government Act**

This Summer Village of Birch Cove Land Use Bylaw has been prepared and adopted in accordance with the provision of the Act, its regulations, and amendments thereto.

### **Section 5 Metric and Imperial Measurements**

The imperial equivalents provided in parentheses after reference to metric units of measurement are approximate and intended for information only.

## Section 6 Previous Municipal Bylaws

No provisions of any other Bylaws with respect to zoning, development control and land use classifications shall hereafter apply to any part of the Summer Village described in this Bylaw, subject to the transitional provisions of this Bylaw.

## Section 7 Effective Date

The effective date of this Bylaw shall be the date of the third reading thereof.

## Section 8 Establishment of General Conditions

General conditions shall be set forth in Part I of "General Conditions" and the same may be amended in the similar manner as any other part or section of this Bylaw.

## Section 9 Other Legislative and Bylaw Requirements

Nothing in this Bylaw affects the duty or obligation of a person to obtain a development permit as required by this Bylaw, or to obtain any other permit, license or other authorization required by any Bylaw, or Act or any regulation pursuant to those Acts.

## Section 10 Definitions

In this Bylaw:

**"ACCESSORY BUILDING"** - means a building which is normally subordinate to, and the use of which is incidental to that of, a principal building and which includes such buildings as a garage, storage shed and guesthouse. This structure can be up to 1 ½ storeys with a maximum height of 22'. This height can exceed the height of the principal residence. If a garage is 1 ½ storeys in height it can include sleeping accommodation only over the garage;

**"ACCESSORY BUILDING, LAKESHORE"** - means an accessory building or structure located immediately adjacent to a lakeshore or lake tributary or within the actual waterbody proper, and includes but is not limited to a boathouse;

**"ACCESSORY DWELLING UNIT"** - means an accessory dwelling unit (often referred to as an ADU) which is a self-contained living unit with its' own kitchen, sleeping area and washroom facilities, and which is located on the same property as a dwelling unit. An accessory dwelling unit is sometimes referred to as a garden suite, laneway home, carriage house or garage suite;

**"ACCESSORY USE"** - means a use of a building or land which is normally incidental to and subordinate to the principal use of the parcel on which it is located;

**“ACT”** - means the *Municipal Government Act*, as amended, and the regulations pursuant thereto;

**“ADJACENT LAND”** - means land that is contiguous to the parcel of land in question and includes;

- (a) land that would be contiguous if not for a highway, road, river or stream, and
- (b) any other land identified in the Land Use Bylaw as adjacent land for the purpose of notification.

**“AREA STRUCTURE PLAN”** - means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*;

**“APPEAL BOARD”** - means a Subdivision and Development Appeal Board appointed pursuant to the Act;

**“BED AND BREAKFAST”** - means the use of part of a residential dwelling for overnight commercial accommodation where breakfast is usually served as part of the accommodating service. A bed and breakfast is a home occupation for the purpose of this Bylaw;

**“BOATHOUSE”** - means an accessory building designed and used primarily for the storage of boats and which is designed in such a way as to permit the direct removal of boats from the water to the structure;

**“BUFFER”** - means a row of trees, shrubs, berming, or fencing to provide visual screening and separation between sites and incompatible land uses;

**“BUILDING”** - means anything constructed or placed on, in, over, or under land, but does not include a highway or public roadway or related developments;

**“BUILDING HEIGHT”** - means the vertical distance between grade and the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building;

**“CANOPY”** - means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

**“CARPORT”** - means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed;

**“CHATTEL”** - means a moveable item of personal property;

**“CORNER”** - means the intersection of any two property lines of a parcel;

**“COUNCIL”** - means the Council of the Summer Village of Birch Cove;

**“DECK”** - means a hard surfaced (usually wooden) area usually adjoining a dwelling unit; more than 0.6 m (1.97 ft) high above grade, for outdoor living;

**“DESIGNATED OFFICER”** - means a person authorized to exercise development authority powers on behalf of the municipality pursuant to the provision of the *Municipal Government Act* and this Bylaw;

**“DEVELOPABLE AREA”** - means an area of land suitable for a building parcel and containing adequate surface elevation to preclude marshland, wetland, or groundwater inundation or high groundwater table conditions;

**“DEVELOPER”** - means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

**“DEVELOPMENT”** - means development as defined in the Act, and includes the following:

- (a) The carrying out of any construction or excavation, or other operations, in, on, over or under land, or the making of any change in the use or the intensity of use of any land, buildings or premises, and without restricting the generality of the foregoing, includes the removal of topsoil. For the purposes of this Bylaw, development also means the demolition of a building,
- (b) In a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel, and any alteration or additions which provide for an increase in the number of dwelling units within the building or on the parcel,
- (c) The placing of refuse or waste material on any land,
- (d) The resumption of the use to which land or buildings have been previously put,
- (e) The use of the land for the storage or repair of motor vehicles or other machinery or equipment,
- (f) The continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw is enacted,
- (g) The installation of any type of sewage disposal system including but not limited to holding tanks, and
- (h) The digging of a well or installation of a water cistern;

**“DEVELOPMENT AUTHORITY”** - means the Development Officer as designated by bylaw;

**“DEVELOPMENT OFFICER”** - means the person(s) appointed as Development Officer in accordance with the Development Authority Bylaw;

**“DEVELOPMENT PERMIT”** - means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications or other documents. This permit is separate and distinct from a building permit;

**“DISCONTINUED”** - means the time at which, in the opinion of the Development Officer, substantial construction activity or nonconforming use, or conforming use has ceased;

**“DISCRETIONARY USE”** - means a use of land or buildings provided for in the District Regulations of the Bylaw, for which a development permit may or may not be issued with or without conditions;

**“DOUBLE FRONTING PARCEL”** - means a parcel bounded by two or more streets on opposite ends; is not a corner parcel;

**“DWELLING”** – means any building used principally for human habitation and which is supported on a permanent foundation extending below ground level, and includes single family dwellings, but does not include mobile homes or temporary mobile living accommodations such as holiday trailers;

**“DWELLING UNIT”** – means a self-contained structure with sleeping, washroom and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a single household;

**“EASEMENT”** - means a right to use land, generally for access to other property or as a right-of-way for a public utility;

**“EXCAVATION”** - means any breaking of ground, except common household gardening and ground care;

**“FENCE”** - means a vertical physical barrier constructed to prevent visual intrusion or unauthorized access or sound abatement;

**“FLOOR AREA”** - means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centre-line of fire walls encompassing all levels of the structure;

**“FLOODPLAIN”** – means the highest elevation of the level of floodwaters occurring in the 1:100 flood event, as established from time-to-time by Alberta Environment;

**“FOUNDATION”** - means the lower portion of a building, usually concrete or masonry, and includes the footings and pilings which transfer the weight of and loads on a building to the ground;

**“FRACTIONAL OWNERSHIP”** – means a situation where a host owns a part or fraction of a property, typically with the right to use it for an equal fraction of the year. The owner is restricted from using the property as their principal residence because of rules outlined in the fractional ownership agreement;

**“FRONTAGE”** - means the lineal distance measured along the front parcel line;

**“GARAGE”** - means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles. Sleeping accommodation only is permitted over a garage with a maximum height of 1 ½ stories (22’).

**“GRADE”** - means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;

**“GUEST HOUSE”** - means an accessory building used for seasonal or part-time sleeping accommodation with bathroom facilities and not containing such facilities as a kitchen, living room or recreation room. A guest house does not mean a recreational vehicle, or a converted mobile home. A guest house shall not be used as a rental accommodation;

**“HIGH GROUNDWATER TABLE”** - means a water table level measuring less than 1.5 m (5.0 ft) from the ground surface, or as otherwise determined by the Development Officer;

**“HOME EXCHANGE”** – means an arrangement where a person offers a right to use the person’s property for accommodation in Birch Cove in exchange for the right to use another person’s property. It is also referred to as house swapping;

**“HOME OCCUPATION”** – means the accessory use of a dwelling by a resident of that dwelling for a business which is conducted within the dwelling, does not employ persons who are not resident within the dwelling, and is undetectable from outside the dwelling;

**“LAKEFRONT DWELLINGS”** - means those dwellings whose properties extend to the lakeshore but also includes those dwellings whose parcels are only separated from the lakeshore by an environmental reserve;

**“LANDSCAPING”** - means to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, or other structures and materials as used in modern landscape architecture but does not include changes in grade, stockpiling and excavation;

**"LANE"** - means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m (33.0 ft) and is not less than 6.0 m (20.0 ft) wide, and which provides a secondary means of access to a parcel or parcels;

**"LOT"** - means a parcel of land, the boundaries of which are separately described in a certificate of title, which may or may not be shown on a registered plan of subdivision;

**"MINOR"** - means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Officer, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area;

**"MOBILE HOME"** - means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in one or two parts with each part being moved from one point to another and put together on parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A mobile home is not a Single Detached Dwelling;

**"MODULAR HOME"** - means a dwelling which is prefabricated or factory built, and which is assembled on the parcel in sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. A modular home is a Single Detached Dwelling;

**"MUNICIPAL DEVELOPMENT PLAN"** - means the Summer Village of Birch Cove Municipal Development Plan;

**"MUNICIPALITY"** - means the Summer Village of Birch Cove;

**"NON-CONFORMING BUILDING OR USE"** - means a building or use which is regarded as non-conforming in accordance with the provisions of the Act;

**"OCCUPANCY"** - means the use or intended use of a building or part thereof for the shelter or support of persons or property;

**"OUTDOOR RECREATIONAL ACTIVITY"** – means activities, as defined in *Section 8(2) of the Prescribed Classes of Property Regulation*, [https://www.bclaws.gov.bc.ca/civix/document/id/crbc/crbc/438\\_81](https://www.bclaws.gov.bc.ca/civix/document/id/crbc/crbc/438_81), are certain activities that are typically connected to lodges. These activities are either organized by or through the operator of the overnight commercial accommodation, or are carried out with a guide:

- Hunting
- Fishing
- Kayaking
- Canoeing



- White-water rafting
- Horseback riding
- Mountain biking
- Wildlife viewing
- Hiking
- Mountain climbing
- Backcountry skiing;

**"PARCEL"** - means the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office;

**"PARCEL AREA"** - means the total area of a parcel;

**"PARCEL BOUNDARIES"** - means the property boundaries which bound the parcel as determined by the Development Officer;

**"PARCEL, CORNER"** - means a parcel at the intersection of two abutting streets;

**"PARCEL COVERAGE"** - means, in the case of a residential building or structure, the combined area of all buildings on the parcel, measured at the level of the lowest storey above grade, and in the case of a non-residential building or structure, the combined area of all buildings or structures upon the lot, measured at the level of the lowest storey above grade, including in both cases, square footage of all levels, all porches and verandas, open or covered but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within a building except inner and outer courts;

**"PARCEL DEPTH"** - means the average horizontal distance between the front and rear parcel boundaries;

**"PARCEL, INTERIOR"** - means a parcel which is bounded by only one street;

**"PARCEL, LAKEFRONT"** - means a parcel adjacent to a lakeshore excluding any existing park or reserve land, public roadways or public utility lots;

**"PARCEL WIDTH"** - means the distance between the side property lines of a parcel at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road;

**"PARK OR PLAYGROUND"** - means an area of land that is used for recreation purposes and may include such facilities as playground equipment;

**"PARKING FACILITY"** - means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility;

**"PARKING STALL"** - means a hard surfaced space set aside for the parking of one vehicle;

**"PERMITTED USE"** - means the use of land or building provided for in the District Regulations of this Bylaw for which a development permit shall be issued with or without conditions upon application having been made which conforms to the Land Use Bylaw;

**"PLATFORM SERVICE"** – means the facilitation of promotion and transactions for reservations and payments related to short-term rental accommodation services within the Summer Village of Birch Cove, provided by an online platform;

**"PRINCIPAL BUILDING OR USE"** - means the primary building or use for which the site is ordinarily used. Garages, lofts, boathouses and similar building or uses on lots which have a developed and usable residence shall not be regarded as a primary building or use in residential land use districts. There can only be one principal building or use on a single lot;

**"PRINCIPAL RESIDENCE"** – means the residence an individual lives in for a longer period during a calendar year than any other place;

**"PUBLIC PARK"** - means an active or passive public recreation area together with any accessory buildings or uses complimentary to the said recreational purpose;

**"PUBLIC ROAD"** - means land used or surveyed for use as a public highway, bridge, internal subdivision roads, lanes, and any structure;

**"PUBLIC USE"** - means a building or use of land by any government agency, not for profit organization, or utility for the express purpose of providing public services to the community. Examples include: administration buildings, parks, playgrounds, walk trail systems, museums, and sewage lift stations;

**"PUBLIC UTILITY BUILDING"** means a building to house a public utility, its office or equipment;

**"PUBLIC WORKS BUILDING"** - means any building, structure, facility, yard or complex used by the municipality to facilitate the performance of, or storage with respect to, the maintenance and care of public infrastructure;

**"RECREATIONAL VEHICLE"** - means a portable structure intended as temporary accommodation for travel, vacation, or recreational use. Such structures may include but not be limited to a motor home, fold-down camping trailer, truck camper, holiday trailer or fifth wheel travel trailer. Conventional or converted mobile homes are not recreational vehicles, as defined under this bylaw;

**"SECONDARY SUITE"** – means a self contained living unit with its' own kitchen, sleeping area and washroom facilities, and which is contained within a larger dwelling unit;

**"SETBACK"** - means the distance that a development, or a specified portion of it, must be set back from a property line;

**"SEWAGE COLLECTION SYSTEM"** - consists of a CSA approved sealed impermeable holding tank;

**"SHORELINE"** - means the land covered by water for such a period of time that it no longer features the natural vegetation or marks a distinct boundary from the water environment and the soil of the waterbody and the vegetation of the surrounding land;

**"SHORT FORM"** - means an abbreviation;

**"SHORT-TERM RENTAL"** – means accommodations provided to members of the public in a host's property, in exchange for money, for a period of less than 90 consecutive days. They are generally tourist accommodations that are often found in residential or resort areas. They may be advertised via online platforms such as Airbnb, VRBO, Expedia and FlipKey, and may also be advertised on other web forums including Facebook Marketplace, or found in classified ads in newspapers.

Short-term rentals do not exclude accommodation that was intended to be provided for 90 days or longer, but which unexpectedly ends before 90 days have passed;

**"SIGN"** - means anything that serves to indicate the presence or the existence of something, including, but not limited to a lettered board, a structure, or a trademark displayed, erected, or other wise developed and used or serving or intended to serve to identify, to advertise, or to give direction;

**"SINGLE DETACHED DWELLING"** - means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit with associated facilities and intended as a residence not separated from direct access to the outside by another structure. A mobile home or recreational vehicle is not a single detached dwelling as defined under this Bylaw;

**"STOREY"** - means a floor of a building, excepting the basement;

**"STOREY, HALF"** - means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor;

**"STRATA GUEST SUITES"** – means places intended mainly for people visiting residents in strata lots. These accommodations can be found in either common areas or in strata lots owned by the strata corporation;

**"STRATA-TITLED HOTEL OR MOTEL"** – means a property in which accommodation is provided in a manner like that of a hotel or motel. Different owners own different strata lots. There is considerable variety in how strata-titled hotels and motels are set up, established and marketed;

See more information on the following website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/short-term-rentals/information/strata>

**"STREET"** - means a right-of-way no less than 10.0 m (32.8 ft) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic, but does not include a lane or as defined as a street in the Highway Traffic Act;

**"STRUCTURE"** - means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings;

**"STUDENT ACCOMMODATION"** – means a property ordinarily used for more than 6 months in the calendar year for the living accommodation of students or employees of an education institution and that is owned or operated by the education institution or by a non-profit organization;

**"SUBDIVISION AUTHORITY"** - means a Subdivision Authority established Pursuant to Section 623 of the Municipal Government Act. Council shall exercise Subdivision Authority powers on behalf of the Municipality;

**"SUBDIVISION AND DEVELOPMENT APPEAL BOARD"** - means the Subdivision and Development Appeal Board appointed pursuant to the provisions of the Municipal Government Act;

**"SUBDIVISION OFFICER"** - means a person authorized to accept, process and endorse subdivisions on behalf of the subdivision authority pursuant to the provisions of the Municipal Government Act;

**"TEMPORARY DEVELOPMENT"** - means a development for which a development permit has been issued for a limited time only;

**"TEMPORARY USE OR BUILDING"** - means a use or building developed on a parcel which is not permanent in nature and can conveniently and economically be removed so as to not prejudice the future subdivision or development of that parcel;

**"TEMPORARY LIVING ACCOMMODATION"** - means any recreational vehicle, holiday trailer, camper or tent situated on a residential lot;

**"TIME SHARE PROPERTY"** – means a certain property in which a person has a time share contract within the meaning of the *Business Practices and Consumer Protection Act*, or has a time share interest within the meaning of the *Real Estate Development Marketing Act*;

**"USE"** - means a use of land or a building as determined by the Development Officer;

**"UTILITY"** - means the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas or oil distribution system;

**"UTILITY BUILDING"** - means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility;

**"YARD"** - means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded parcel, unless otherwise permitted in this Bylaw;

**"YARD, FRONT"** - means that portion of the parcel extending across the full width of the parcel from the front property boundary line of the parcel to the front wall of the main building. In the case of lake front lots, the front yard is the area between the lake shore property line (or, if the front property line is not a fixed point, the standard mean high water mark as defined by Alberta Environmental Protection) and the wall of the main building facing the lake;

**"YARD, LAKEFRONT"** - means the yard extending across the full width of a lakefront parcel and situated between the parcel line closest to the lake and the nearest portion of the exterior wall of the principal building;

**"YARD, REAR"** - means that portion of the parcel extending across the full width of the parcel from the rear property boundary of the parcel to the exterior wall of the building; and

**"YARD, SIDE"** - means that portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel and the nearest portion of the exterior wall of the principal building.

All other words and expressions have the meanings respectively assigned to them in the Act.

## **PART 2: DEVELOPMENT CONTROL AGENCIES**

### **Section 11 Establishment of a Development Officer**

- (1) The office of the Designated Officer is hereby established and such office shall be filled by a person or persons to be appointed by Resolution of Council.
- (2) For the purposes of the Act, the Development Officer is hereby declared to be a Designated Officer of Council.
- (3) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things:
  - (a) keeping and maintaining for the inspection of the public during all regular hours, a copy of this Land Use Bylaw and all amendments thereto, and
  - (b) keeping a register of all applications for development including the decisions thereon and the reasons therefore.
- 4) For the purposes of this Bylaw, the Development Officer shall constitute the Development Authority of the Summer Village of Birch Cove.

### **Section 12 Subdivision Officer**

- (1) The office of the Subdivision Officer is hereby established and such office shall be filled by a person or persons appointed by Resolution of Council.
- (2) The Subdivision Officer or designate(s) shall perform such duties that are specified in Part 4 of this Bylaw.
- (3) The Subdivision Officer or designate(s) shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this bylaw and all amendments thereto; keep a register of all applications for subdivision, including the decisions thereon and the reason therefore.
- (4) For the purposes of the Municipal Government Act, the Subdivision Officer or his designate(s) is/are hereby declared to be a Designated Officer of Council.
- (5) For the purposes of this Bylaw, the Subdivision Officer shall constitute the Subdivision Authority of the Summer Village of Birch Cove.

### **Section 13 Subdivision and Development Appeal Board**

- (1) The Subdivision and Development Appeal Board is established through separate bylaw.
- (2) The Subdivision and Development Appeal Board shall perform such duties as specified in the Act.

### **PART 3: DEVELOPMENT CONTROL**

#### **Section 14 Development Permit Required**

No development other than that designated in Section 15 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

#### **Section 15 Where a Development Permit is Not Required**

The following developments shall not require a development permit provided the proposed development conforms to all other provisions of this Bylaw:

- (a) The maintenance or repair of any conforming building if the work does not include structural alterations;
- (b) The erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection of a building for which a development permit has been granted, provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Officer;
- (c) The completion, alteration, maintenance or repair of a street, lane or utility, undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;
- (d) Hard-surfacing of any yard area on a parcel for the purpose of providing vehicular access from a public roadway to an on-site parking stall, provided that such hard-surfacing does not drain onto adjacent properties;
- (e) The erection of freestanding towers, electronic equipment, flag poles and other poles not exceeding 6.1 m (20.0 ft), provided that the structure is not located in a front yard or on a building or structure;
- (f) Landscaping where it will not adversely affect the subject or adjacent properties but does not include changes in grade, stockpiling or excavation;
- (g) The erection of campaign signs for federal, provincial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
  - (i) such signs are removed within fourteen (14) days of the election date, and
  - (ii) the consent of the property owner or occupant is obtained, and
  - (iii) such signs do not obstruct or impair vision or traffic, and
  - (iv) such signs indicate the name and address of the sponsor and the person responsible for removal;
- (h) The erection or construction of gates, fences, walls or other means of enclosure, subject to Section 57 of this Bylaw, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure;

- (i) One sign on internal parcels or two signs on corner parcels advertising a residential property for sale or rent may be displayed on the property to which it pertains during the time the property is being offered for sale, and shall be removed after the sale or rental agreement has been entered into. Such signs shall be a maximum of 0.6 m<sup>2</sup> (6.4 ft<sup>2</sup>) and shall be placed or erected no closer than 3.0 m (10.0 ft) to a public right-of-way; or
- (j) The erection or construction of 9 m<sup>2</sup> (100 ft<sup>2</sup>) maximum floor area storage or garden sheds provided they meet the setback requirements for an accessory building and site coverage regulations as defined under this Bylaw.

### Section 16 Non-Conforming Buildings and Uses

Non-conforming buildings and uses must comply with the provisions of the Act, Section 643.

### Section 17 Application for Development Permit

- (1) An application for a development permit shall be made to the Development Officer in writing on the application form provided in the parts forming this Bylaw, and shall:
  - (a) be accompanied by a fee set by Council;
  - (b) be signed by the registered owner or their agent where a person other than the owner is authorized by the owner to make application; The correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration;
  - (c) state the proposed used or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer; and
  - (d) at the discretion of the Development Officer include parcel plans in duplicate at a scale satisfactory to the Development Officer, showing any or all of the following:
    - (i) Front, side and rear yards;
    - (ii) Outlines of the roof overhangs on all buildings;
    - (iii) North point;
    - (iv) Legal description of the property;
    - (v) Location of existing and proposed municipal and private local improvements, principal building and other structures including accessory building, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
    - (vi) The provision of off-street loading and vehicle parking,
    - (vii) Access and egress points to and from the parcel,
    - (viii) Location of water and sewage collection systems on adjacent properties.
    - (ix) The grades of the adjacent streets and lanes;
    - (x) the location of existing and proposed municipal and private local improvements as well as an estimation of the installation thereof,



- (xi) The exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
  - (xii) The lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
  - (xiii) a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel,
  - (xiv) storm drainage plan,
  - (xv) On a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal; and
  - (xvi) estimated cost of the project, excluding land prices, and
  - (xvii) Any other information or tests respecting the parcel or adjacent lands which is pertinent to an assessment of the conformity of the proposal to this Bylaw and any other Bylaws or resolutions of Council dealing with development.
- (2) The Development Officer may require the applicant to provide written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.
- (3) When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Officer may return the application to the applicant for further details. The application so returned shall not be considered to be in its final form until all required details have been submitted to the satisfaction of the Development Officer.

## Section 18 Decisions on Development Permit Applications

- (1) Permitted / Discretionary Applications
- (a) The Development Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw. The Development Officer may approve an application for a discretionary use and may refer the application with the Development Officer's recommendations to Council for decision. All applications for the placement of Modular Homes shall be referred, by the Development Officer, to Council for decision.
  - (b) The Development Officer or Council may require, as a condition of issuing a development permit, that:
    - (i) a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the Summer Village may utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application;
    - (ii) prior to making a decision, refer any application to any municipal department

or external agency for comment;

- (iii) require, as a condition of issuing a development permit, that the applicant enter into an agreement with the Summer Village of Birch Cove to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-site levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Summer Village of Birch Cove may be protected by caveat registered in favour of the Summer Village;
  - (iv) require financial guarantees, in a form and an amount acceptable to the Village, from the applicant to secure performance of any of the conditions of a development permit;
  - (v) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and street access, or any of them, including payment of the costs of installing or constructing any such utility by the developer; and/or
  - (vi) issue a temporary development permit where, in the opinion of the Development Officer, the proposed use is of a temporary nature.
- (c) Where development permit applications are referred to Council, Council shall be subject to the same variance provisions that apply and are available to the Development Officer as prescribed in Section 18 (2), (3) and (4).

(2) Variance Provisions

The Development Officer may, in deciding upon an application for a permitted or discretionary use, allow a minor variance to a maximum of 30% of the stated setback or other provision provided such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of land.

(3) Limitations on Variance Provisions

In approving an application for a development permit under Section 18 (2), the Development Officer or Council shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- (a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district.
- (b) Except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing density.
- (c) Where the issuance of a development permit for any use involves the exercise of any specified discretion of the Development Officer to relax a regulation of a land use district or any other regulation of this Bylaw, they shall not permit any variance from that regulation other than that contained in Section 18 (2).

(4) Additional Provisions:

The Development Officer may impose such conditions on the approval of an application that are considered necessary by the Development Officer, or Council to:

- (a) uphold the intent and objectives of any area structure plan or other statutory plan or land use regulation as adopted or amended from time to time; and
- (b) ensure the orderly and economic development of land within the Summer Village of Birch Cove.

**Section 19 Notice of Proposed Development**

(1) Prior to an application being considered for a discretionary use, the Development Officer may require one or more of the following:

- (a) cause a notice to be posted in a conspicuous place on the parcel upon which the proposed development is situated not less than seven (7) days prior to the date of consideration of such an application;
- (b) cause a similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the applicant; and/or
- (c) cause a similar notice to be sent by mail to all assessed property owners within 30.0 m of the parcel, and to those assessed property owners who, in the opinion of the Development Officer, may be affected, not less than seven (7) days prior to the date of consideration of the application.

(2) The notices issued pursuant to Section 19 (1) shall state:

- (a) the proposed use of the building or parcel;
- (b) that an application respecting the proposed use will be considered by the Development Officer;
- (c) that any person who objects to the proposed use of the parcel may deliver to the Development Officer a written statement of their objections indicating:
  - i) their full name and address for service of any notice to be given to them in respect of the objection, and
  - ii) the reasons for their objections to the proposed use;
- (d) the date by which objections must be received by the Development Officer; and
- (e) the date, time and place the application will be considered by the Development Officer.

(3) When considering applications under Section 19 (1) for which notices have been served, the Development Officer may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

## Section 20 Notice of Decision

- (1) All decisions on applications for a development permit shall be given in writing to the applicant.
- (2) If an application is refused or conditionally approved by the Development Officer or Council, the notice of decision shall contain the reasons for the refusal or the conditions imposed as part of the approval.
- (3) When a decision on a development permit for a permitted use is made, the Development Officer shall require the developer to immediately post a notice, for no less than fourteen (14) days, conspicuously on the parcel on which the proposed development has been permitted.
- (4) When a decision on a development permit for a discretionary use is made, the Development Officer may undertake or be directed to undertake by the Summer Village Council, as the case may be, any or all of the following:
  - (a) publish a notice in a newspaper circulating in the municipal area; and/or
  - (b) immediately mail a notice to all assessed property owners within 30.0 m of the parcel with respect to which the application has been made and to those assessed property owners who, in the opinion of the Development Officer, may be affected; and/or
  - (c) post a notice conspicuously on the parcel with respect to which the application has been made, for a period of no less than twenty one (21) days after the day the permit was issued.
- (5) The notices issued pursuant to Sections 20 (3), or (4) shall indicate:
  - (a) the date a decision on the development permit application was made;
  - (b) the location and use of the parcel in respect of which the application has been made and the decision of either the Development Officer, and
  - (c) that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the Subdivision and Development Appeal Board before the effective date of the development permit as determined pursuant to Section 21 of this Bylaw.

## Section 21 Effective Date of Permit

The decision on a development permit application shall come into effect,

- (1) if it is made by the Development Officer or Summer Village Council, on the fourteenth (14) day after the date of the issue of the Notice of Decision, or
- (2) If an appeal is made, on the date that the appeal is finally determined.

## Section 22 Validity of Development Permits

- (1) A development permit is valid unless:
  - (a) it is suspended or cancelled; or
  - (b) the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit, or not carried out with reasonable diligence; or
  - (c) the development that is the subject of the development permit is not commenced within a time period specified in the permit or not carried out with reasonable diligence, if the Development Officer, or Council has specified that the development permit is to remain in effect for less than twelve months.
- (2) If the development has not commenced prior to the expiry date of the Permit, the Development Officer may grant one extension, to a maximum of twelve months, to the approval of the Development Permit where requested by the applicant.
- (3) Temporary Development Permits shall have the expiry date of the permit clearly indicated on the notice of decision.

## Section 23 Deemed Refusals

In accordance with Section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer, as the case may be, is not made within forty (40) days of the completed application being received by the Development Officer unless an agreement to extend the 40-day period herein described is established between the applicant(s) and the Development Officer.

## Section 24 Subsequent Applications

If an application for a development permit is refused by the Development Officer or on an appeal from the Subdivision and Development Appeal Board, another application for development by the same applicant or any other applicant,

- (a) on the same parcel; and
- (b) for the same or similar use,

may not be made for at least six (6) months after the date of the refusal, subject to consideration by the Council.

## Section 25 Suspension or Cancellation of Development Permits

- (1) If, after a development permit has been issued, the Development Officer becomes aware that:
  - (a) the application for the development contains a misrepresentation; or

- (b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
  - (c) the development permit was issued in error, the Development Officer, as the case may be, may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of it.
- (2) If a person fails to comply with a notice under Section 645 of the Act, the Development Officer may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.
  - (3) A person whose development permit is suspended or cancelled under this Section may appeal to the Subdivision and Development Appeal Board.

### Section 26 **Developer's Responsibility**

- (1) A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (2) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- (3) The applicant shall prevent excess soil or debris from being spilled on public road allowances streets, lanes sidewalks, lakes, and run-off lanes and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (4) Sections 26 (2) and (3) may be enforced pursuant to PART 6 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Sections 18.
- (5) The Development Officer may require a Real Property Report prepared by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of a development permit application.
- (6) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Officer, has been undertaken.
- (7) Further to Section 26, a person in receipt of an occupancy permit issued pursuant to the Alberta Safety Codes is not in receipt of permission to occupy under this Bylaw.
- (8) A person in receipt of a development permit issued pursuant to this Bylaw must obtain where applicable a building permit issued pursuant to the Alberta Safety Codes, some of the regulations/provisions of which may not be consistent with the regulations/provisions of this Bylaw.
- (9) The Development Officer may require, with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipality to do all or any of the following:

- (a) To construct or pay for the construction of:
    - (i) a public roadway required to give access to the development, or
    - (ii) a pedestrian walkway system to serve the development; or
    - (iii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development or both; or
  - (b) To install or pay for the installation of utilities that are necessary to serve the development; or
  - (c) To construct or pay for the construction of:
    - (i) off-street or other parking facilities, and
    - (ii) loading or unloading facilities; or
  - (d) To pay off-site levy or redevelopment levy imposed by bylaw.
- (10) Where an application for a development permit is approved with conditions, the Development Officer may, before issuing the Development Permit, require the applicant or owner of the land affected by the Development Permit to enter into an agreement with the Municipality to ensure compliance with the condition and such an agreement may be protected by Caveat registered by the Municipality.

**PART 4: SUBDIVISION OF LAND**

**Section 27 Control of Subdivision**

No subdivision of land shall be undertaken within the Municipality unless an application for it has been approved pursuant to Division 7 of the Municipal Government Act.

**Section 28 Subdivision Fees**

All fees and charges pursuant to this Bylaw shall be as established by a Municipal Services Agreement established by Resolution of Council.

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## **PART 5: AMENDMENT AND ENFORCEMENT**

### **Section 29 Development Appeals and Procedures**

Development appeals and procedures must be undertaken in conformity with the Act.

### **Section 30 Subdivision Appeals and Procedures**

Subdivision appeals and procedures must be undertaken in conformity with the Act.

### **Section 31 Application to Amend Bylaw**

(1) Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended in accordance with Section 31 of this Bylaw.

(2) Application

Any person applying to have this Bylaw amended shall apply in writing to the Development Officer, using the application form provided by the Summer Village of Birch Cove, and request that the Development Officer submit the application to the Council.

(3) As part of the application referred to in Section 31 (2), the applicant must provide the following information:

- (a) reasons in support of the application;
- (b) the use to be made of the land that is the subject of the application; and
- (c) the program of land servicing.

(4) Payment and Undertaking

A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

- (a) pay the Summer Village of Birch Cove an application fee as set by Resolution of Council;
- (b) undertake in writing on a form provided by the Summer Village of Birch Cove to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which Summer Village of Birch Cove may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and
- (c) sign a certificate authorizing the right of entry by the Development Officer to such lands or buildings as may be required for investigation of the proposed amendment.

(5) Investigation by Development Officer

Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
- (b) prepare a detailed report including all maps and relevant material to consider.

(6) Procedure by Applicant

Upon receiving the preliminary advice of the Development Officer, the applicant shall advise the Development Officer if:

- (a) he or she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
- (b) he or she wishes to withdraw his application for an amendment.

(7) Decision by Council:

As soon as reasonably convenient the Development Officer shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Officer and other relevant material, if any, and the Council shall then consider the proposed amendment.

(8) Council May Direct Repayment:

If it appears that the proposed amendment is one which is applicable to and for the benefit of the Summer Village of Birch Cove at large, or most of the persons affected in one area, or to the entire district, then the Council may direct that the application fee be returned to the applicant and that the Summer Village of Birch Cove pay the expense which the applicant has agreed to pay pursuant to the provisions of Section 31.

(9) Amendments Proposed in Council:

Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Officer for reports and recommendations.

(10) Limit on Frequency of Applications:

Notwithstanding anything in this Section or this PART, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.

(11) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding enactment of Bylaws, Section 692 specifically.

- (12) Prior to third reading of a proposed amendment, Council may require the applicant to apply for a development permit and negotiate a development agreement for the proposal which initiated said proposed amendment.

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## **PART 6: CONTRAVENTION, PENALTIES AND FINES**

### **Section 32 Contravention**

- (1) Contravention of the provisions of this Land Use Bylaw must conform to Section 645 of the Act.
- (2) Where a notice is issued under Section 645 of the Act, the notice shall state the following and any other information considered necessary by the Development Officer:
  - (a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
  - (b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
  - (c) A time frame in which the contravention must be corrected prior to the Summer Village of Birch Cove pursuing action; and
  - (d) Advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.

### **Section 33 Offenses and Penalties**

This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Alberta Court of Appeal upon action brought by Council, whether or not any penalty has been imposed for the contravention.

- (1) A person who:
  - (a) contravenes any provision of the Act or the regulations under the Act,
  - (b) contravenes this Bylaw,
  - (c) contravenes an order under Section 32 of this Bylaw and/or Section 645 of the Act,
  - (d) contravenes a development permit or subdivision approval or a condition attached thereto, and/or
  - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw
  - (f) is guilty of an offense and is liable to a fine prescribed in Section 566 of the Municipal Government Act.
- (2) If a person is found guilty of an offense under Section 33 of this Bylaw (Section 557 of the Municipal Government Act), the court may, in addition to any other penalty imposed, order the person to comply with:
  - (a) the Act and the regulations under the Act,

- (b) this Bylaw,
  - (c) an order under Section 32 of this Bylaw and/or Section 645 of the Act, and/or
  - (d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- (3) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
- (a) delivered personally to the person or their agent it is directed to; or
  - (b) mailed by certified mail to the last known address of the person it is directed to; or
  - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

## **PART 7: GENERAL REGULATIONS**

### **Section 34 On-Parcel and Off-Parcel Services and Improvements**

Where any on-parcel services or improvements, or any off-parcel local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Officer is satisfied that such services or improvements will be undertaken.

### **Section 35 Utility Easements**

Subject also to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:

- (1) in the opinion of the Development Officer, the said structure does not restrict access to the utility easement for the purposes of installation or land maintenance of the utility, and
- (2) written consent has been obtained from the person for whose use the easement has been granted.

### **Section 36 Parcel Grading**

In all cases, parcel grades shall be established with regard to preventing drainage from one parcel to the next except where drainage conforms to an acceptable local or subdivision drainage plan which has been approved by the Council.

### **Section 37 Building Appearance and Building Exteriors**

- (1) The design, construction and architectural appearance of any building or structure shall be to the satisfaction of the Development Officer.
- (2) The exterior finish on all buildings shall be of a permanent material satisfactory to the Development Officer.

### **Section 38 Mobile Homes**

Mobile homes of any kind are not allowed to be placed on any lot within the corporate boundaries of the Summer Village of Birch Cove.

### **Section 39 Corner and Double Fronting Sides**

In residential areas, a parcel abutting onto two streets or more shall have a front yard on each street in accordance with the front yard requirements of this Bylaw.

In all cases the location of buildings on corner parcels shall be subject to approval by Council who shall take into account the location of existing adjacent buildings or the permitted setback on adjacent parcels where a building does not exist.

On any corner site in a residential district, no person shall erect, place or maintain within the site triangle a wall, fence, shrub, trees, hedge or any object over 0.9 m (3 ft) in height above the lowest street grade adjacent to the intersection.

#### **Section 40 Dwelling Units on a Parcel**

No person shall construct or locate or cause to be constructed or located more than one principal dwelling unit on a parcel.

#### **Section 41 Building Attached to Principal Buildings**

Where a building is attached to the principal building by an open or enclosed roofed structure, it is to be considered a part of the principal building and not an accessory building.

#### **Section 42 Relocation of Existing Buildings Within the Boundaries of the Summer Village of Birch Cove**

- (1) No person shall:
  - (a) place on a parcel a building which has previously been erected or placed on a different parcel, or
  - (b) alter the location of a building which has already been constructed on that parcel, unless the Development Officer approved the placement or alteration.
- (2) Approval shall not be granted under Subsection (1) unless the Development Officer is satisfied that:
  - (a) the placement or location of the building would meet the requirements of this Bylaw, and
  - (b) the building and the parcel meet the requirements of this Bylaw and the Land Use District in which it is proposed to be located.
- (3) The Development Authority shall require any applicant for a relocated building to submit recent photographs of the building which demonstrate the condition and appearance of the proposed building to the satisfaction of the Development Authority.

#### **Section 43 Garages and Accessory Buildings**

- (1) In residential districts, unless otherwise provided, garages and accessory buildings shall be built and located based on the following:

- (a) All required yards and setbacks are maintained.
  - (b) The total floor area for all buildings shall not exceed 40% of the area of the parcel.
  - (c) The Development Officer will require that there be adequate clearance between all buildings.
  - (d) In the case of lakefront parcels, all accessory buildings except boathouses shall be located in the rear yard and the rear half of the parcel.
  - (e) In the case of non-lakefront parcels, all accessory buildings shall be located in the rear yard and in the rear half of the parcel.
  - (f) A boathouse on a lakefront parcel will be located to the satisfaction of the Development Officer.
  - (g) All accessory buildings shall be fixed to the ground, or on a foundation.
  - (h) Where a garage door faces the roadway, the garage shall be set back 6.1 m (20.0 ft).
  - (i) Garages will be limited to a maximum of 1 1/2 storeys in height and shall not exceed 6.7 m (22.0 ft) in height.
  - (j) A guest house shall contain rooms for sleeping accommodation and bathroom facilities only and if additional rooms or facilities are contained therein, it shall be considered and evaluated as the dwelling unit.
  - (k) No eave of an accessory building shall be closer than 0.3 m (1 ft) to any property line, with the structure of any accessory building being no closer than 0.9 m (3 ft) from any property line.
  - (l) Accessory buildings shall not be erected unless the principal building has been erected, or the principal building will be erected simultaneously.
- (2) On lakefront parcels a residence, guest house, boathouse, and garage are allowed as long as the development adheres to all of the requirements of this Bylaw.
  - (3) Private Swimming Pools and Hot Tubs:
    - (a) Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants or their guests.
    - (b) No privately owned outdoor swimming pool or hot tub shall be constructed unless fenced; except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
    - (c) Every fence enclosing an outdoor swimming pool or hot tub shall be at least 1.5 m (5.0 ft) in height above the level of the grade outside the enclosure and shall be of approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection



equivalent to the fence and shall be equipped with a self-latching device located on the inside of the gate.

- (d) Notwithstanding the foregoing in Section 43 (3), a hot tub or outdoor swimming pool may alternatively be secured against entry by means of a locking cover suitable to the Development Authority.

#### Section 44 Accessory Uses

(1) Lakeshore Accessory Use:

- (a) Prior to the issuance of a development permit for a lakeshore accessory use, the Development Officer shall require a parcel plan giving information as to exact location in relation to property lines, architectural appearance, construction, materials, standards and access.
- (b) Any lakeshore accessory use which lies only partially within the Summer Village and therefore extends beyond the corporate boundaries of the Summer Village, shall require a development permit for that portion within said corporate boundary.

#### Section 45 Home Occupations

- (1) Home occupations shall be limited to those areas which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Home occupations shall not be a primary use of the residential building or garage and shall not:
  - (a) involve the storage of goods in the public view, a change in appearance of the residence or its accessory buildings, unless approved by the Development Officer;
  - (b) require alterations to the building unless the alterations are approved by the Development Officer; and
  - (c) shall not employ any employees who do not reside on-site.
- (2) Development approval for home occupations business signage shall be as described under Section 60.
- (3) Bed and Breakfast Operations

In addition to all other requirements of this Section, the following additional requirements shall apply to home occupations in the form of bed and breakfast operations, as defined in Section 10 of this Bylaw:

- (a) A bed and breakfast shall be limited to one meal provided on a daily basis to registered guests only with such meal being prepared in one common kitchen and served in one common room.
- (b) A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.

- (c) In addition to off-street parking requirements contained within Section 53 of this Bylaw, one (1) off-street parking space per rented guest room shall be required for a bed and breakfast operation.
  - (d) A bed and breakfast shall be required to hold any permits or authorizations required by the local or Provincial Health Authority, as well as be in compliance with the Safety Codes Act.
  - (e) A bed and breakfast shall contain a maximum of two guest suites.
- (4) Development approval for home occupations business signage shall be at the discretion of the Development Officer, and despite Section 61 of this bylaw, no sign shall be greater than (0.2 m<sup>2</sup>) 2.2 ft<sup>2</sup> and shall not be illuminated.
  - (5) All permits for home occupations that are valid for one year may apply for renewal and shall be subject to the condition that they may be reviewed, and possibly revoked at any time, if, in the opinion of the Development Officer, the use is or has become detrimental or otherwise incompatible with the amenities of the neighborhood.
  - (6) At all times, the privacy of the adjacent dwellings shall be preserved and shall not unduly offend the surrounding residents by way of excessive lighting, noise, traffic, congestion, late visitations by clients, etc.

#### Section 46 Short-Term Rentals

- (1) An owner of the lands where the Short-Term Rental is to be operated shall be upon the property for the term of the Short-Term Rental. Where the owner(s) is an incorporated company, a representative of the incorporated company shall be upon the property for the term of the Short-Term Rental.
- (2) The development of a Short-Term Rental in the Summer Village of Birch Cove shall require a Development Permit.
- (3) No development permit for a Short-Term Rental may be issued for a lot that does not conform with all other provisions of this Land Use Bylaw.
- (4) The development of a Short-Term Rental in the Summer Village of Birch Cove shall require a Development Permit annually. A development permit for a Short-Term Rental shall only be issued for a temporary period up to but not exceeding 12 months.
- (5) An application for a development permit for a Short-Term Rental shall include (in addition to the requirements of Section 5.4): a. the applicable fee as established in the Summer Village's Fees and Charges Bylaw; b. signatures of all property owners listed on the title; c. identification of what portion of the dwelling or suites are to be utilized as a Short-Term Rental, and total number of bedrooms; d. a home safety and evacuation floor plan of the premises; e. a parking plan that identifies the total area of the lot to be used for parking; f. information on where (or on what website) the Short-Term Rental will be listed for rental.
- (6) A maximum of one Short-Term Rental may be developed on a lot. A Short-Term Rental may be developed within:
  - a. an entire principal dwelling for which a development permit has previously been

- issued;
- b. a portion of a principal dwelling for which a development permit has previously been issued;
  - c. a guest house suite for which a development permit has been previously issued.
- (7) A maximum of one rental booking may be scheduled at a time within an approved Short-Term Rental.
- (8) A Short-Term Rental with an approved development permit shall visibly display in the main entrance of the Short-Term Rental: a. a copy of the development permit outlining the maximum occupancy of the Short-Term Rental and the primary contact telephone number and email of the owners; and b. a home safety and evacuation floor plan of the premises.
- (9) A Short-Term Rental shall not be developed within:
- a. a recreational vehicle;
  - b. a tent or tented structure; or
  - c. an accessory building without cooking or bathroom facilities.
- (10) The maximum occupancy of a Short-Term Rental shall be:
- a. the total number of bedrooms times two (2), to a maximum of 8.
  - b. Children under the age of 12 do not calculate into the maximum occupancy of a Short-Term Rental.
- (11) A minimum of one (1) parking space per bedroom in the Short-Term Rental, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
- (12) The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the Short-Term Rental as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
- (13) The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the Short-Term Rental.
- (14) No signs advertising the rental of the Short-Term Rental shall be permitted onsite.
- (15) The owner(s) must ensure that the Short-Term Rental complies with the Summer Village's Fire Bylaw.
- (16) The owner(s) must provide each guest with a copy of the Short-Term Rental – Information for Guests Guidebook as produced by the Summer Village.

#### Section 47 Development on Lands Containing a High-Water Table

Residential development or any development generating sewage effluent shall not occur on lands containing a high water table unless and until satisfactory arrangements are made to provide

adequate fill or trenching so as to lower the water table to a suitable level. In this respect the Development Officer may require testing to confirm that the water table has been suitably lowered.

The Development Officer may refer to Alberta Environmental Protection for their comments prior to issuing a development permit for filling or trenching for assistance in assessing any water table results.

#### Section 48 Flood Prone Lands

- (1) Development on land which may be subject to flooding shall be discouraged, especially on lands which are within the 1:100 year flood plain (723.8 m ASL), or as determined by Alberta Environment and the Summer Village of Birch Cove.
- (2) New development within a 1:100 flood risk area shall be subject to the following requirements:
  - (a) New development shall not be allowed unless it complies with Canada Mortgage and Housing Corporation standards for flood-proofing of buildings;
  - (b) The first floor and all mechanical and electrical installations within any structures or buildings shall be a minimum of 0.5 m (1.6 ft) above the 1:100 flood elevation level; and
  - (c) Buildings shall have no finished floor space below the 1:100 year flood elevation.
- (3) In floodway areas, new development shall not be permitted unless the proposed development is directly related to a recreational or lake use, such as picnic tables, boat docks, launch ramps, etc.
- (4) Development in areas with a potential to be flooded may have, at the discretion of the Development Officer, a restrictive covenant related to the approved development registered against the certificate of title for the subject property.
- (5) Development on lands which have a gross slope in excess of 15% shall be accompanied by a site plan designed and approved by a professional engineer.

#### Section 49 Environmentally Sensitive Lands

- (1) Development on lands which are designated or deemed by the Development Officer to be environmentally sensitive shall be discouraged.
- (2) When reviewing an application for development on environmentally sensitive lands, the Development Officer shall consider the following:
  - (a) The impact of the proposed development on the subject and surrounding area;
  - (b) The soil types and conditions of the area surrounding the subject property;
  - (c) Any information on the past history of the subject property and surrounding area from a geo-technical perspective; and
  - (d) Comments and recommendations from Alberta Environment.

- (3) As part of the development permit application, the Development Officer may require a Geo-technical study, prepared by a qualified geo-technical engineer, addressing the proposed development. The geo-technical study will establish building setbacks from property lines based upon land characteristic of the subject property.
- (4) The Development Officer may require the following as a condition of approval for a development permit application on land which is considered environmentally sensitive:
  - (a) That measures be taken to ensure that infiltration into area slopes, the subject property, and adjacent lands are minimized, and
  - (b) The registration of a restrictive covenant against the certificate of title for the subject property related to the approved development.

#### Section 50 **Sewage Disposal**

A development permit shall be required for construction of an on-parcel sewage collection system consisting of a CSA approved sealed impermeable holding tank. All dwellings must have an approved sewage disposal system.

#### Section 51 **Water Supply**

All wells and potable water cisterns shall require a development permit and shall be excavated in conformance with the Alberta Building Code and all such other regulations which may apply to their construction.

### Section 52 Development of Hazardous Lands

- (1) It is the responsibility of the developer to provide adequate protection against flooding, subsidence and slumping and he shall engage such professional assistance as is determined necessary to protect his development.
- (2) Development on lands with a gross slope of greater than 15% shall be accompanied by a parcel plan designed and stamped by a professional engineer.
- (3) The Development Authority may consult with Alberta Environment to assist in determining high-water marks, floodplain area, banks and the like of the lake or its tributaries.

### Section 53 Building Demolition

- (1) The demolition of a building shall require a Development Permit. Such a Permit shall not be approved without a statement indicating:
  - (a) how the demolition will be carried out; and
  - (b) how the parcel will be reclaimed and/or redeveloped.
  - (c) demolition must be completed within a six month time period.

### Section 54 Off-Street Parking Development Regulations

- (1) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility to the satisfaction of the Development Officer or Municipal Council.
- (2) Except in the case of residential land use districts where the off-street parking area for an individual residential dwelling unit is accessed directly from the public street, and unless otherwise specified in this Bylaw, all off-street parking areas/facilities shall be separated from public streets by a landscaped area at least 1.0 m (3.28 ft) in width as measured from the outside edge of the parked vehicle to the edge of the public street right-of-way.
- (3) Except in the case of one and two family dwellings, including modular homes, off-street parking facilities shall be designed such that no vehicle is required to back out directly onto a public street, including laneways.
- (4) All off-street parking facilities shall be constructed according to the following standards:
  - (a) Necessary curb cuts shall be located and designed to the satisfaction of the Development Officer.
  - (b) In all land use districts where the requirement for off-street parking spaces exceeds two, except where more than one off-street parking spaces are required for a bed and breakfast operation in accordance with Section 54 of this Bylaw, every off-street parking space provided, and the access thereto, shall be hard-surfaced if the access is from a street or lane which is hard-surfaced, using the same or similar material for the off-street parking space as is found in the hard-surfaced street or lane giving access.

- (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential parcel and other parcel where in the opinion of the Development Officer or Municipal Council it would have adverse effects.
- (d) Grades and drainage shall dispose of surface water to the satisfaction of the Development Officer or Municipal Council. In no case shall grades be established that would permit surface drainage to cross any sidewalk or parcel boundary without the approval of the Development Officer or Municipal Council.
- (e) Parking for the physically handicapped shall be provided as provincial regulations require, be considered as part of the number of stalls required for the project and be clearly identified for use by the physically handicapped.

#### Section 55 Number of Off-Street Parking Stalls Required

- (1) A building or use shall not be enlarged or added to, nor shall the use be altered unless provision is made in accordance with this Bylaw to increase the number of parking stalls or loading spaces required on the total parcel for which the addition or change in use is proposed.
- (2) The minimum number of off-street parking stalls required for each use of building or development shall be as follows:
  - (a) Residential Dwelling 2 spaces per dwelling.
  - (b) Bed and Breakfast 1 space per sleeping unit.
  - (c) Boat Launches As required in Subsection (3)
- (3) Boat launches shall require a minimum of five parking spaces or such greater number as required by the Development Officer based on the size and frequency of use of the launch. Further, boat launch parking areas shall require curbs, markings and landscaping to the satisfaction of the Development Officer.
- (4) Where, in the opinion of the Development Officer, municipal parking facilities have previously been provided to specifically serve a proposed project, the number of parking stalls required on a parcel pursuant to Subsection (2) may be reduced accordingly.
- (5) The number of parking stalls required may be reduced where, in the opinion of the Development Officer, the parking required by various users on a parcel will vary according to time so that all needs as defined in this Bylaw can be met at any given time by a reduced number of stalls.
- (6) In the case of a use not specified in Subsection (2), the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.
- (7) Where a development on a parcel falls within more than one use of a building or development, the required number of spaces shall be the sum of the requirements for each of the uses as specified under Subsection (2).
- (8) Where there are a fractional number of parking spaces required by this Bylaw, the next highest number of stalls shall be provided.
- (9) No development shall be permitted unless all parking needs are accommodated on-site.

### Section 56 Fences and Screening

- (1) In any district, a person shall not construct a fence, wall or permit a hedge to grow higher than 1.8 m (6.0 ft) unless a development permit has been provided.
- (2) Siting of a fence, wall or hedge over 1.8 m (6.0 ft) shall be determined by the Development Officer, taking into consideration the fences which exist on the parcels abutting the parcel in question.
- (3) Electrified or barbed wire fences will be permitted in a district at the discretion of the Development Officer but shall not be permitted under any circumstances in a residential district.
- (4) In front yards, no fence shall be higher than 0.9 m (3.0 ft), except in the case of double fronting sites, where fence height shall be at the Development Officer's discretion, but must be consistent with neighbouring properties. Front yard fences may be up to 1.5 m (5.0 ft) when the fence is constructed with open chain links.

### Section 57 Non Conforming Uses

In accordance with the Municipal Government Act, the following shall apply to non-conforming uses and structures:

- (1) If a development permit has been issued on or before the day on which a land use bylaw or a land use bylaw amendment bylaw comes into force in the Summer Village and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
- (2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw in effect.
- (3) A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to or in it.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming building,
  - (b) for routine maintenance of the building, if the development authority considers it necessary, or
  - (c) in accordance with this Bylaw where the Development Authority may approve minor variances which include, but are not necessarily limited to: foundation repairs, addition of open porches or decks, or replacement of roofing and siding on a building.



- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except where allowed under this Bylaw.
- (7) The land use or the use of the building is not affected by a change in ownership or tenancy of the land or building.

#### Section 58 Prohibited Structures

For the purposes of this bylaw, the following shall apply as prohibited structures:

- (1) Pit toilets
- (2) Mobile homes, trailers, and recreational vehicles on a vacant lot
- (3) The placing of refuse or waste material on any land,
- (4) The more frequent or intensive use of land for the parking of trailers, bunkhouses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed or affixed to the land in any way.

#### Section 59 Temporary Living Accommodation

- (1) No recreational vehicle shall be parked on any undeveloped lot within the Village, except that any person in possession of a valid building permit can be granted a development permit to park and use a holiday / vacation trailer for a temporary residence during the construction of the permanent residence.
- (2) The development permit for (1) above shall be restricted to a period of six months, but on request to Council may be extended for an additional six months.
- (3) A recreational vehicle, holiday trailer, motor home, camper or tent trailer shall not be used as a permanent or seasonal dwelling unit. Two (2) of these units can be used as guest accommodation on a developed lot provided a permanent dwelling exists on the property.

#### Section 60 Landscaping

- (1) In all land use districts, no person shall commence or continue the removal of topsoil, without first obtaining an approved development permit.
- (2) Development permit applications shall be accompanied by a general site grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
- (3) There shall be provided upon occupancy of the development, a minimum topsoil coverage of 7.5 cm (0.25 ft.) and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (4) In any commercial, all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Officer.

#### Section 61 Signs

- (1) No signs or advertising structures of a commercial, direction, or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an

application for this purpose has been approved and a development permit has been issued.

- (2) No signs or advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the municipality.
- (3) Notwithstanding the generality of the above or the above provisions, the following signs may be erected on land or affixed to the exterior of a building or structure without application for a development permit, provided that no such signs are illuminated;
  - (a) signs for the purpose of identification, direction, and warning;
  - (b) signs relating to a person, partnership or company carrying on a profession, business or trade;
- (4) signs related to an institution of a religious, education, cultural, recreational, or similar character; provided that the sign does not exceed a maximum of 1.1 m<sup>2</sup> (12 ft<sup>2</sup>) and is limited to one such sign per lot; and
  - (a) advertisements in relation to the function of public or quasi-public bodies.
- (5) No sign or advertisement shall resemble or conflict with a traffic sign.

## **PART 8: ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS**

### **Section 62 Land Use Districts**

The municipality is hereby divided into the following districts:

<b>Short Form</b>	<b>District Designation</b>
R	Residential District
P	Park District

### **Section 63 Land Use District Map**

- (1) Land use districts specified under Section 61 are described in the short form on the LAND USE DISTRICT MAP
- (2) The district boundaries are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the boundary of any district, the following rules shall apply:
  - (a) Where district boundaries are shown to approximate the following, they shall be deemed to be:
    - (i) the parcel boundaries, or
    - (ii) the municipal boundaries.
  - (b) District boundaries not referenced specifically to items indicated in clause (a) shall be determined on the basis of the scale of the map.
  - (c) Where land use districts have been established in accord with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the plan of survey when registered in a Land Titles Office. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map.
- (3) The district regulations of this Bylaw do not apply to roads, lanes or other public thoroughfares.

### **Section 64 R – Residential District**

- (1) General Purpose of District

To provide an area for low density residential development in the form of single detached dwellings and compatible uses in a lakeshore setting.

- | (2) Permitted Uses  | Discretionary Uses  |
|---|---|
| <ul style="list-style-type: none"><li>▪ Single detached dwelling</li><li>▪ Sewage collection system</li></ul> | <ul style="list-style-type: none"><li>▪ Accessory buildings</li><li>▪ Home occupation</li><li>▪ Guest House/ Bed &amp; Breakfast</li><li>▪ Modular Homes</li><li>▪ Public park</li><li>▪ Public utility building and operations</li><li>▪ Temporary Living Accommodation</li><li>▪ Well</li><li>▪ Short-Term Rental</li></ul> |

(3) Site Requirements:

- (a) Coverage of all buildings shall not exceed 40% of the total area.
- (b) Minimum floor area per dwelling unit (not including attached garage or deck) 75.0 m<sup>2</sup> (800 ft<sup>2</sup>).
- (c) Minimum area of lot 557 m<sup>2</sup> (6000 ft<sup>2</sup>).
- (d) No principal building shall be less than 6.0m (20.0 ft.) in width, not including decks, porches or any other attachment.
- (e) Two recreational vehicles only shall be allowed on a lot with a principal dwelling. One recreational vehicle is permitted during the construction of a principal dwelling provided a Development Permit is obtained.
- (f) Maximum Height:
  - (i) (Primary Building): Maximum of 9.4 m (31 ft) measured from grade to the highest point.
  - (ii) (Accessory Buildings): Maximum of 6.7 m (22 ft) and may exceed the height of the primary dwelling measured from grade to the highest point. Guest homes over garages are subject to accessory building maximum height regulations.
- (g) Minimum Front Yard Setback:
  - (i) In the case of a lake front lot, the street facing yard shall be regarded as a rear yard.
  - (ii) Lakefront - at the discretion of the Development Officer but not less than 8.0 m (26.2 ft).
  - (iii) Street Front - 6.1 m (20.0 ft).
- (h) Minimum Side Yard Setback:
  - (i) (Principal Building) Minimum of 1.5m (5.0 ft.).
  - (ii) (Accessory Building) Minimum of 1.0m (3.0 ft.)

- (i) Minimum Rear Yard Setback:
  - (i) (Principal Building) Minimum of 1.5m (5.0 ft).
  - (ii) (Accessory Building) Minimum of 1.0m (3.0 ft.)
- (4) Accessory Buildings
  - (a) A garage, storage shed or guesthouse may be built on a lot provided that:
    - (i) all required yard setbacks are maintained; and
    - (ii) the total floor area of all buildings does not exceed 40% of the area of the lot.
    - (iii) a permanent dwelling exists on the property
  - (b) The Development Officer may require that there be adequate clearance between all buildings.
  - (c) Basements will not be allowed where high water tables would in all likelihood cause flooding to occur.
- (5) Parking

Parking shall be provided in accordance with the provisions of this Bylaw.
- (6) Sewage Collection Systems

Every dwelling must provide an on-parcel approved sewage collection system. A proposed sewage collection system shall:

  - (a) require a development permit prior to commencement of construction; and
  - (b) meet the requirements of the Alberta Safety Codes Act.
- (7) The Development Officer may decide on such other requirements as are necessary having due regard to the nature of a proposed development and the purpose of this district.

#### **Section 65 P – Park and Recreation District**

- (1) Purpose

The General Purpose of this District is to provide land for active or passive recreational and leisure pursuits.
- (2) Permitted Uses                                      Discretionary Uses

▪ Accessory building or use	▪ Sewage collection system
▪ Recreational building or use	▪ Well
▪ Public use	
- (3) Development Regulations

All regulations shall be at the discretion of the Development Officer. The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibilities with development in abutting districts.

(4) Parking and Loading

The provision for parking and loading shall be at the discretion of the Development Officer except as otherwise specified within this Bylaw.

DRAFT

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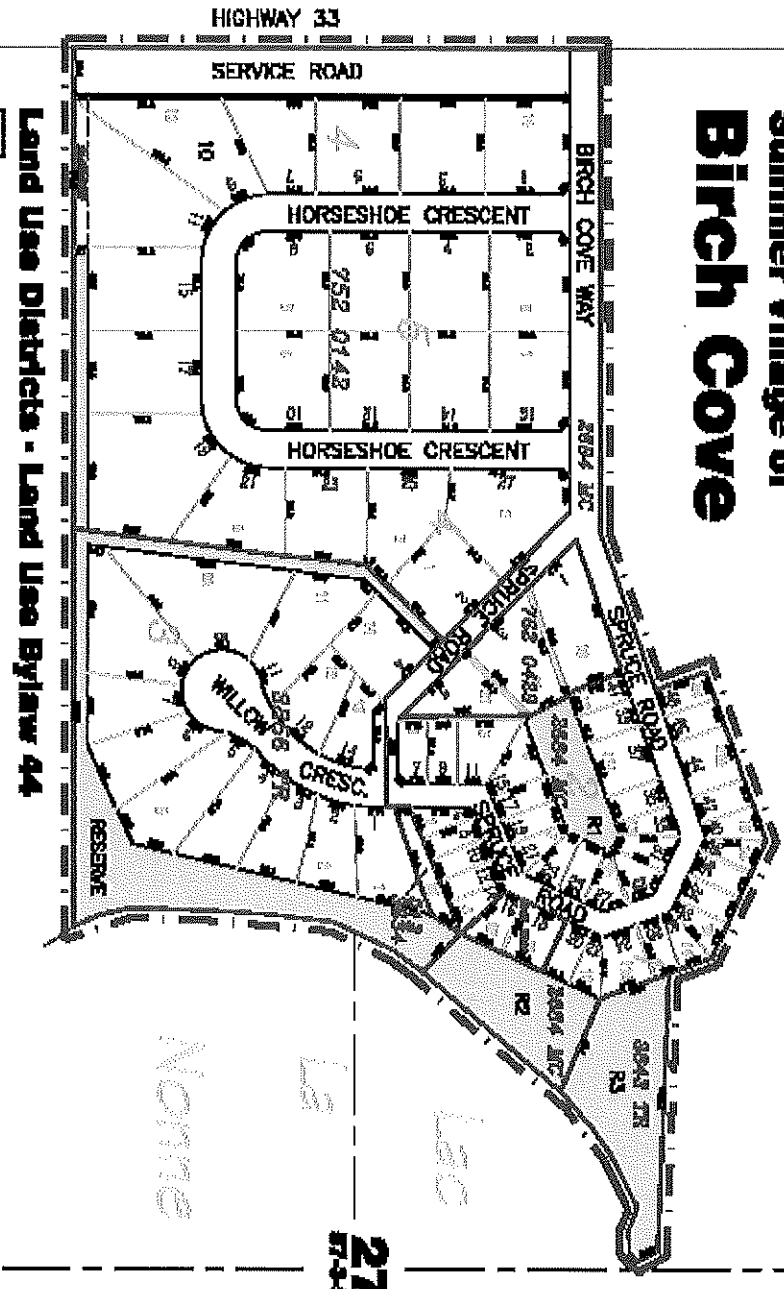
# Schedule A

Land Use Bylaw Map

# Summer Village of Birch Cove

Land Use Districts - Land Use Bylaw 44

- Residential
- Parks



Map Era  
Scale: N.T.B.  
Updated: November 2001

63



- (f) respecting any other matter necessary or advisable to carry out the intent and purpose of this Division.
- (2) A regulation under subsection (1) may be specific to a municipality or general in its application. 2005 c14 s14;2018 c20 s12

### Division 5 Special Tax

#### Special tax bylaw

382(1) Each council may pass a special tax bylaw to raise revenue to pay for a specific service or purpose by imposing one or more of the following special taxes:

- (a) a waterworks tax;
- (b) a sewer tax;
- (c) a boulevard tax;
- (d) a dust treatment tax;
- (e) a paving tax;
- (f) a tax to cover the cost of repair and maintenance of roads, boulevards, sewer facilities and water facilities;
- (g) repealed 2008 cE-6.6 s55;
- (h) a tax to enable the municipality to provide incentives to health professionals to reside and practice their professions in the municipality;
- (i) a fire protection area tax;
- (j) a drainage ditch tax;
- (k) a tax to provide a supply of water for the residents of a hamlet;
- (l) a recreational services tax.

- (2) A special tax bylaw must be passed annually. RSA 2000 cM-26 s382;2008 cE-6.6 s55

#### Taxable property

383(1) The special tax bylaw authorizes the council to impose the tax in respect of property in any area of the municipality that will benefit from the specific service or purpose stated in the bylaw.

(2) The tax must not be imposed in respect of property that is exempt under section 351.

1994 cM-26.1 s383

**Contents of special tax bylaw**

**384** The special tax bylaw must

- (a) state the specific service or purpose for which the bylaw is passed,
- (b) describe the area of the municipality that will benefit from the service or purpose and in which the special tax is to be imposed,
- (c) state the estimated cost of the service or purpose, and
- (d) state whether the tax rate is to be based on
  - (i) the assessment prepared in accordance with Part 9,
  - (ii) each parcel of land,
  - (iii) each unit of frontage, or
  - (iv) each unit of area,

and set the tax rate to be imposed in each case.

1994 cM-26.1 s384

**Condition**

**385** A special tax bylaw must not be passed unless the estimated cost of the specific service or purpose for which the tax is imposed is included in the budget of the municipality as an estimated expenditure.

1994 cM-26.1 s385

**Use of revenue**

**386(1)** The revenue raised by a special tax bylaw must be applied to the specific service or purpose stated in the bylaw.

(2) If there is any excess revenue, the municipality must advertise the use to which it proposes to put the excess revenue.

1994 cM-26.1 s386

**Person liable to pay special tax**

**387** The person liable to pay the tax imposed in accordance with a special tax bylaw is the owner of the property in respect of which the tax is imposed.

1994 cM-26.1 s387;1999 c11 s20

65

PREVIOUS  
BYLAW

# SUMMER VILLAGE OF BIRCH COVE

## BYLAW NO. 110-13

This is a Bylaw of the Summer Village of Birch Cove, in the Province of Alberta, to establish a position of a Chief Administrative Officer.

**WHEREAS** the Municipal Government Act, Chapter M-26, R.S.A., 2000, and amendments thereto, requires every council to establish a position of Chief Administrative Officer.

**WHEREAS** the Municipal Government Act, Chapter M-26, R.S.A., 2000, and amendments thereto, requires every council to appoint one or more persons to carry out the powers, duties and functions of the position of Chief Administrative Officer.

**THEREFORE** the Council of the Summer Village of Birch Cove in the Province of Alberta, duly assembled, enact as follows:

1. The position of Chief Administrative Officer is now established to carry out the powers, duties and functions assigned to this position in the Municipal Government Act Chapter M-26, R.S.A., 2000, and amendments thereto.
2. Appoint Dennis D. Evans to the position of Chief Administrative Officer.
3. This Bylaw shall come into full force and effect upon third reading.
4. This Bylaw repeals Bylaw No. 74.

READ A FIRST TIME IN COUNCIL                      THIS 13<sup>TH</sup> DAY OF SEPTEMBER 2013

READ A SECOND TIME IN COUNCIL                      THIS 13<sup>TH</sup> DAY OF SEPTEMBER 2013

READ A THIRD TIME IN COUNCIL  
AND DULY PASSED    THIS 13<sup>TH</sup> DAY OF SEPTEMBER 2013

Signed this 13<sup>th</sup> day of September, 2013

\_\_\_\_\_  
Mayor Eugene Dugan

\_\_\_\_\_  
Municipal Administrator - Dennis Evans

(bb)

NEW  
BYLAW

Summer Village of Birch Cove

Bylaw No. 164-2024

BEING A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER.

WHEREAS Section 205 of the Municipal Government act, being Chapter M-26 of RSA 2000 and any amendments thereto, directs that a municipality shall establish the position of Chief Administrative Officer;

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

1. There shall be in and for the Summer Village of Birch Cove a Chief Administrative Officer.
2. The Chief Administrative Officer shall be appointed by resolution and may be engaged by an Employment Contract.
3. All aspects of employment not addressed by the Employment Contract shall be addressed by the Personnel Policy.
4. The Council may, by resolution, appoint an acting Chief Administrative Officer and prescribe his/her duties, who shall act during illness, absence or other incapacity that may prevent the Chief Administrative Officer from performing the duties of his/her office.

That bylaw 110-13: the appointment of Chief Administrative Officer to be rescinded.

Read a First time this \_\_\_\_\_ 21<sup>st</sup> \_\_\_\_\_ day of November, 2024.

Read a Second time this \_\_\_\_\_ 21<sup>st</sup> \_\_\_\_\_ day of November, 2024.

Unanimously Consented for Third Read this \_\_\_\_\_ 21<sup>st</sup> \_\_\_\_\_ day of November, 2024.

Read a Third and Final time this \_\_\_\_\_ 21<sup>st</sup> \_\_\_\_\_ day of November, 2024.

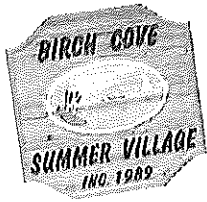
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Mayor, Dean Preston

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Chief Administrative Officer, Wendy Wildman

(67)



## Summer Village of Birch Cove

Box 8, Alberta Beach, AB T0E 0A0

PH: (780)967-0271 FAX: (780)967-0431

Email: cao@birchcove.ca

October 15<sup>th</sup>, 2024

Connect Mobility  
c/o Merle Isaacson  
#40, 12204 – 40<sup>th</sup> Street S.E.  
Calgary, AB T2Z 4K6

Via email; merle.isaacson@telusmobility.ca

In reference to the above matter and previous communications on same, the Summer Village of Birch Cove is pleased to offer you this letter of support and have our municipality included in your upcoming project bid.

Access to reliable internet is more important than ever. As evidenced in the most recent mapping, our community is underserved by current market providers and the resulting service sits below Universal Broadband Fund standards. The opportunity to partner with Connect Mobility in delivering this service to our community is a priority that our Council wholeheartedly supports.

We wish you every success in bidding on this project and look forward to a successful award in the days ahead. Please keep us abreast of any developments, and do not hesitate to reach out for additional information that may be required of us during the process.

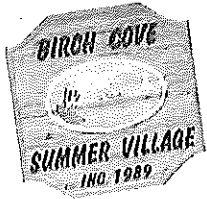
Regards,

*Dean Preston*

for: Dean Preston,  
Mayor, Summer Village of Birch Cove

c.c. Birch Cove Council  
Chief Administrative Officer, Wendy Wildman

DW



## Summer Village of Birch Cove

Box 8, Alberta Beach, AB T0E 0A0

PH: (780)967-0271 FAX: (780)967-0431

Email: [cao@birchcove.ca](mailto:cao@birchcove.ca)

October 8<sup>th</sup>, 2024

Government of Alberta – Minister of Health  
Members of Executive Council  
Executive Branch  
224 Legislature Building  
10800 97 Avenue  
Edmonton, Alberta T5K 2B6

ATTN: Honourable Adriana LaGrange  
[health.minister@gov.ab.ca](mailto:health.minister@gov.ab.ca)

**RE: Immediate Support Needed for the Onoway Regional Medical Clinic (Clinic)**

Dear Honourable Adriana LaGrange,

I am writing on behalf of the Summer Village of Birch Cove to urgently voice our support for the Onoway Regional Medical Clinic (Clinic). For the past seven years, Lac Ste. Anne County and its partners have worked tirelessly to ensure that our residents have access to essential healthcare services through the Clinic. Despite our best efforts, the clinic is now facing insurmountable financial challenges that threaten its very existence.

Rural Alberta has long struggled with access to local healthcare, and the Clinic has been a critical lifeline for our community. The clinic not only provides vital healthcare services to our families but also plays a significant role in supporting the growth of our local economies. The potential closure of this clinic would be catastrophic, leaving thousands of residents without access to necessary medical care and placing an unsustainable burden on other regional healthcare centers.

We were encouraged by the Premier's Mandate Letter of July 18, 2023, which highlighted your focus on addressing rural healthcare challenges, including improving access to healthcare professionals and working with municipalities to develop strategies for attracting and retaining healthcare workers in rural Alberta. The situation with the Clinic is a direct and urgent example of the rural healthcare crisis that your mandate seeks to address.

The loss of the Clinic would create a significant gap in healthcare services for our region, forcing residents to travel long distances to other centers, which are already stretched thin. This is not just a financial issue; it is a matter of health and well-being for thousands of people who depend on this clinic.



## Summer Village of Birch Cove

Box 8, Alberta Beach, AB T0E 0A0  
PH: (780)967-0271 FAX: (780)967-0431  
Email: [cao@birchcove.ca](mailto:cao@birchcove.ca)

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We urgently request the assistance of the Ministry of Health to support the Clinic in any way possible. Your intervention is crucial to ensuring that our community continues to have access to the healthcare services we need now and into the future.

Please help us save our clinic. The health of our community depends on it.

Sincerely,

*for:* Mayor Dean Preston  
Summer Village of Birch Cove

dw/

cc. MLA, Shane Getson, [jacsteanne.parkland@assembly.ca](mailto:jacsteanne.parkland@assembly.ca)  
MLA, Martin Long, [west.yellowhead@assembly.ca](mailto:west.yellowhead@assembly.ca)  
Mike Primeau, CAO, LSAC, [mprimeau@lsac.ca](mailto:mprimeau@lsac.ca)

Dear Chief Administrative Officer/Administrator:

Further to the July 23, 2024, correspondence from Honourable Ric McIver, the Minister of Municipal Affairs, to your Chief Elected Official on your allocation under the Canada Community-Building Fund (CCBF), I am pleased to provide you with a Memorandum of Agreement (MOA) for your signature (attached).

Given that there have been some program changes, I strongly encourage you and your staff to review the revised CCBF program guidelines (attached) and other resources available on the program website ([Canada Community-Building Fund | Alberta.ca](https://CanadaCommunityBuildingFund|Alberta.ca)).

As Minister McIver indicated, Alberta and Canada have agreed to a renewed administrative agreement for the CCBF program. The program had been governed by a 10-year administrative agreement that covered the 2014-15 to 2023-24 period and expired in March 2024. The renewed CCBF administrative agreement, signed in July 2024, covers the 2024-25 to 2033-34 period.

The CCBF continues to provide predictable, long-term, stable funding for local governments to help build and revitalize public infrastructure to support job creation and long-term prosperity. Local governments continue to be able to determine local priority projects, provided they align with the eligibility criteria in the program guidelines.

### **CCBF Program Changes**

A few changes have been made to the CCBF program that are important to highlight. First, the allocation formula that determines how CCBF funds are distributed among eligible local governments has been updated. Starting in 2024, all eligible local governments receive a base funding amount (\$50,000 for most communities; \$5,000 for summer villages), with the remaining federal funding distributed on a per capita basis. In the past, funding was distributed on a per capita basis with each community guaranteed a minimum of \$50,000 (although summer villages received a base funding amount). This change ensures local governments benefit from any increases to federal CCBF funding over the course of the administrative agreement.

Also in the 2024 administrative agreement is a joint commitment between Alberta and Canada to address housing challenges in the province. For communities with a 2021 federal census population of 30,000 or more, the agreement requires the completion of a Housing Needs Assessment (HNA) and an annual Housing Outcomes Report. Information on the housing requirements and links to the HNA template can be found in Section 11.d of the program guidelines.

Other program changes include annual reporting requirements on project outcomes in addition to expenditure and project status, a revised payment condition that requires financial reporting to be certified prior to payment of CCBF funding, a federal requirement for local governments to maintain a distinct bank account for CCBF funding, and the introduction of CCBF spending restrictions for local governments with infrastructure management challenges, in alignment with the restrictions under the Local Government Fiscal Framework program.

71



**CANADA COMMUNITY-BUILDING FUND**

**MEMORANDUM OF AGREEMENT**

BETWEEN:

**HIS MAJESTY IN RIGHT OF ALBERTA**, as  
represented by the Minister of Municipal Affairs  
(hereinafter called the "**Minister**")

**AND**

**THE SUMMER VILLAGE OF BIRCH COVE** in the Province of Alberta  
(hereinafter called the "**Local Government**")

(Collectively, the "**Parties**", and each a "**Party**")

**WHEREAS** the Government of Canada, as represented by the Minister of Housing, Infrastructure and Communities ("**Canada**") and the Minister, have, under a separate Administrative Agreement, agreed to administer the Canada Community-Building Fund ("**CCBF**") program for Local Governments in Alberta to help communities build and revitalize their public infrastructure; and

**WHEREAS** Canada and the Minister wish to help communities build and revitalize their public infrastructure that supports national objectives of productivity and economic growth, a clean environment and strong communities; and

**WHEREAS** under the *Ministerial Grants Regulation*, Alta Reg 215/2022 the Minister is authorized to make grants and enter into agreements with respect to any matters relating to the payment of grants.

**NOW THEREFORE** in consideration of the mutual terms and conditions hereinafter specified,  
**THE PARTIES AGREE AS FOLLOWS:**

**A. Definitions**

1. In this Agreement,

- (a) "**Administrative Agreement**" means the Administrative Agreement on the Canada Community-Building Fund effective as of April 1, 2024, between Canada and the Minister, as may be amended from time to time.
- (b) "**Agreement**" means this funding agreement between the Parties, which may, from time to time, be amended by the Parties.
- (c) "**Application**" has the meaning ascribed to such term in the Program Guidelines.
- (d) "**Canada Community-Building Fund**" (**CCBF**) means the program established under section 161 of the *Keeping Canada's Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, as the Gas Tax Fund and renamed the Canada Community-Building Fund in section 199 of *Budget Implementation Act, 2021, No. 1*.

- (e) **"CCBF Funding"** means all CCBF funding received by the Minister from Canada as well as any funding received by the Minister from Canada under the Previous Agreements.
- (f) **"Contract"** means an agreement between the Local Government and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.
- (g) **"Credit Items"** has the meaning ascribed to such term in the Program Guidelines.
- (h) **"Eligible Expenditures"** means those expenditures described as eligible in the Program Guidelines.
- (i) **"Eligible Projects"** means projects as described in the Program Guidelines.
- (j) **"Funding"** means funds made available by the Minister to the Local Government under this Agreement, to be used solely for Eligible Expenditures, and includes any earned interest on the said funds that may be realized by the Local Government as a result of holding or investing any or all of the funds, as well as any Unspent Funds and Credit Items held by a Local Government.
- (k) **"Housing Needs Assessment"** means a report informed by data and research describing the current and future housing needs of a Local Government or community according to guidance provided by Canada.
- (l) **"Previous Agreements"** means any agreements between Canada and the Minister for the purposes of administering the Gas Tax Fund or CCBF, including but not limited to the 2005-2015 New Deal for Cities and Communities, the 2009-2013 Federal Gas Tax Fund, and the 2014-2024 Federal Gas Tax Fund.
- (m) **"Program Guidelines"** means, unless the context requires otherwise, the *Canada Community-Building Fund Program Guidelines* or such other guidelines or directions applicable to the CCBF program as prescribed or determined by the Minister and as may be amended from time to time.
- (n) **"Third Party"** means any person or legal entity, other than Canada, the Government of Alberta or a Local Government, who participates in the implementation of an Eligible Project by means of a Contract.
- (o) **"Unspent Funds"** means GTF Funding (as defined in the former Gas Tax Fund Memorandum of Agreement between the Minister and the Local Government dated effective as of April 1, 2014) that has not been reported as spent by the Local Government as of December 31, 2023.

## B. Funding

2. The Minister agrees to provide Funding to the Local Government in accordance with the Administrative Agreement and the Program Guidelines, and subject to the following:
  - (a) the Parties will execute this Agreement and the Local Government will return an executed Agreement to the Minister;
  - (b) the Minister's receipt of an annual Statement of Priorities letter from Canada confirming the CCBF Funding amount for the Province of Alberta;
  - (c) receipt by the Province of CCBF Funding from Canada;
  - (d) Alberta Treasury Board approval of cash-flow and funds;

- (e) submission of sufficient Applications by the Local Government in accordance with the Program Guidelines;
- (f) completion of reporting requirements by the Local Government as outlined in the Program Guidelines;
- (g) adherence to the communication and signage requirements by the Local Government as outlined in the Program Guidelines;
- (h) compliance by the Local Government with any other payment conditions outlined in the Program Guidelines;
- (i) compliance by the Local Government with all requirements and obligations assigned to the Local Government in the Administrative Agreement, including but not limited to the requirements in Annex B, Schedule A of the Administrative Agreement; and
- (j) compliance by the Local Government with all other terms of this Agreement and the Program Guidelines.

**C. Local Government Responsibilities**

3. The Local Government will:

- (a) Provide the Minister with an Application for each Eligible Project to be initiated under the CCBF;
- (b) Provide the Minister with annual financial statements;
- (c) Provide the Minister with the required financial and outcome reporting documentation in accordance with the Program Guidelines;
- (d) If the Local Government has a population of 30,000 or more as specified in the Program Guidelines, provide the Minister with a Housing Needs Assessment prepared in accordance with the guidance documents provided by Canada;
- (e) If the Local Government has a population of 30,000 or more as specified in the Program Guidelines, provide the Minister with project-level data on housing requirements in accordance with the Program Guidelines;
- (f) Be responsible for the completion of each Eligible Project in accordance with the Program Guidelines;
- (g) Comply with all program reporting, communications, and housing outcomes requirements as outlined in the Program Guidelines;
- (h) Continue to develop and implement asset management strategies and plans for the assets under their control and make use of these plans to inform community infrastructure decision-making;
- (i) Invest, in a distinct account, the Funding if received in advance of paying Eligible Expenditures;
- (j) With respect to Contracts, award and manage all Contracts in accordance with the Program Guidelines;
- (k) Invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project;

74

- (l) Allow the Minister reasonable and timely access to all of its documentation, records and accounts and those of their respective agents or Third Parties related to the use of the Funding, and all other relevant information and documentation requested by the Minister or Canada via the Minister or its designated representatives for the purposes of audit, evaluation, and ensuring compliance with the Administrative Agreement;
- (m) Keep proper and accurate accounts and records in respect of all Eligible Projects for at least six (6) years after completion of the Eligible Project and, upon reasonable notice, make them available to the Minister. Keep proper and accurate accounts and records relevant to the CCBF program for a period of at least six (6) years after the termination of the Administrative Agreement;
- (n) Comply with all requirements and obligations assigned to the Local Government in the Administrative Agreement, including but not limited to the requirements in Annex B, Schedule A of the Administrative Agreement; and
- (o) Provide any other information requested by the Minister in relation to this Agreement or the Funding,

and where the Program Guidelines prescribe a format for any of the requirements set out above, consistent with such format requirements.

4. The Local Government agrees to:
  - (a) accept the Funding provided under this Agreement subject to; and
  - (b) comply with,
 all criteria, items, terms and conditions contained in the Program Guidelines.
5. The Local Government agrees that it may not use the Funding, or claim any other compensation, for its costs, expenses, inconvenience, or time expended, in relation to the administration of the Funding or the administration of this Agreement.
6. The Local Government acknowledges that the Funding provided under this Agreement is not a commitment to fund all potential Eligible Project costs. The Local Government is responsible for ensuring suitable financing is in place for each Eligible Project.
7. The Local Government agrees to allow the Minister or persons authorized by the Minister access to each Eligible Project site upon request.

**D. Termination of Agreement**

8. The Minister may terminate this Agreement by notifying the Local Government in writing on two (2) years notice. Upon termination under this Clause 8, or upon expiry of this Agreement under Clause 19:
  - (a) the Local Government may use any unexpended portion of the Funding which prior to termination or expiry was formally committed to the Local Government in accordance with the Program Guidelines, regardless of whether such Funding has yet been paid to the Local Government, and
  - (b) all provisions of this Agreement will continue to apply to the Funding in (a), as though the Agreement had not terminated or expired,

until the date(s) that the applicable time limit(s) to use the Funding as outlined in the Program Guidelines have expired, or until such earlier date as may be determined by the

75

Minister. Thereafter, any portion of the Funding in (a) which remains unexpended shall be returned to the Minister within thirty (30) days following the Local Government's submission of final reporting documents in accordance with the Program Guidelines.

**E. Debt to the Crown**

9. If the Local Government owes an amount to the Crown in right of Alberta, the Minister may deduct from the Funding all or a portion of the amount owing.

**F. Repayment of Funding**

10. If the Local Government does not meet all its obligations under this Agreement, or uses the Funding for any unauthorized purpose, the Minister will notify the Local Government of such breach in writing and the Local Government must remedy such breach within a reasonable time in the Minister's sole discretion as so stated in the notice. If, in the opinion of the Minister, the Local Government does not remedy the breach, the Minister may require the Local Government to repay all or part of the Funding, or such lesser amount as the Minister may determine, to the Minister, or the Minister may deduct from the Local Government's future Funding all or a portion of the amount owing.

**G. Local Government Indemnity and Insurance**

11. The Local Government will not, at any time, hold the Government of Canada, its officers, servants, employees or agents responsible for any claims or losses of any kind that they, Third Parties or any other person or entity may suffer in relation to any matter related to the Funding or an Eligible Project and that they will, at all times, compensate the Government of Canada, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to the Funding or an Eligible Project.
12. The Local Government will indemnify and hold harmless the Minister and their employees and agents against and from any third party claims, demands, actions or costs (including legal costs on a solicitor-client basis) for which the Local Government is legally responsible in relation to the subject matter of this Agreement, including those arising out of negligence or willful acts by the Local Government or its employees, officers, contractors or agents.
13. The Local Government will ensure that it maintains suitable insurance coverage including but not limited to liability insurance with appropriate terms and limits for any Eligible Project and, when applicable, property insurance on an "all risk" basis covering the Eligible Project for replacement cost.

**H. Independent Status**

14. The Local Government is an independent legal entity and nothing in this Agreement is to be construed as creating a relationship of employment, agency or partnership between the Minister, Canada, or any affiliated government department and the Local Government. Neither Party will allege or assert for any purpose that this Agreement constitutes or creates a relationship of employment, partnership, agency or joint venture.
15. Any persons engaged by the Local Government to provide goods and services in carrying out this Agreement are employees, agents or contractors of the Local Government and not of the Minister, Canada, or any affiliated government department.

### **I. Conflicts**

16. The Local Government will not enter into any other agreement, the requirements of which will conflict with the requirements of this Agreement, or that will or may result in its interest in any other agreement and this Agreement being in conflict.
17. The Local Government will ensure that the Local Government and its officers, employees and agents:
  - (a) conduct their duties related to this Agreement with impartiality and will, if they exercise inspection or other discretionary authority over others in the course of those duties, disqualify themselves from dealing with anyone with whom a relationship between them could bring their impartiality to question;
  - (b) not accept any commission, discount, allowance, payment, gift, or other benefit that is connected, directly or indirectly, with the performance of their duties related to this Agreement, that causes, or would appear to cause, a conflict of interest; and
  - (c) have no financial interest in the business of a third party that causes, or would appear to cause, a conflict of interest in connection with the performance of their duties related to this Agreement,

and the Local Government will promptly disclose to the Minister any such conflict of interest or apparent conflict of interest arising under this clause.

### **J. Freedom of Information and Protection of Privacy**

18. The Local Government acknowledges that this Agreement may be subject to disclosure pursuant to the *Freedom of Information and Protection of Privacy Act (Alberta)* ("FOIP"). The Local Government further acknowledges that FOIP applies to information obtained, related, generated, collected or provided to the Minister under this Agreement and that any information in the custody or under the control of the Minister may be disclosed.

### **K. General Provisions**

19. This Agreement will come into effect April 1, 2024, and will be in effect until March 31, 2034, unless terminated in accordance with this Agreement.
20. The Parties may amend this Agreement only by mutual written agreement signed by the Parties. Notwithstanding the foregoing, the Minister may, upon thirty (30) days written notice to the Local Government, unilaterally amend this Agreement when the Minister considers it necessary to comply with any amendments to the Administrative Agreement.
21. This Agreement is the entire agreement between the Minister and the Local Government with respect to the Funding. There are no other agreements, representations, warranties, terms, conditions, or commitments except as expressed in this Agreement.
22. Notwithstanding any other provisions of this Agreement, those clauses of this Agreement which by their nature continue after the conclusion or termination of this Agreement will continue after such conclusion or termination, including without limitation clauses:
  - (a) Local Government Responsibilities – Clauses 3 to 7;
  - (b) Termination of Agreement – Clause 8;
  - (c) Repayment of Funding – Clause 10;
  - (d) Local Government Indemnity – Clauses 11 and 12;

- (e) Freedom of Information and Protection of Privacy – Clause 18; and
- (f) Entire Agreement – Clause 21.

23. Any notice, approval, consent or other communication under this Agreement will be deemed to be given to the other Party if it is in writing and personally delivered, sent by prepaid registered mail, couriered or emailed to the addresses as follows:

The Minister:

c/o Director, Grant Program Delivery  
Municipal Affairs  
15<sup>th</sup> Floor Commerce Place  
10155 - 102 Street  
Edmonton AB T5J 4L4  
Email: ma.ccbfgrants@gov.ab.ca

Local Government:

Summer Village of Birch Cove  
Box 8  
Alberta Beach, AB T0E 0A0  
Attention: Chief Administrative Officer  
Email: cao@birchcove.ca

Either Party may change its contact information by giving written notice to the other in the above manner.

- 24. This Agreement does not replace, supersede, or alter the terms of any other existing funding agreement between the Minister and the Local Government. Notwithstanding the foregoing, upon execution of this Agreement the Funding will be subject to the terms and conditions of this Agreement and will no longer be governed by the terms and conditions of the former Gas Tax Fund Memorandum of Agreement between the Minister and the Local Government dated effective as of April 1, 2014.
- 25. Nothing in this Agreement in any way relieves the Local Government from strict compliance with any other provincial legislation or regulation, or otherwise impacts the interpretation or application of the *Ministerial Grants Regulation*, Alta Reg 215/2022, as amended from time to time.
- 26. The rights, remedies, and privileges of the Minister under this Agreement are cumulative and any one or more may be exercised.
- 27. If any portion of this Agreement is deemed to be illegal or invalid, then that portion of the Agreement will be deemed to have been severed from the remainder of the Agreement and the remainder of the Agreement will be enforceable.
- 28. This Agreement is binding upon the Parties and their successors.
- 29. This Agreement will be governed by and construed in accordance with the laws of the Province of Alberta and the Parties submit to the jurisdiction of the courts of Alberta for the interpretation and enforcement of this Agreement.

30. The Local Government represents and warrants to the Minister that the execution of the Agreement has been duly and validly authorized by the Local Government in accordance with all applicable laws.
31. The Local Government will not assign, either directly or indirectly, this Agreement or any right of the Local Government under this Agreement.
32. A waiver of any breach of a term or condition of this Agreement will not bind the Party giving it unless it is in writing. A waiver which is binding will not affect the rights of the Party giving it with respect to any other or any future breach.
33. Time is of the essence in this Agreement.

**This space left intentionally blank.**



34. Communication of execution of this Agreement e-mailed in PDF format will constitute good delivery.

The Parties have therefore executed this Agreement, each by its duly authorized representative(s), on the respective dates shown below.

**HIS MAJESTY IN RIGHT OF ALBERTA**, as represented by the Minister of Municipal Affairs

Signed by the  
Minister of Municipal Affairs  
of the Province of Alberta

Per: *Ric McIver*  
Name: Ric McIver  
Title: Minister of Municipal Affairs  
Date: August 26, 2024

**LOCAL GOVERNMENT**

Signed by a duly  
authorized representative  
of the Local Government

Per: \_\_\_\_\_  
Name of Local Government:  
  
Name of signatory:  
  
Title:  
  
Date:

Signed by a duly  
authorized representative  
of the Local Government

Per: \_\_\_\_\_  
Name of Local Government:  
  
Name of signatory:  
  
Title:  
  
Date:

80

Office Use Only

Member or Participant

Municipality: \_\_\_\_\_

Received: \_\_\_\_\_

**PARTICIPANT  
MEMORANDUM OF AGREEMENT  
2025 - 2027**

**LOCAL ASSESSMENT REVIEW BOARDS  
and  
COMPOSITE ASSESSMENT REVIEW BOARDS**

Capital Region Assessment Services Commission



1 January 2025

81

# MEMORANDUM OF AGREEMENT

made between

**CAPITAL REGION ASSESSMENT SERVICES COMMISSION**  
(the "Commission")

and

---

(the "Participant")

**WHEREAS** the Commission will provide specific administrative and financial services relating to Assessment Review Boards to the Participant.

**AND WHEREAS** the Commission and the Participant have reached agreement with respect to the terms and conditions under which the Commission will provide such administrative and financial services to the Participant.

**NOW THEREFORE** the Commission and the Participant agree as follows:

## 1. DEFINITIONS

- a. "Board" means the Board of Directors of the Capital Region Assessment Services Commission.
- b. "Commission" means the Capital Region Assessment Services Commission.
- c. "Fiscal Year" means 1<sup>st</sup> of January to 31<sup>st</sup> of December.
- d. "Participant" and "Municipality" mean a municipal authority NOT listed in the Appendix to Alberta Regulation 77/96, as amended from time to time; and which has engaged the services of the Commission to provide specific administrative and financial services relating to Assessment Review Boards.
- e. "Panelist" means an individual who is accredited by the Alberta Land & Property Rights Tribunal ("LPRT") to hear Assessment Complaints.
- f. "Assessment Review Board" and "ARB" mean either the Local Assessment Review Board ("LARB") or the Composite Assessment Review Board ("CARB").
- g. "Assessment Clerk" means an individual who is accredited by the Alberta LPRT to perform assessment clerk services.

- h. "Term" means the term of this agreement as set forth in Section 2.

**2. TERM**

The term of this agreement is as specified in Schedule "A" hereto. The Term may be extended by an agreement in writing between the parties hereto before the end of the Term, failing which the agreement shall terminate at the end of the Term without notice by either party to the other and without additional compensation from the Participant to the Commission.

**3. OBLIGATIONS of the COMMISSION**

The Commission will provide a full ARB administration service from receipt of Complaint forms through to distribution of the hearing decisions, including, but not limited to:

- a. receiving Complaint forms from the Participant, acknowledging their receipt, setting up hearings, preparing and distributing Notices of Hearings, attending each hearing and distributing the decision.
- b. maintaining a Panelist pool sufficient to respond to the Participant's requirements for Assessment Review Board hearings.
- c. annually providing the Participant with:
  - i. a list of Commission approved Panelists from which the Commission can draw to fill its hearing needs;
  - ii. the name of the chair of the LARB and CARB;
  - iii. the name of the Assessment Clerk of the LARB and CARB.
- d. apprising the Participant of such information relevant and necessary for the performance of its legislated duties and responsibilities with respect to Assessment Review Boards.
- e. providing an Assessment Clerk at Assessment Review Board hearings, unless the Participant informs the Commission of its wish to provide its own Assessment Clerk.
- f. assisting the Panelists to prepare a written decision from each hearing and distributing the decision to the appropriate parties. *NOTE - The decisions, reasons therefore and the writing of the decision are the responsibility of the hearing panelists. The clerk will provide only administrative and clerical assistance to this function.*
- g. preparing, and distributing to the Participant, appropriate administrative and operating policies and procedures relating to Assessment Review Boards.
- h. annually meeting with the Panelists to review activities and ensure that the

Panelists are current with respect to Assessment Review Board hearing information.

**Panelist Nominations:**

While it is the policy of the Commission to, wherever possible, draw its pool of panelists only from its members; from time to time the Commission may contact Participants seeking nominations of suitable individuals who may be appointed as potential Panelists so that an acceptable pool of accredited Panelists can be maintained. The determination of the Panelist pool rests solely with the Commission.

Should the Commission decide to accept the Participant's nominee, the Commission will contact the Participant's nominee to outline the requirements for being considered as a Panelist and inform the nominee of pending training and accreditation requirements and opportunities. Upon successful accreditation, the nominee will be entered on the Commission's Panelist pool registry as maintained by the Commission.

**4. OBLIGATIONS of the PARTICIPANT**

The Participant will cooperate with the Commission to ensure the smooth running of the Commission's ARB practices and procedures, including, but not limited to:

- a. at the commencement of each year of this agreement (and no later than the 15<sup>th</sup> of February of each year), the Participant will provide to the Commission its total parcel count as at the 1<sup>st</sup> of January of each year. *NOTE - This parcel count will be used to calculate the total per parcel fees due in accordance with Schedule "A" to this agreement.*
- b. annually appointing to the LARB and CARB the list of Commission Panelists, the name of the chair and the name of the Assessment Clerk, provided to the Participant by the Commission each year. *NOTE - The Commission draws from only its own designated pool of Panelists to sit on Commission administered hearings.*
- c. providing the Commission with immediate notification by email when an Assessment Review Board Complaint has been filed with the Participant.
- d. for each complaint, promptly scanning and emailing the following to the Commission: *(IMPORTANT - Where the following documentation contains colour, the document should be scanned in colour.)*
  - Assessment Review Board Complaint form
  - Assessment Complaints Agent Authorization form - if appropriate
  - Proof of payment of applicable complaint fee
  - All other documentation provided by the complainant accompanying the ARB Complaint form
  - Copy of the assessment notice or combined assessment/tax notice that is the subject of the complaint

84

- Confirmation of the date that the complaint was received by the Participant and that the complaint was received within the deadline for submission of complaints.

- e. when requested by the Commission, providing a suitable meeting room or other means of facilitating a hearing (e.g. setting up, providing and hosting suitable videoconference and/or teleconference facilities) for the Assessment Review Board hearing without charge to the Commission. The decision regarding how the hearing will take place, e.g in person, by video/teleconference or by other means will be at the sole discretion of the Commission.

**5. FEES and EXPENSES**

Each year the Board will review the budget for Assessment Review Board services and will establish such fees as it deems appropriate. Annually, the Participant will be informed as to what the forthcoming year's fees will be. Effective at the commencement of this Agreement, these approved fees and expenses are as shown in Schedule "A", and they will remain in effect for the remaining years of this agreement unless changed by the Board.

The Commission will invoice each Participant for the applicable fees and expenses listed in Schedule "A" and the Participant will pay those invoices in a timely manner.

Should the Board change the fees in Schedule "A", the Participant has the option to withdraw from this agreement within 30 days from the latter of the date of the change(s) coming into effect and the Participant being informed of the change(s).

**6. LEGAL EXPENSES**

The Assessment Review Board (ARB) is a quasi-judicial board established in accordance with the Municipal Government Act and your municipal bylaw.

The Board is independent from your municipality and is comprised of citizen members appointed by Municipal Council.

The ARB makes decisions in an impartial manner and applies the principles of natural justice and procedural fairness, which includes the right to legal counsel.

In some circumstances the ARB will request legal counsel to support its role in the complaint/hearing/decision writing process; the municipality is solely responsible for the cost to retain sufficient legal services. It is normal protocol for the legal account to be opened in CRASC's name to maintain genuine independence. The legal invoices will then be billed back to the municipality at cost for reimbursement.

85

**7. PARTICIPANT INFORMATION**

All Participant information relating to the Assessment Review Board complaints is deemed the property of the Participant.

Other than for the proper functioning of the Assessment Review Board process, the Commission will not disclose or make known to any person the Participant information or any matter or thing which comes to the knowledge of or is disclosed to the Commission by reason of this Agreement and shall retain all such knowledge as confidential, unless the Commission is required by law, or is expressly authorized by the Participant in writing, to disclose or make known the knowledge.

Where Participant information, whether paper or electronic, is in the temporary possession or control of the Commission, the Commission will ensure the security and safety of all data and allow only authorized access to the Participant information.

**8. TERMINATION**

A Participant shall be entitled to terminate this agreement upon six (6) months written notice together with payment of the annual fees for the balance of the Term.

The Commission reserves the right to terminate this agreement upon six (6) months written notice to the Participant.

**9. SURVIVAL**

The provisions of this agreement, which by their context are meant to survive the expiry or earlier termination of this agreement, shall so survive for the benefit of the party relying upon the same.

**10. NOTICE**

Whether or not so stipulated herein, all notices, communication, requests and statements required or permitted hereunder shall be in writing.

**11. ASSIGNMENT**

This agreement or any rights arising out of this agreement shall not be assigned by either party hereto without the other party's prior written consent, which consent shall not be arbitrarily withheld.



**12. ENTIRE AGREEMENT**

This agreement represents the entire agreement between the parties with respect to the subject matter hereof.

**13. AMENDMENTS**

This agreement can be modified, amended or assigned only by a written instrument duly executed by the parties.

OTHER:

**14. Judicial Review of an ARB decision:**

Judicial reviews of the Board's decisions are governed by section 470 of the Municipal Government Act.

If the municipality is considering an application to the Court of King's Bench it is mandatory that legal counsel is consulted. Please note this is beyond the scope of this contract.

The ARB Members and Clerk are not able to offer any legal advice, suggestions, or guidance with respect to such inquiries. The CRASC Clerk may assist in securing legal representation if requested.

87



**IN WITNESS WHEREOF** the parties hereto have executed this agreement by the hands of their respective, properly authorized officers, on their behalf.

**THE COMMISSION:**                      CAPITAL REGION ASSESSMENT SERVICES  
COMMISSION

Per: \_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
Authorized Signature                      Name                      Date

**THE PARTICIPANT:**                      \_\_\_\_\_  
Name of Participant Municipality

Per: \_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
Authorized Signature                      Name                      Date



## SCHEDULE "A"

### TERM of AGREEMENT

The Term of this agreement is for the period from 1 January 2025 to 31 December 2027.

### FEES and EXPENSES

The compensation payable by the Participant to the Commission for its performance of this agreement is as follows:

#### 1. Annual Fees per Participant - Per Fiscal Year

- a. Core fee of \$900, plus;
- b. Per parcel fee of \$0.35, based on the total number of the Participant's parcels that are eligible to have a LARB or CARB complaint filed on them, as at 1 January of each year of the agreement. *(Do not include DIP, Linear, Exempt, Municipal Owned and similar parcels)*

#### 2. Hearing Fees - Per Hearing

Assessment Review Board Hearing Fees are chargeable to the Participant for each hearing and depend on the services provided to the Participant for each hearing. Not all fees may be chargeable for every hearing.

- a. **Hearing:**
  - \$800 for each LARB hearing
  - \$800 for each CARB hearing
- b. **Panelist:**
  - \$193 per Panelist for each hearing and associated travel time that do not exceed four (4) hours.
  - \$330 per Panelist for each hearing and associated travel time that exceed four (4) hours and do not exceed eight (8) hours.
  - \$495 per Panelist for each hearing and associated travel time that exceed eight (8) hours.

89

**c. Presiding Officer:**

\$248 per Presiding Officer for each hearing and associated travel time that do not exceed four (4) hours.

\$440 per Presiding Officer for each hearing and associated travel time that exceed four (4) hours and do not exceed eight (8) hours.

\$660 per Presiding Officer for each hearing and associated travel time that exceed eight (8) hours.

**d. Assessment Clerk:**

\$800 for each hearing where the Commission provides an Assessment Clerk.

Note: If panel deliberations take place on a date other than the Hearing Date, additional charges will apply as per the hearing rates above.

**3. Hearing Expenses**

Travel and subsistence expenses are chargeable to the Participant for each hearing. These are based on the rates established from time to time by the Government of Alberta for its Boards, Agencies and Commissions.

**4. Judicial Review**

If a complaint is appealed, CRASC offers Clerk Services at a rate of \$125 per hour. This would include but is not limited to responding to "Notice to Obtain Record of Proceedings" and any other administrative tasks that the ARB Clerk has jurisdiction to perform.

**COMMISSION'S SERVICE ADDRESS**

The Commission's address for service of notices is:

Capital Region Assessment Services Commission  
11810 Kingsway  
Edmonton, Alberta T5G 0X5

Telephone: 780-451-4191  
Email: info@crasc.ca

**PARTICIPANT'S SERVICE ADDRESS**

The Participant's address for service of notices is:

Name of municipality \_\_\_\_\_

Contact name \_\_\_\_\_

Address 1 \_\_\_\_\_

Address 2 \_\_\_\_\_

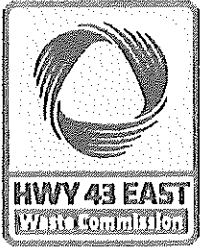
City/Province \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

91



November 13, 2024

Summer Village of Birch Cove  
Box 8  
Alberta Beach, AB  
T0E 0A0

Dear Municipal Council and or CAO,

I am writing on behalf of Highway 43 East Waste Commission Board to inform you of our current offering of high-quality crushed concrete available at a competitive rate of \$15.00 per tonne. We believe this material could be a valuable resource for various infrastructure and development projects within your municipality, providing both a cost-effective and sustainable option. We will have limited quantities in 2025 for your use if we proceed with crushing the stockpile.

Crushed concrete has multiple applications, from road base to construction backfill, and can help your municipality meet both budgetary and environmental goals. We are reaching out to gauge your interest in this product and explore potential collaborations that could support your ongoing and upcoming projects.

Please let us know if you would like to discuss this offering further, or if additional information is needed.

Thank you for considering this opportunity. We look forward to the possibility of supporting your municipality's projects.

Sincerely,

Mike Primeau, MBA, CLGM  
Commission Manager

Cc: Highway 43 East Waste Commission Board

Subject **Connect Mobility - ABF Funding, Project Bid - November 2024**  
 From <ddm@kronprinzconsulting.ca>  
 To cao@birchcove.ca <cao@birchcove.ca>, svcastle@telus.net <svcastle@telus.net>, cao@svnakamun.com <cao@svnakamun.com>, cao@rosshaven.ca <cao@rosshaven.ca>, sv sandyb@xplornet.ca <sv sandyb@xplornet.ca>, administration@wildwillowenterprises.com <administration@wildwillowenterprises.com>, sv southview@outlook.com <sv southview@outlook.com>, sv sunrisebeach@wildwillowenterprises.com <sv sunrisebeach@wildwillowenterprises.com>, office@sunsetpoint.ca <office@sunsetpoint.ca>, cao@valquentin.ca <cao@valquentin.ca> 2 more...  
 Cc merle.isaacson@connectmobility.ca <merle.isaacson@connectmobility.ca>  
 Date 2024-10-07 14:20



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- DA39905C-C778-420D-850C-F7858CD15F56-L0-001.png (~800 KB)
- Heat Map - Underserved Households in Alberta (1).pdf (~3.7 MB)
- Draft - ABF - Letter of Support Template (Oct. 7, 2024).docx (~15 KB)

Good afternoon CAOs,

Further to earlier discussion on this matter, we received word last week that several of the communities within the SVLSACE partnership have now been included as "underserved" in the latest UBF/ABF eligibility criteria. Recall that previously communities had been struggling with confirming their eligibility and when we last discussed, Connect Mobility was working to do those verifications for us.

Maps of the underserved areas are attached for reference and the following status of each community is noted:

- Approved- Summer Village Castle Island - 18 Dwellings
- Approved - Summer Village Birch Cove - 61 Dwellings
- Approved - Summer Village Nakamun Park - 151 Dwellings
- Approved - Summer Village Ross Haven - 212 Dwellings
- Partial coverage approved - Summer Village Sandy Beach - 258 Dwellings
- Approved - Summer Village Silver Sands - 234 Dwellings
- Approved - Summer Village South View - 86 Dwellings
- Partial coverage approved - Summer Village Sunrise Beach - 139 Dwellings
- Partial coverage approved - Summer Village Sunset Point - 336 Dwellings
- Not covered - Summer Village Val Quentin - 160 Dwellings
- Approved - Summer Village West Cove - 238 Dwellings
- Approved - Summer Village Yellowstone - 149 Dwellings

For the communities listed above there is a opportunity to support a project bid for the next ABF intake (due November 8th, 2024) through Connect Mobility.

For any municipality interested in participating in this latest project application, please return a letter of support on municipal letterhead (template attached for your ease) to Merle (cc'ed to this email) before November 8th, 2024. For any questions on the project itself, please reach out to Merle directly.

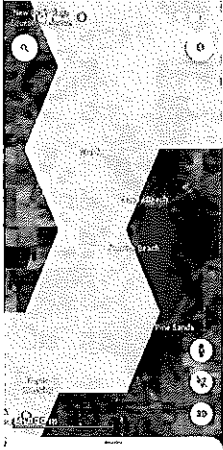
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Thank you,

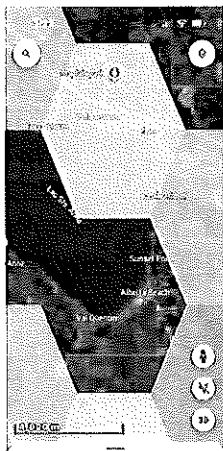
Dwight Darren Moskalyk

Administrator

SVLSACE



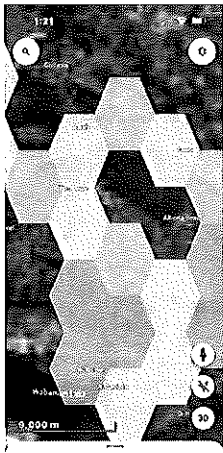
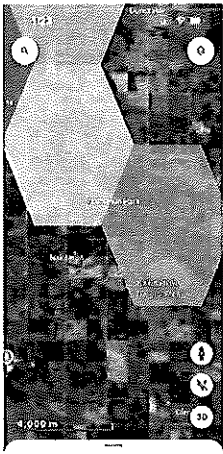
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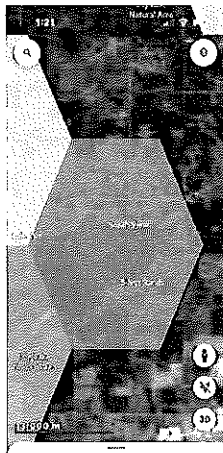
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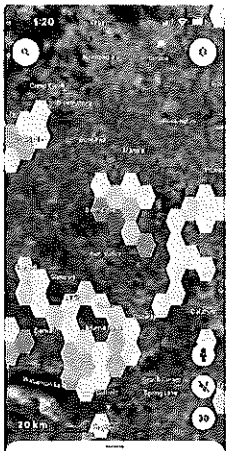


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95





96



ALBERTA  
MUNICIPAL AFFAIRS

*Office of the Minister  
MLA, Calgary-Hays*

AR116752

October 2, 2024

Dear Chief Elected Officials:

The Government of Alberta is increasingly concerned about the federal carbon tax's impact on municipalities. For the provincial government to better understand the pressures municipalities are facing and advocate to the federal government on your behalf, we are requesting that all Alberta municipalities share data relating to the impact of the carbon tax on your operations, both directly and indirectly.

I am inviting you to share your municipality's feedback through this online survey, <https://extranet.gov.ab.ca/opinio6/s?s=64826>, which will be open until 4:00pm on October 9, 2024.

If you have any questions regarding the survey, I encourage you to connect with us at [ma.engagement@gov.ab.ca](mailto:ma.engagement@gov.ab.ca).

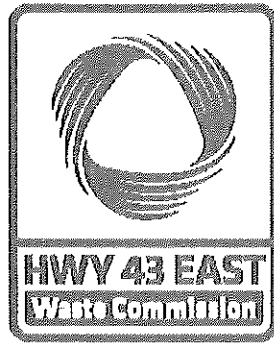
I look forward to hearing your perspectives on this important issue.

Sincerely,

Ric McIver  
Minister of Municipal Affairs

cc: Chief Administrative Officers

97



4.8 km West of Gunn, AB on HWY 43 then .4 km South on Range Road 35



MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
9:00—5:00	9:00—5:00	9:00—5:00	9:00—5:00	9:00—5:00	9:00—5:00	CLOSED

**CLOSED ALL STATUTORY HOLIDAYS**

**Paper:** Includes colored paper, white bond, newspaper, magazines and catalogues

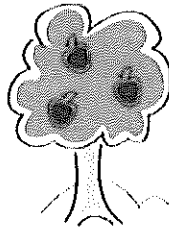
**Cardboard:** Board box (e.g. cereal boxes & shoe boxes) and corrugated cardboard boxes

**Metal:** Tin cans, aerosol cans, metal lids

**Clear Glass:** Household jars, bottles and window glass

**Plastics:** Includes all CLEANED plastic bottles and jars #1 to #7: Soft drink bottles, milk jugs, detergent bottles, FLATTNED cartons, etc.. Check the bottom of the container, if you see the recycling symbol with a #1,2,3,4,5,6,or 7 in the centre, it is acceptable.

## Did you Know?



One ton of recycled paper can save:

- 17 trees
- 380 gallons of oil
- three cubic yards of landfill space
- 4,000 kilowatts of energy
- 7,000 gallons of water!

98



Development Services  
for the  
**Summer Village of Birch Cove**

Box 2945, Stony Plain, AB., T7Z 1Y4, Phone (780) 718-5479 Fax (866) 363-3342  
Email: [pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

October 18, 2024

File: 24DP03-43

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**Re: Development Permit Application No. 24DP03-43  
Plan 2684 MC, Block 2, Lot 18 : 41 Spruce Street (the "Lands")  
R – Residential : Summer Village of Birch Cove**

**Preamble:** The proposed development is for the demolition of an Existing Detached Dwelling and Detached currently upon the Lands. The works are being directed under the conditions set out is a Stop Order against the Lands, File Number: 24STOP01-43.

You are hereby notified that your application for a development permit with regard to the following:

***DEMOLITION OF AN EXISTING DETACHED DWELLING  
AND DETACHED GARAGE***

has been **APPROVED** subject to the following conditions:

- 1- All municipal taxes must be paid.
- 2- The applicant shall display for no less than twenty-one (21) days after the permit is issued, in a conspicuous place on the site or on streets abutting the site, the enclosed notice.
- 3- The applicant shall provide a certified copy of plan of subdivision to determine all easements and restrictive covenants on the parcel, and 8.5 X 11 copies of site plans of a quality satisfactory to the Development Officer.
- 4- The applicant shall obtain and adhere to the requirements where applicable, from the appropriate authority, permits relating to demolition, building, electricity, plumbing and drainage, and all other permits required in connection with the proposed development.
- 5- The applicant shall contact the Administration Office for the Summer Village of Birch Cove to address the Lane Control on the Municipal roadway adjacent to the development a Minimum of 72 hours prior to the commencement of work at Phone (780) 967-0271 or Email: [cao@birchcove.ca](mailto:cao@birchcove.ca) .
- 6- The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors, to any public or private property.

99




Development Services  
for the

## Summer Village of Birch Cove

Box 2945, Stony Plain, AB., T7Z 1Y4, Phone (780) 718-5479 Fax (866) 363-3342  
Email: pcm1@telusplanet.net

- 7- The applicant shall prevent excess soil or debris from being spilled on public streets and lanes; and shall not place soil or any other material on adjacent properties without permission in writing from adjacent property owners.
- 8- All improvements shall be completed within six (6) months of the effective date of the permit.

Should you have any questions please contact this office at (780) 718-5479.

Date of Decision	<u>October 18, 2024</u>
Date of Issue of Development Permit	<u>October 18, 2024</u>
Effective Date of Permit	<u>November 16, 2024</u>
Signature of Development Officer	

Tony Sonleitner, Development Officer for the Summer Village of Birch Cove

cc Wendy Wildman, Municipal Administrator, Summer Village of Birch Cove  
Superior Safety Codes Inc.  
Smith Assessment Services

Note: An appeal of any of the conditions of approval may be made to the Subdivision and Development Appeal Board by serving written notice of appeal to the Clerk of the Subdivision and Development Appeal Board. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Clerk of the Subdivision and Development Appeal Board no later than twenty-one (21) days after the notice of decision. The appeal should be directed to this office (780) 718-5479 and should include a statement of the grounds for the appeal.

100

MACHINERY AND EQUIPMENT

Municipality Code	Municipality Name	2025	2024	2025	2024	% Diff	\$ Diff
		Mach & Equip	Mach & Equip				
181	INNISFREE	56,790	55,080	-1,710	3.10%		
182	IRMA	446,470	443,420	3,050	0.69%		
190	KITSCOTY	133,030	153,540	-20,510	-13.33%		
205	LONDON	3,656,320	2,437,980	1,218,340	49.97%		
207	LOMOND	94,110	91,590	2,520	2.79%		
208	LONGVIEW	1,071,700	1,046,760	24,940	2.38%		
209	LOUGHEED	387,590	385,630	1,960	3.10%		
213	MANNVILLE	104,810	333,930	-229,120	-219.15%		
214	MARWAYNE	364,440	103,260	261,180	252.89%		
220	MIL0	15,150	15,320	-170	-1.11%		
225	MORRIN	0	0	0	0.00%		
228	MUNSON	238,640	265,920	-27,280	-10.18%		
229	MYNAM	48,980	48,490	490	1.01%		
231	NAMPA	3,012,300	2,824,000	188,300	6.67%		
244	PARADISE VALLEY	40,680	39,450	1,230	3.10%		
244	ROCKYFORD	244,820	237,460	7,360	3.01%		
270	ROCKYFORD	316,270	306,760	9,510	3.00%		
271	ROSALIND	100,170	97,740	2,430	2.40%		
272	ROSEMARY	0	0	0	0.00%		
275	RYCROFT	735,880	726,130	9,750	1.34%		
278	RILEY	0	0	0	0.00%		
99	SPRING LAKE	1,240,460	1,256,600	-16,140	-1.28%		
295	STANDARD	0	0	0	0.00%		
300	STIRLING	0	0	0	0.00%		
330	VETERAN	72,170	70,360	1,810	2.58%		
332	VILNA	0	0	0	0.00%		
338	WARRBURG	179,370	181,520	-2,150	-1.18%		
339	WARNER	713,960	692,420	21,540	3.11%		
342	WASKATENAU	0	0	0	0.00%		
355	YOUNGSTOWN	0	0	0	0.00%		
SUBTOTAL		53,926,030	50,813,330	3,112,700	6.13%		

NON-RESIDENTIAL

Municipality Code	Municipality Name	2025	2024	2025	2024	% Diff	\$ Diff
		* Non-residential	* Non-residential				
3401962		3,401,962	3,176,501	225,461	7.10%		
7667896		7,667,896	7,658,880	9,016	0.12%		
7258544		7,258,544	7,106,299	152,245	2.14%		
17840704		17,840,704	17,447,783	392,921	2.25%		
2460662		2,460,662	2,333,810	126,852	5.44%		
13064290		13,064,290	12,886,720	177,570	1.38%		
4502152		4,502,152	4,850,523	-348,371	-7.78%		
8794744		8,794,744	8,768,882	25,862	0.29%		
3656382		3,656,382	3,403,933	252,449	7.43%		
1389991		1,389,991	1,200,780	189,211	15.68%		
1383450		1,383,450	1,316,590	66,860	4.85%		
1647352		1,647,352	1,451,290	196,062	13.51%		
17832300		17,832,300	18,046,100	-213,800	-1.18%		
1486050		1,486,050	1,355,000	131,050	9.67%		
6521980		6,521,980	6,288,691	233,289	3.71%		
2572920		2,572,920	2,461,700	111,220	4.52%		
2502630		2,502,630	2,229,770	272,860	12.24%		
24717280		24,717,280	25,129,460	-412,180	-1.64%		
12457507		12,457,507	11,611,551	845,956	7.33%		
3409410		3,409,410	3,187,750	221,660	6.95%		
13809143		13,809,143	13,877,725	-68,582	-0.49%		
4087260		4,087,260	3,787,470	309,790	8.18%		
2582542		2,582,542	2,545,549	36,993	1.45%		
2223812		2,223,812	2,055,127	168,685	8.21%		
11198116		11,198,116	11,161,997	36,119	0.32%		
5095573		5,095,573	4,366,469	729,104	16.70%		
1986623		1,986,623	1,794,890	191,733	10.70%		
2175140		2,175,140	2,065,220	109,920	5.32%		
513203081		513,203,081	493,104,424	20,098,657	4.08%		

RESIDENTIAL / FARM LAND

Municipality Code	Municipality Name	2025	2024	2025	2024	% Diff	\$ Diff
		Residential/Farm Land	Residential/Farm Land				
30337226		9,596,374	740,652	772%			
37925745		36,908,979	1,016,766	35.89%			
82364223		82,450,164	-85,941	-0.10%			
73539969		65,787,309	7,752,969	11.78%			
11442617		10,506,500	936,117	8.91%			
57836917		52,068,641	5,768,276	11.08%			
12387244		354,189	354,189	2.81%			
43341338		1,307,351	1,307,351	3.11%			
37946327		35,949,405	2,015,922	5.58%			
10933693		9,317,485	1,616,208	17.35%			
14401027		13,668,507	732,520	5.36%			
17659866		16,833,715	824,151	4.90%			
14695018		14,429,180	265,838	1.84%			
22059760		22,415,980	-356,220	-1.59%			
8787847		8,436,062	301,785	3.58%			
26573568		25,099,415	1,474,153	5.87%			
12972866		12,159,344	813,522	6.69%			
28627118		28,585,677	41,441	0.14%			
33538176		34,622,838	-1,084,662	-3.13%			
26280915		25,703,441	577,474	2.25%			
156687205		145,917,096	10,770,109	7.38%			
34255372		31,614,395	2,640,977	8.35%			
127589176		115,148,677	12,440,469	10.80%			
91571136		9,138,746	432,390	4.73%			
11348791		11,148,791	176,923	1.59%			
49961251		47,750,676	2,210,575	4.63%			
29322541		25,619,933	3,702,608	14.45%			
16128723		15,959,488	169,235	1.06%			
9113491		8,647,662	270,829	3.06%			
2862788859		27,075,893	155,215,016	5.73%			

Summer Villages

Municipality Code	Municipality Name	2025	2024	2025	2024	% Diff	\$ Diff
9	ARGENTIA BEACH	98,127,010	9,960,102	7.63%			
26	BETULA BEACH	35,795,077	4,367,010	13.90%			
384	BIRCH COVE	15,418,082	14,183,959	8.70%			
28	BIRCHCLIFF	210,371,868	198,858,958	5.79%			
367	BONDISS	71,497,373	66,755,324	7.10%			
37	BONNYVILLE BEACH	26,804,093	26,653,020	0.57%			
414	BURSTICK LAKE	28,141,814	21,081,918	33.45%			
57	CASTLE ISLAND	13,644,235	13,893,034	-248,799	-1.83%		
80	CRYSTAL SPRINGS	98,279,632	93,032,889	5,246,743	5.64%		
123	GHOST LAKE	57,529,887	49,300,701	8,229,186	16.69%		
129	GOLDEN DAYS	154,199,351	143,569,145	10,630,206	7.40%		
134	GRANDVIEW	118,742,105	112,229,688	6,512,417	5.80%		
138	GULL LAKE	115,455,361	105,193,505	10,261,856	9.76%		
388	HALE MOON BAY	47,977,934	40,520,576	7,457,358	18.42%		
375	HORSHOE BAY	16,733,694	16,511,708	221,986	1.34%		
165	ISLAND LAKE SOUTH	33,675,996	32,864,618	811,378	2.47%		
186	ITASKA BEACH	50,535,306	48,633,269	1,902,037	3.89%		
379	JARVIS BAY	211,593,589	191,430,363	20,163,226	10.53%		
187	KAPASHWIN	34,831,702	34,317,495	514,207	1.50%		
196	LAKEVIEW	20,320,715	18,001,543	2,319,172	12.88%		

Comparison of the preliminary 2025 Equalized Assessment (EA) to current 2024 EA



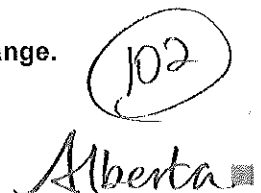
**Municipal Summary of the 2025 Equalized Assessment**

**Assessment Year: 2023**

SUMMER VILLAGE OF BIRCH COVE (Code: 384)

Property Description	Municipality's Reported Assessment	Assessment Level	Equalized Assessment
<b>RESIDENTIAL</b>			
Individual	14,520,430	0.970	14,969,515
Individual-DI property			
Corporate	435,110	0.970	448,567
Corporate-DI property			
Municipal Property		0.970	
Municipal-DI property			
Crown in Right of Alberta		0.970	
Crown in Right of Alberta-DI property			
Crown in Right of Canada		0.970	
Crown in Right of Canada-DI property			
<b>RESIDENTIAL TOTAL</b>	<b>14,955,540</b>		<b>15,418,082</b>
<b>NON RESIDENTIAL (NR)</b>			
<b>NR Non Regulated</b>			
Individual			
Individual-DI property			
Corporate			
Corporate-DI property			
Municipal Property			
Municipal-DI property			
Crown in Right of Alberta			
Crown in Right of Alberta-DI property			
Crown in Right of Canada			
Crown in Right of Canada-DI property			
<b>NR Non Regulated Subtotal</b>			
<b>NR Co-generating M &amp; E</b>			
Individual			
Individual- DI property			
Corporate			

**Note: This is the preliminary 2025 equalized assessment (EA) and is subject to change.  
The official 2025 EA is scheduled to be released on November 1, 2024**





## 2026 Local Government Fiscal Framework Capital Allocations

From MA.lgffcapital@gov.ab.ca <MA.lgffcapital@gov.ab.ca>

Date Fri 2024-10-25 4:24 PM

To Wendy Wildman <svwestcove@outlook.com>

Dear Chief Elected Officials:

The Local Government Fiscal Framework (LGFF) is our government’s commitment to assist local governments with infrastructure funding, and I am pleased to announce the release of information on LGFF Capital allocations for the 2026 program year. I expect this information will facilitate your capital planning, and allow you to more effectively budget for, and manage, your projects.

The 2026 LGFF Capital allocations for all local governments are available on the [program website](#).

The allocations are based on total program funding of \$800 million, with \$423 million allocated to the cities of Calgary and Edmonton, and \$377 million allocated to the remaining local governments.

Compared to 2025, this is a decrease of 2.5 per cent, which is the same as the decrease in provincial revenues between 2022/23 and 2023/24, as is prescribed by the Revenue Index Factor in the *Local Government Fiscal Framework Act*. Please note that while total funding will decrease by 2.5 per cent, funding impacts on individual municipalities and Metis Settlements will vary depending on changes in their formula factors relative to other local governments.

I look forward to continuing to work with you to build stronger communities in a sustainable way that continues to be reflective of Alberta’s finances.

Sincerely,

Ric McIver  
Minister

cc: Chief Administrative Officers

103



Local Government	2024 Allocation <sup>1,2</sup>	2025 Allocation <sup>1,2</sup>	2026 Allocation <sup>1,2</sup>
WARNER	\$245,019	\$257,603	\$254,631
WASKATENAU	\$194,330	\$204,632	\$218,585
YOUNGSTOWN	\$193,932	\$198,132	\$206,568
<b>Summer Villages<sup>4</sup></b>			
ARGENTIA BEACH	\$65,450	\$66,334	\$67,385
BETULA BEACH	\$63,270	\$63,808	\$64,853
BIRCH COVE	\$66,991	\$68,127	\$70,273
BIRCHCLIFF	\$76,234	\$78,708	\$88,145
BONDISS	\$73,147	\$75,315	\$76,526
BONNYVILLE BEACH	\$69,049	\$70,528	\$68,854
BURNSTICK LAKE	\$62,291	\$62,656	\$63,367
CASTLE ISLAND	\$61,868	\$62,177	\$62,640
CRYSTAL SPRINGS	\$69,134	\$70,782	\$73,006
GHOST LAKE	\$70,063	\$71,674	\$71,431
GOLDEN DAYS	\$80,034	\$83,363	\$91,998
GRANDVIEW	\$75,879	\$78,429	\$80,878
GULL LAKE	\$80,396	\$83,789	\$88,258
HALF MOON BAY	\$65,370	\$66,182	\$68,537
HORSESHOE BAY	\$70,220	\$72,338	\$72,761
ISLAND LAKE	\$87,262	\$91,743	\$85,065
ISLAND LAKE SOUTH	\$67,413	\$68,651	\$70,640
ITASKA BEACH	\$63,177	\$63,851	\$64,494
JARVIS BAY	\$83,747	\$87,498	\$87,022
KAPASIWIN	\$62,308	\$62,669	\$64,173
LAKEVIEW	\$64,245	\$64,933	\$64,696
LARKSPUR	\$65,921	\$66,863	\$67,706
MA-ME-O BEACH	\$78,565	\$81,970	\$81,711
MEWATHA BEACH	\$70,911	\$72,720	\$73,809
NAKAMUN PARK	\$70,292	\$72,045	\$69,967
NORGLLENWOLD	\$92,755	\$97,869	\$100,174
NORRIS BEACH	\$66,868	\$68,004	\$71,247
PARKLAND BEACH	\$79,281	\$82,576	\$83,340
PELICAN NARROWS	\$78,101	\$81,041	\$81,150
POINT ALISON	\$61,691	\$62,068	\$63,077
POPLAR BAY	\$75,738	\$78,216	\$78,658
ROCHON SANDS	\$71,938	\$73,893	\$74,665
ROSS HAVEN	\$80,072	\$83,184	\$78,688
SANDY BEACH	\$92,543	\$98,831	\$97,419
SEBA BEACH	\$81,993	\$85,597	\$91,069
SILVER BEACH	\$69,016	\$70,391	\$68,932
SILVER SANDS	\$79,471	\$82,686	\$87,666
SOUTH BAPTISTE	\$67,698	\$68,584	\$68,413
SOUTH VIEW	\$68,409	\$69,758	\$70,032



ALBERTA  
MUNICIPAL AFFAIRS

*Office of the Minister  
MLA, Calgary-Hays*

AR116752

October 2, 2024

Dear Chief Elected Officials:

The Government of Alberta is increasingly concerned about the federal carbon tax's impact on municipalities. For the provincial government to better understand the pressures municipalities are facing and advocate to the federal government on your behalf, we are requesting that all Alberta municipalities share data relating to the impact of the carbon tax on your operations, both directly and indirectly.

I am inviting you to share your municipality's feedback through this online survey, <https://extranet.gov.ab.ca/opinio6/s?s=64826>, which will be open until 4:00pm on October 9, 2024.

If you have any questions regarding the survey, I encourage you to connect with us at [ma.engagement@gov.ab.ca](mailto:ma.engagement@gov.ab.ca).

I look forward to hearing your perspectives on this important issue.

Sincerely,

Ric McIver  
Minister of Municipal Affairs

cc: Chief Administrative Officers

105

Subject **Share the impact of provincial decisions on property taxpayers**  
 From Tyler Gandam <president@abmunis.ca>  
 To Dean Preston <cao@birchcove.ca>  
 Date 2024-10-28 15:12



Dear Mayor's and CAOs,

ABmunis is calling on members to provide the Premier with information on the impact of provincial decisions on municipal property taxpayers.

**Grants In Place of Taxes**

Between 2019 and 2020 the Government of Alberta reduced funding for Grants In Place of Property Taxes (GIPOT) from \$60 million to \$30 million. While funding has since increased to \$38.1 million in Budget 2024, due to rising assessment values and construction of new government infrastructure, this still falls well below the amount that should be granted to municipalities for the essential services you provide to provincial properties.

At ABmunis 2024 Convention, members passed a resolution calling for the reinstatement of full GIPOT funding. Following the passing of that resolution, the Premier encouraged delegates to share data with the province on how much they are being short changed and the impact that it is having on their municipality. I also encouraged members to share that data.

As work on the 2025 provincial budget is underway, time is of the essence. ABmunis is requesting members write directly to the Premier outlining the impact that the cut to GIPOT is having on your municipality's property taxes. The benefit of this approach is that it enables you to get data to the Premier ahead of final deliberations regarding the provincial budget, while still enabling ABmunis to collect data to amplify in our own advocacy and media campaigns in the lead up to the provincial budget.

For example, the City of Wetaskiwin indicates that it wrote off \$50,582.38 due to GIPOT underfunding in 2023 and \$51,435.28 in 2024.

The Town of Whitecourt calculates that it has had to recoup a total of \$267,882 from other taxpayers over the past several years.

Year	Total Eligible Property Taxes for Provincial Properties	Amount Written Off Due to GIPOT Underfunding	Portion Written Off
2019	95,933	23,983	25%
2020	109,903	54,951	50%
2021	116,610	58,305	50%
2022	124,560	62,280	50%
2023	136,606	68,303	50%
	\$ 583,611	\$ 267,822	46%

The City of Edmonton estimates that since 2019, the Government of Alberta has short-changed it over \$80 million.

**Election Vote Counting**

Tabulators are another example of where provincial decisions have a significant impact on ratepayers in many municipalities and where action in the upcoming provincial budget is warranted. Members who have traditionally used electronic tabulators to count election votes would also be encouraged to include the estimated cost of switching to a hand count for voting results.

**Suggested Action**

If the impact of GIPOT funding reductions and removal of vote counting machines is a concern for your municipality, we suggest you:

- Write a letter to the Premier that summarizes the cost to your municipality and what that means in terms of a tax rate increase or projects/services you have had to forego due to the province's decision;

106 1/2

- cc: the Honourable Ric McIver, Minister of Municipal Affairs; and
- cc: ABmunis' President Tyler Gandam at [president@abmunis.ca](mailto:president@abmunis.ca)

Sincerely,

Tyler Gandam | President

E: [president@abmunis.ca](mailto:president@abmunis.ca)  
300-8616 51 Ave Edmonton, AB T6E 6E6  
Toll Free: 310-MUNI | 877-421-6644 | [www.abmunis.ca](http://www.abmunis.ca)



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*We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.*

107

Subject **Fall 2024 Alberta Interim Police Advisory Board Communique**  
From Tyler Gandam <president@abmunis.ca>  
To Dean Preston <cao@birchcove.ca>  
Date 2024-10-29 13:57



- Alberta Police Advisory Board Communique.pdf (~497 KB)

Dear Mayors and CAOs,

This email is being sent out on behalf of the Alberta Interim Police Advisory Board (AIPAB). Attached is the AIPAB's Fall 2024 Communique report. This communique provides an update on that Board's work to date, as well as information on:

The police funding model (PFM) implemented in 2019;  
Bill 6, the Police Amendment Act, which establishes a new system of police governance in Alberta;  
Bill 11, the Public Safety Statutes Amendment Act, which establishes an independent police agency; and  
Information on how funds raised through the PFM have been allocated.

If you have any questions about this communique, please email Kelly Santarossa, Senior Policy Analyst, at [kelly@abmunis.ca](mailto:kelly@abmunis.ca).

Sincerely,

Tyler Gandam | President

E: [president@abmunis.ca](mailto:president@abmunis.ca)  
300-8616 51 Ave Edmonton, AB T6E 6E6  
Toll Free: 310-MUNI | 877-421-6644 | [www.abmunis.ca](http://www.abmunis.ca)



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*We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.*

108

## Memorandum

**From:** Honourable Dale Nally  
Minister of Service Alberta and Red  
Tape Reduction  
103 Legislature Building

**Our File Reference:** 50402

**Your File Reference:**

**Date:** November 5, 2024

**To:** Public Bodies

**Telephone:** 780-422-6880

**Subject:** Bill 34 - Access to Information Act

Bill 34, Access to Information Act, was tabled in the Alberta Legislative Assembly on November 6, 2024. This bill is part of the Government of Alberta's ongoing efforts to modernize access to information legislation in the province. This proposed bill will largely replace Part 1: Freedom of Information of the existing *Freedom of Information and Protection of Privacy Act* (FOIP Act) and other provisions related to the Office of the Information and Privacy Commissioner. The new bill incorporates both existing provisions in the FOIP Act, as well as new or revised provisions that focus on increased clarity, regulatory accountability, and administrative updates.

Specifically, Bill 34 includes amendments to existing FOIP Act provisions such as updated reasons and processes for extensions for responding to requests; clarifying terminology and exceptions related to documents prepared for decision-makers; and empowering public bodies to proactively disclose information outside formal requests. It also clarifies and enhances regulatory functions for the Office of the Information and Privacy Commissioner, including setting out clear timelines for the completion of inquiries.

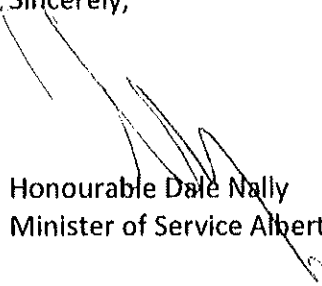
The Act will not come into force until late Spring 2025 when the supporting Regulation is approved. In the interim, the FOIP Act will continue to apply to all public bodies' daily access to information operations. Further information about the bill is available at [insert web link].

Prior to the bill coming into force, the Government of Alberta will provide further information to public bodies, including new and updated reference guides, resources, and interpretive materials to support the implementation of the new Act and Regulation.

.../2

The bill is the result of several years of engagement with Albertans, public bodies, and the Office of the Information and Privacy Commissioner. The input provided by Albertans and stakeholders was integral to helping government modernize this legislation and improve clarity for public bodies.

Sincerely,



Honourable Dale Nally  
Minister of Service Alberta and Red Tape Reduction



# ALBERTA INTERIM POLICE ADVISORY BOARD

Report to Municipalities, Police Governance Bodies,  
and Stakeholders

October 2024





# Alberta Interim Police Advisory Board Communique

## Table of Contents

Table of Contents.....	1
Introduction .....	1
Alberta Interim Police Advisory Board.....	1
Police Funding Model (PFM).....	4
Police Act Amendments.....	6
Appendix A – Police Officer and Civilian Position Detail.....	8
Appendix B – RCMP Strategies for Recruitment, Retention, and Emergency Response.....	11

## Introduction

The purpose of this communique is to update municipalities, police governance bodies, and other stakeholders on the Alberta Interim Police Advisory Board’s work to date. This document provides an overview of the police funding model (PFM) implemented in 2019; Bill 6, the Police Amendment Act, which establishes a new system of police governance in Alberta; and Bill 11, the Public Safety Statutes Amendment Act, which establishes an independent police agency.

From its inception, the Interim Board has prioritized communicating and consulting with municipalities and existing police governance bodies. The Interim Board has endeavored to update stakeholders on the work it has undertaken, as well as solicit feedback through surveys and meetings to inform that work. All previous Interim Board communiques are available on the [ABmunis policing hub](#).

## Alberta Interim Police Advisory Board

### *History and Background*

In December 2019, the Government of Alberta (GoA) introduced a new, five-year Police Funding Model (PFM) that applies to municipalities receiving police services from the RCMP under the Provincial Police Service Agreement (i.e. municipalities with populations under 5,000 and all municipal districts and counties). The following spring, the Minister of Justice and Solicitor General established the Alberta Police Advisory Board to give municipalities a stronger voice in setting RCMP policing priorities. The creation of this board aligned with Alberta Association of Police Governance (AAPG), Alberta Municipalities (ABmunis), and Rural Municipalities of Alberta (RMA) advocacy calling for municipalities to have greater oversight of policing, particularly now that they were paying directly for a portion of policing costs.

The Alberta Police Advisory Board was originally meant to be implemented in two phases; in the first year, an Interim Board would develop the structure and scope of the Advisory Board. On completion

of the Interim Board's mandate, the work of the Operational Police Advisory Board would begin for a four-year term.

According to the Terms of Reference developed by Justice and Solicitor General, the Interim Board is made up of one representative from the AAPG Executive, four representatives from the ABmunis Board, and four representatives from the RMA Board.

Interim Police Advisory Board Current Membership

AAPG	ABmunis	RMA
Ian Sanderson Chair of the St. Albert Policing Committee	Tanya Thorn Mayor, Town of Okotoks, and Interim Board Chair	John Burrows Councillor, Woodlands County
	Tyler Gandam Mayor, City of Wetaskiwin	Paul McLaughlin Reeve, Ponoka County
	Krista Gardner, Councillor, Town of Calmar	Jason Schneider Reeve, Vulcan County
	Trina Jones Councillor Mayor, Town of Legal	Kara Westerlund Councillor, Brazeau County

The Interim Board was originally mandated with:

1. Developing the scope and terms of reference for the Operational Board.
2. Developing a recruitment and selection process for Operational Board members.
3. Developing governance documents for the Operational Board, including at minimum, a Competency Matrix for Board member appointments and review, a Code of Conduct, and a Mandate and Roles Document.
4. Providing input, advice, and recommendations to the government and RCMP "K" Division on the buildup of the provincial police service.
5. Providing input into discussions respecting the provincial policing priorities for the 2021/22 fiscal year to facilitate engagement during transition to the Operational Board.

The Interim Board fulfilled its mandate one year later, with recommendations on governance submitted to the Minister of Justice and Solicitor General, in June 2021. At the end of 2021, the Board was notified that the Ministry would be providing financial and staff support to the Board but would not be moving forward with the recommendations.

In early 2022, a new Minister was appointed as Minister of Justice and Solicitor General and the Board requested that this Minister review and reconsider the Board's recommendations. The new Minister directed the Board to provide advice on provincial policing priorities for 2023, as well as support the transition to an Operational Board.

In June 2022, the Board was notified that recruitment for an Operational Board would likely be delayed and asked whether the Interim Board members would be willing to continue to participate on the Board until an Operational Board could be established, using the GoA's internal recruitment and selection process instead of the recommendations that the Board had previously provided.

AAPG, ABmunis, and RMA advised that they were willing to continue serving on the Interim Board, subject to the following conditions:

- Justice and Solicitor General provides administrative support to the Board and the Board Chair.

- The mandate of the Operational Board is amended to enable the Board to be effective in its advisory role and to determine its annual work plan.
- A new Terms of Reference for the Board is created.
- The Interim Board's recommendations related to governance of the Operational board are reviewed and the Ministry provides rationale for the direction it took regarding these recommendations.

Following the October 2022 UCP leadership race and the election of Danielle Smith as party leader, Mike Ellis, MLA for Calgary-West, was appointed as Minister of Public Safety and Emergency Services.

In early 2023, the Board was advised by the Public Safety and Emergency Services staff that:

- Minister Ellis was looking for us to proceed with previous support requests.
- A new Terms of Reference would be created.
- An administrative position was in the process of being hired.

The updated Terms of Reference was finalized by the Board in May 2023. The Board's new mandate was to:

- Provide ongoing input, advice, and recommendations to the GoA and RCMP "K" Division on policing in Alberta.
- Collaborate with the GoA and RCMP "K" Division to develop annual provincial policing priorities.
- Engage with the GoA and RCMP "K" Division to provide input, advice, and recommendations on any other issues, plans, or documents as determined by the GoA.
- Provide recommendations and advice on the buildup of PPSA resources from the PFM revenue during the Board's term.
- Serve as a communications conduit between all municipalities served by the RCMP through the PPSA and the GoA/RCMP "K" Division. This includes:
  - Regularly reporting to municipal associations and PPSA municipalities on the Board's activities and other policing-related information.
  - Regularly soliciting local input from PPSA municipalities and other relevant organizations on policing issues, initiatives, and priorities.
  - Distributing at least one annual survey to seek input from PPSA municipalities seeking input or further clarification on how they are seeing these priorities improved in their communities.
  - Distributing a survey every third year to aid the Board's input into the provincial policing priorities development process.
  - Working with the GoA and RCMP "K" Division to provide information to municipal associations and communities on how police funds were spent and the resulting outcomes.
  - Creating the Board's annual work plan to assist with the completion of deliverables.
  - Providing input into the next phase of the Provincial Policing Funding Model.
  - Aid and support the ministry in the transition from the Interim Board to a Permanent Board.

Throughout 2023 and 2024, the Board has continued to meet with the RCMP and Public Safety and Emergency Services staff to provide input into the 2023 provincial policing priorities and RCMP resource allocation (see Appendix A for more details on RCMP staffing).

In February 2024, Minister Ellis announced provincial policing priorities for the upcoming year for all policing in Alberta. Consequently, the Board determined that there was no need to survey our

members on any changes to the policing priorities in the RCMP Joint Business Plan. The Board has provided input into the Police Amendment Act Regulations and advised that the consultation period on PFM renewal is not sufficient given that this model will expire in March 2025. Following the Board's July 2024 meeting with Minister Ellis, we are waiting for an update from the Ministry on the Board's next steps, including timelines and deliverables.

### *Board Benefits and Challenges*

AAPG, ABmunis, and RMA acknowledge that participating on the Interim Board has been beneficial in building relationships with the RCMP and Ministry staff. The Deputy Commissioner and Commander of "K" Division, along with senior RCMP staff, have attended all Interim Board meetings and demonstrated a strong commitment to municipal engagement, at both the local and provincial level. AAPG, ABmunis, and RMA have noted several improvements to RCMP accountability and transparency since the establishment of the Interim Board, including:

- Standardized reporting and invoicing forms.
- Municipal education sessions on multi-year financial plans.
- The development of a performance evaluation framework for the RCMP Joint Business Plan.
- Detailed information on the allocation of PFM funds to augment RCMP resources.

Having all partners (Ministry of Public Safety & Emergency Services, RCMP and municipalities) involved in and impacted by contracted RCMP policing services at the same table has resulted in a valuable sharing of perspectives, as well as a broader understanding of all the challenges faced by each entity. Interim Board members often have access to valuable information, discussions, and updates that we wouldn't have access to otherwise. We have also gained a solid understanding of how the resources supported by PFM funding have affected crime across the province.

The Board has seen four Ministers since our inception, which has created a learning curve with each new Minister and resulted in some shifting of priorities and policy directions. With the transition to an Operational Provincial Advisory Board anticipated in early 2025, the Board is currently seeking clarity from Minister Ellis on what role he would like the Board to take in the transition, as well as any deliverables he wishes to assign to the Board.

### *Police Funding Model (PFM)*

#### *Background*

The PFM, introduced in December 2019 and implemented in 2020-21, applies to municipalities with populations under 5,000, as well as municipal districts and counties, which are policed by the provincial police service. The PFM takes the total cost of frontline officers and redistributes a portion of those costs to these municipalities. The implementation of the PFM required those communities that had not previously paid for frontline policing to begin contributing a portion of the costs. At the time of implementation, the GoA committed that the additional revenue raised through the PFM would be reinvested into policing, with a priority on core policing.

Under the five-year model, municipalities pay 10% of provincial policing costs in Year One, 15% in Year Two, 20% in Year Three, and 30% in Years Four and Five. Each municipality's share of policing costs is calculated according to a formula that weighs equalized assessment at 50% and population at 50%, with modifiers related to shadow populations, crime severity, proximity to detachment, and existing enhanced policing positions. The province has shared a [spreadsheet](#) listing the costs for

affected municipalities over the five years, as well as sample calculations for the distribution of costs under this model.

### *Use of Police Funding Model (PFM) Funds*

As previously mentioned, the RCMP has shared detailed information on how PFM funds have been used to augment its resources. The RCMP understands that police resource levels are important to Alberta communities, particularly under the PFM. Within the RCMP's integrated service delivery model, detachment resources are augmented by centralized frontline support and specialized units, as well as by civilian support positions. This means that even detachments that do not receive new police officer positions benefit from additional centralized services, as these positions enable frontline officers to spend more time on community policing.

The RCMP and the Board have prioritized using PFM funds to:

- Ensure adequate resources in frontline detachments.
- Enhance specialized support services for emergency response and investigational capacity.
- Focus on community safety and well-being to help address the root causes of crime.

To help determine where to allocate new resources, the RCMP analyzed its workload at each detachment, looking at factors such as travel time, call volume, the type of crimes occurring in the area, amount of time required for investigations, the size of detachment, and the time available for proactive policing (strategic patrols, community engagement, visiting schools, and attending community events).

The following table provides a summary of the positions created using PFM funds. Additional information on position locations and types is available in Appendix A.

Year	Police Officer Positions		Civilian Support Positions	
	Positions Created	Positions Filled	Positions Created	Positions Filled
2020-21	76	76	57	57
2021-22	55	53	42	40
2022-23	40	24	52	42
2023-24	108	55	91	39
<b>Total</b>	<b>279</b>	<b>208</b>	<b>242</b>	<b>178</b>

The RCMP has acknowledged municipal concerns about staff recruitment and retention, vacancies, and emergency response, and has provided further information about current strategies to address these issues in Appendix B.

### *Invoicing and Vacancies under the PFM*

The Interim Police Advisory Board also believes it is important to clarify that under the current PFM, there is no direct link between the number of positions at a detachment and the amount that communities are invoiced. As mentioned above, each municipality's share of policing costs is calculated based on equalized assessment and population. This means that regardless of whether a detachment is at full strength or if there are vacancies, the PFM amount invoiced to communities by the GoA remains the same.

The RCMP does invoice the GoA for provincial police services based on the actual number of RCMP members that are employed full time. This means that the province does not pay for vacant

positions<sup>1</sup> under the Provincial Police Service Agreement, and that the province is not charged for newly created positions until they are filled. Given that the RCMP, like other police services at this time, has struggled with recruitment, the province has chosen to invest the refunds for unfilled positions into other initiatives to reduce crime and enhance public safety. The RCMP's Real-Time Operations Centre, which supports frontline members with real-time, accurate, and actionable intelligence, is one example of how these funds have been invested.

### *Police Funding Model (PFM) Renewal*

As the PFM expires in March 2025, the Public Safety and Emergency Services Ministry is expected to begin engaging on a renewed model. The Police Advisory Board has not yet received a timeline for this engagement. Department staff have indicated that if engagement is not completed in time for the 2025-26 fiscal year, the Minister will be asked to consider extending the model for an additional year, billing municipalities at the same rate as in Year Five (30% cost recovery). The Board is still waiting for confirmation of this.

When the PFM was created in 2019, the base cost utilized to calculate each municipalities costs was \$285M. This represents the estimated cost of delivering front-line services under the RCMP contract for Alberta's provincial police service. Since then, there have been significant increases in RCMP policing costs, due to collective bargaining settlements, equipment upgrades, body-worn cameras, and so on. The GoA has paid all of these increased costs as they have not been factored into the PFM to date.

As the Ministry considers renewing the PFM, it is important for our members to understand that this escalation of costs has resulted in an increase in the cost of delivering frontline policing to a conservative estimate of \$311.4 million in 2024. Even if the GoA only changes the base cost in the original PFM formula (and not the percent of cost recovery), this will result in increased costs for all municipalities.

### *Police Act Amendments*

#### *New Police Governance Model*

The Police Act mandates the GoA to ensure that adequate and effective policing is maintained in Alberta. Following several years of engagement with stakeholders and the public, the province passed Bill 6, the Police Amendment Act (PAA), in December 2022. According to the GoA, this legislation was intended to increase police transparency and enhance public trust to help build safer communities. In addition to other reforms, the legislation required the formation of civilian governance bodies for all municipalities in Alberta, with the intent for communities to have a role in setting policing priorities and performance goals. The PAA creates several new mandated structures for municipal input into policing:

- Communities with a population over 15,000 that are policed by the RCMP with an MPSA will be required to establish municipal policing committee.
- Communities with a population of under 15,000 policed by the RCMP with a Municipal Police Service Agreement (MPSA) will be represented by regional policing committees but will have the option to form their own municipal policing committee.

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<sup>1</sup> The RCMP categorizes vacancies as either "hard" or "soft". Hard vacancies refer to unfilled positions, while soft vacancies refer to temporary absences such as injury or parental leave. While contract partners are invoiced for soft vacancies, they are not invoiced for hard vacancies.

- Communities policed by the RCMP under a Provincial Police Service Agreement (PPSA) will be represented by a Provincial Police Advisory Board (PPAB).

As next steps to the 2022 legislative amendments, the GoA is currently developing supporting regulations to clarify the powers, duties, functions, and composition of these new governance bodies, as well as the configuration of regional policing committees. Written submissions were accepted until mid-March 2024 and were in the form of an online questionnaire.

It is our understanding that the PPAB will be in place by early 2025. However, it is unclear what role the Interim Police Advisory Board will play moving forward with this transition. The Board has expressed through our original governance recommendations and in subsequent engagements that the PPAB should develop governance, engagement, and accountability processes that align with the fact that policing challenges and priorities are often regional or local in nature. Before the PPAB begins speaking on behalf of those it represents, it must have a plan in place to ensure that perspectives from different parts of the province, as well as different groups within communities, are adequately represented.

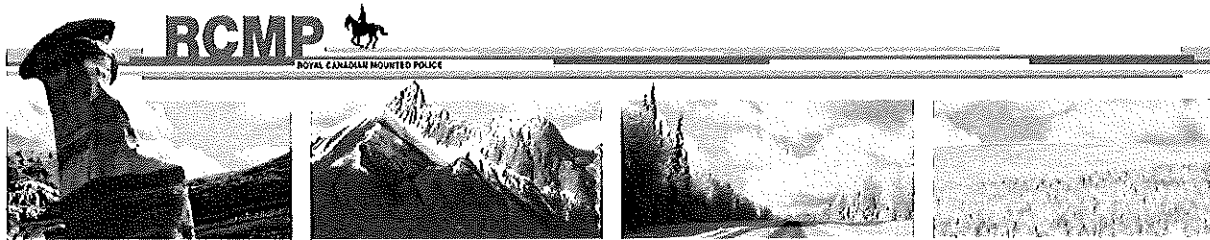
### *Bill 11*

In March 2024, the GoA introduced Bill 11, the Public Safety Statutes Amendment Act, which permits the province to establish a new policing organization. This new organization will work alongside police services across the province. Officers in the new agency would take on the responsibility for the roles currently carried out by the Alberta Sheriffs. This agency will have the authority and jurisdiction to support the RCMP, municipal police services, and First Nations police services in Alberta, with the goal of allowing other police services across the province to spend more of their time on core operations and frontline duties.

It is important to note that there was no mention of this new policing organization in the 2024-25 provincial budget, and it is unclear where the funding for this potential transition would come from. Unfortunately, it does not appear that there was any engagement done regarding Bill 11 with municipal associations, municipalities, or any other policing organizations, such as Alberta Sheriffs. This lack of engagement is concerning, considering the community input necessary to ensure that policing reflects local needs.

Although AAPG, ABmunis, and RMA support any effort that will help make life safer and more secure for Albertans, it is unclear how Bill 11 will accomplish this. There are many unknowns regarding how this entity will work with the RCMP at the local level in terms of collaboration, the development of Community Safety Plans, gathering community input, implementing policing priorities, and so on. If supported by proper governance and local input, enhanced police capacity is beneficial to rural communities, but there are risks around having two different entities providing similar services within the same community.

The Minister of Public Safety and Emergency Services has indicated that no decision has been made on the creation of an Alberta Provincial Police Service and that this new agency is not intended to replace the RCMP. The Interim Police Advisory Board has not been involved to date with the establishment of the new policing organization and does not anticipate that the future Operational Board will have any say in its governance.



## Appendix A – Police Officer and Civilian Position Detail

Funding provided through the police funding model has enabled the Alberta RCMP to grow the Provincial Police Service by adding 279 police officer positions and 242 civilian support positions. The chart below highlights how many positions were added each year, and the current staffing status as of October 1, 2024.

PFM Position Allocation						
	RM			PS		
	Allocated	Filled	% Filled	Allocated	Filled	% Filled
PFM Year 1	76	76	100.00%	57	57	100.00%
PFM Year 2	55	53	96.36%	42	40	95.24%
PFM Year 3	40	24	60.00%	52	42	80.77%
PFM Year 4	108	55	50.93%	91	39	42.86%
<b>Total</b>	<b>279</b>	<b>208</b>	<b>74.55%</b>	<b>242</b>	<b>178</b>	<b>73.55%</b>

*\*Data as of Oct. 1, 2024. Number of filled positions fluctuate with new hires, transfers, leaves, etc.*

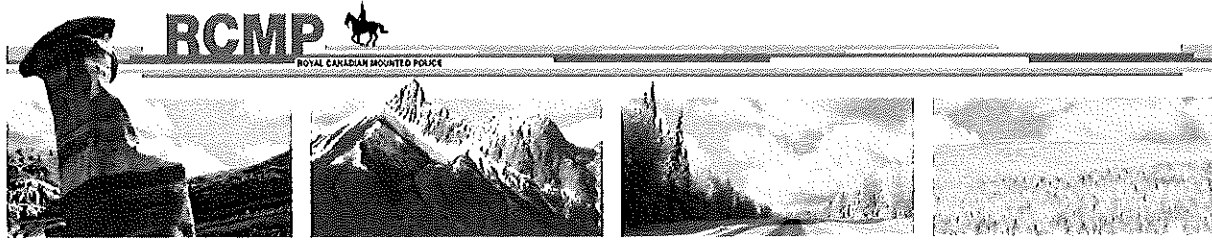
To ensure we provide a comprehensive policing service to Albertans, Alberta RCMP allocated positions afforded to us through the PFM to frontline policing, specialized support units and resources focused on addressing root causes of crime.

### POLICE OFFICER POSITIONS

#### Police Officers Allocated to Detachments

Over four years, the Alberta RCMP added 136 Regular Member positions directly at detachments. When allocating police officer positions, our first priority was to ensure all detachments had adequate resources to balance the time spent responding to call for service with the time available to engage in activities such as strategic patrols, participation in community events and increased school presence. Through a workload analysis model and data related to the frequency, seriousness and type of crimes occurring, geography and population of the detachment area and travel time to calls, we determine the number of resources needed at each detachment to ensure we direct resources to where the data told us they were needed.





POLICE OFFICER POSITIONS BY DETACHMENT = 136 POSITIONS											
Central Alberta District Detachments		31	Eastern Alberta District Detachments		34	Southern Alberta District Detachments		35	Western Alberta District Detachments		36
Bashaw	Stettler		Athabasca	Viking		Airdrie	Three Hills		Beaverlodge	Spirit River	
Blackfalds	Strathcona		Bonnyville	Westlock		Bassano	Vulcan		Edson	Swan Hills	
Breton	Sylvan Lake		Cold Lake			Bow Island			Evansburg	Valleyview	
Camrose	Thorsby		Elk Point			Canmore			Faust	Whitecourt	
Innisfail	Wetaskiwin		Kitscoty			Cochrane			Grande Prairie		
Leduc			Lac La Biche			Didsbury			High Level		
Morinville			Provost			Hanna			High Prairie		
Parkland			Smoky Lake			High River			Manning		
Ponoka			St. Paul			Lake Louise			Mayerthorpe		
Rimbey			Two Hills			Okotoks			Peace Regional		
Rocky Mountain House			Vegreville			Strathmore			Red Earth Creek		

**Relief Support for Detachments**

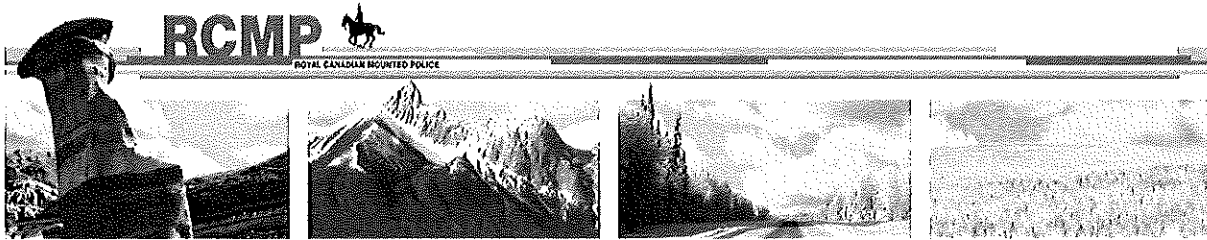
30 Positions were also allocated to Relief Teams. When staffed, these teams of police officers will be able to deploy to detachments experiencing short-term resource pressures.

**Police Officers Allocated to Specialized Units**

Ensuring that we have the necessary specialized services in place to support the work of the front-line officers when needed is critical to providing a comprehensive police service to our communities. To that end, the Alberta RCMP has increased capacity to a number of units that provide specialized support to detachments in areas such as investigations, forensic units, police-dog teams, and Emergency Response Teams (ERT). We were able to establish the Real Time Operations Centre (RTOC), a team of senior police officers who monitor operations in real-time, assess incident risk, coordinate resources (including with other police agencies and first responders) and manage the response. Additionally, we were able to build capacity in our teams dedicated to tackling financial and cybercrime, and in teams that provide specialized skills related to child advocacy. While these resources are not needed in each community every day, they are always available to address more dangerous situations or take on the more sensitive, complex, or serious files.

**Police Officers Focusing on Root Causes of Crime**

We also know enforcement alone or in isolation doesn't always work. Often, people facing addictions, mental health challenges and those who live without adequate housing are among offenders who land in a cycle of reoffending. We know there are root causes to some of this behavior, and while there are no simple solutions to address them all, there is work we can do with our community and social agency partners to achieve tangible, positive impacts to community safety. To this end, we used funding through the PFM to establish the Community Safety and Wellbeing Branch. With our partners, the Branch was able to build Rural Police and Crisis Teams (RPACT), teams of police officers and health professionals who respond to calls related to mental health. We also implemented the Virtual Opioid Dependency Program (VODP), which provides medical intervention and support to those dealing with addiction.



**CIVILIAN SUPPORT POSITIONS**

**Civilian Supports Allocated at Detachments**

Over four years, the Alberta RCMP added 77 Public Service Employee positions directly to detachments to enable police officers to be more visible with the communities they serve.

CIVILIAN SUPPORT POSITIONS BY DETACHMENT = 77 POSITIONS							
Central Alberta District Detachments 16		Eastern Alberta District Detachments 20		Southern Alberta District Detachments 21		Western Alberta District Detachments 20	
Bashaw	Wetaskiwin	Athabasca	Wood Buffalo	Airdrie	Nanton	Beaverlodge	Swan Hills
Blackfalds		Bonnyville		Beiseker	Picture Butte	Ft. Vermillion	Valleyview
Breton		Boyle		Bow Island	Strathmore	Fox Creek	
Camrose		Cold Lake		Cardston	Turner Valley	Grande Prairie	
Innisfail		Coronation		Cochrane	Vulcan	High Level	
Rimbey		Desmarais		Crowsnest Pass		High Prairie	
Rocky Mountain House		Elk Point		Didsbury		Hinton	
Strathcona		Kitscoty		Gleichen		Manning	
Stony Plain		Lac La Biche		Lake Louise		Mayerthorpe	
Sylvan Lake		Provost		Milk River		Peace Regional	
Thorsby		Two Hills		Olds		Peace River	
Wetaskiwin		Westlock		Oyen		Red Earth Creek	

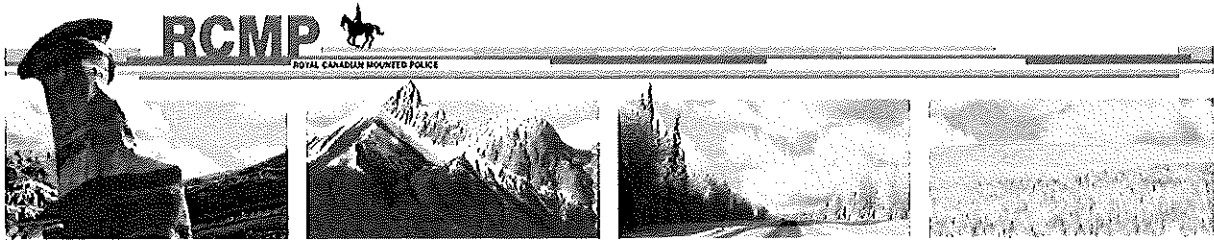
**Civilian Supports in Specialized Units**

The Alberta RCMP allocated a number of civilian support positions in areas such as intelligence and analytics, digital forensics and scenes of crime. We were also able to dedicate more operators to the Operational Communication Centre (OCC) and build our Remote Piloted Aircraft Systems (or drones) program, to name a few. Additionally, we invested in establishing a Return-on-Investment Team that will help us assess whether our efforts are achieving their stated goals and objectives.

**Civilian Supports Focusing on Root Causes of Crime**

Civilian positions in Community Safety and Wellbeing branch provide critical support to communities by working with our community partners to tackle the root causes of crime. These include the Rural Police and Crisis Teams (RPACT), and teams focused on community engagement and outreach, social engagement, alternative and restorative justice, and youth programming.

(125)



## Appendix B – RCMP Strategies for Recruitment, Retention, and Emergency Response

### Enhancing Recruitment Efforts

Over the past several years, recruiting has been a challenge for not only the RCMP, but for all police organizations in North America. The Alberta RCMP has made addressing this challenge a top priority.

In addition to all detachments having their own recruiting strategy, over the past year we have attended over 1,200 events and engaged with over 400,000 people to talk about a policing career with the Alberta RCMP. These efforts are paying off: in April 2023, the Alberta RCMP had 102 applicants. As of May 2024, this number has more than tripled to 318 Albertans. Depot (the RCMP training academy) is also back to having troop gate that it had prior to the pandemic.

The Alberta RCMP has also been focused on recruiting experienced police officers, and over the past couple of years a significant number of experienced police officers have joined the. Several years ago, regular member officers received a pay raise that brought their salaries in line with other police officers in Canada, and this pay raise has had a positive impact on our ability to recruit officers to the RCMP.

We're continually working to find efficiencies in the application process, and thus far have cut the time it takes to get into training to 6 months. We're examining ways to cut that timeframe down even further.

Our focus on recruiting remains, and will continue to remain, a top priority for the Alberta RCMP.

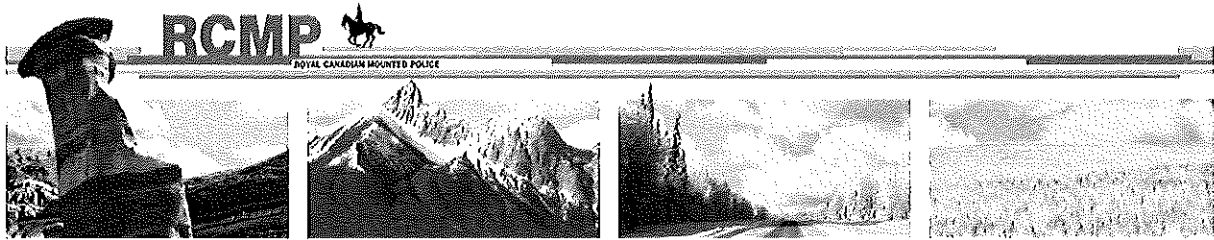
### Addressing Vacancies

Increased vacancy rates have been a challenge for all police services in North America, including the Alberta RCMP. Ensuring that we have enough police officers in our detachments to respond to calls is a critical aspect of how we manage our resources. We are continually analyzing our service delivery models to ensure they are as efficient and effective as they could be. Some of this work includes regular examination of shift schedules to ensure optimal schedules are in place or looking at alternate service delivery models such as regional options, fly-in options for remote communities. This work is always done in consultation with the communities, as if the model doesn't meet their needs, it's not workable.

Our Human Resources Management dashboard allows our District Management Teams to continually monitor HR numbers at detachments to ensure they have an adequate number of police officers working at any given time. Should a detachment be experiencing a significant resource pressure, the District Management Team is able to redeploy resources from another area to address the pressure.

We share our vacancy rates with the Police Advisory Board at our meetings, and with the Ministry of Public Safety and Emergency Services on a monthly basis. As of Sept 14, 2024, our combined vacancy number is 17.3%, which includes both hard vacancies (meaning we don't have an officer to fill a position) and soft vacancies (meaning the position is encumbered, but the employee is away from work due to things such as medical or parental leave). Earlier this year, that number was closer to 20%, but we are seeing improvements every month.

The Alberta RCMP is very focused on recruiting to address hard vacancies, but we're also very focused on addressing our soft vacancies and have introduced number of initiatives to ensure we're supporting our



employees and getting them back to work as soon as they are able. These strategies include hiring additional doctors, disability case managers, nurses and psychologists and enhancing our mental health and wellness programs.

#### **911 Call Response**

The Alberta RCMP operates in a vast geographic area, which brings its own challenges. Given the geography and size of the areas we police, response times in a rural environment will be different than in an urban setting such as Calgary or Edmonton. That said, we continually monitor our response times to priority calls and implement any changes required to policy or by examining the service delivery model, ensuring we are best positioned to respond. In some cases, as a community evolves its existing detachment boundaries no longer make sense, so we examine whether adjustments to those boundaries would enhance our response.

We are also looking at ways to educate the public around proper use of 911, with the ultimate goal of reducing the number of non-emergency calls to 911. We've also hired a number of new operators in our call centers, which decreases wait times when calling 911. Additionally, the Alberta RCMP is currently working towards providing an easy-to-remember option for non-emergency calls.

The Alberta RCMP is always examining strategies that will positively impact response times and enhance our service.

#### **24/7 Shift Coverage in all PPSA locations**

In late 2000, the Alberta RCMP presented an analysis of what would be required to have police officers on shift 24/7 in each of our detachments to the Police Advisory Board. The key finding was that in order to do this, the Alberta RCMP would need to add an additional 350 police officers to the PPSA. Adding this many police officers would also require additional detachments and housing (in some locations), along with the items that our officers would need to do their job, such as equipment, vehicles and more. In order to achieve this, it required a significant increase in financial investment by the Province.

While we do not have someone on shift 24/7 in every one of our detachments, all detachments do have 24/7 coverage via our on-call officers.

## Policing costs for small municipalities going up 39%, but Alberta gov't will cover for one year

Nov 6, 2024 | 5:54 PM

Alberta municipalities with fewer than 5,000 people will soon pay 39 per cent more for policing costs, but not before the Alberta government covers the increase for one year.

The UCP announced in 2019 that these smaller municipalities would have to start paying 30 per cent of policing costs, which they say has led to the hiring of hundreds of new RCMP positions across the province — 285 regular members and 244 on civilian duties.

The government says costs are rising due to changes in RCMP collective bargaining agreements.

In 2025, Alberta will give municipalities \$27 million for one year to offset the spike, but after March 2026, they're on their own.

"The expiring regulation would have municipalities seeing a 39 per cent increase in their costs – with no improvement in policing services delivered," says Mike Ellis, Minister of Public Safety and Emergency Services.

"We know this is not acceptable for many municipalities. This cost freeze will give rural municipalities the stability and predictability they need, and it will allow for meaningful engagement between the province and municipalities on equitable support."

Ric McIver, Municipal Affairs Minister, says government understands the increase will be a challenge for municipalities.

"With the costs frozen for a year, we look forward to a comprehensive review of the police funding model with our municipal partners," he says. "During our review, we will carefully consider all factors to ensure we provide an updated funding model that is sustainable."

A government release Wednesday notes that in 2020, ministers began working with Alberta Municipalities (AB Munis — formerly AUMA) and Rural Municipalities of Alberta (RMA) to create a shared funding model.

The eventual *Police Funding Regulation* saw the portion municipalities were expected to pay eased in until it hit 30 per cent for the 2023-24 fiscal year. That regulation was supposed to expire in March 2025, but will now run through March 2026.

Penhold Mayor Mike Yargeau, whose town receives policing from the Innisfail RCMP detachment, says one way or another, Albertans are paying these costs.

It's unfortunate, he says, that more will have to come directly from municipalities because it likely means a steeper property tax increase.

"This doesn't mean we get additional RCMP resources. If there are new officers going somewhere, I don't believe they're coming to central Alberta," Yargeau told *rdnewsNOW*, talking about getting bang for their buck. "This isn't to speak negatively of our local detachment, because the officers do a good job and we have a great working relationship with them; it's just that there aren't enough resources for them."

124

In Penhold, a one per cent property tax hike is equivalent to about \$50,000, and the town already pays roughly \$250,000 for its 30 per cent share of policing. A 39 per cent increase on \$250,000 equals nearly \$100,000.

Up the QEII in Rimbey, Mayor Rick Pankiw says a four per cent property tax increase will be needed to cover the incoming 39 per cent escalation.

"I'd like to know where our provincial government comes up with some of their ideas. They've dropped our Local Government Fiscal Framework (formerly MSI) funding by 30 per cent, and the only way we can come up with this extra money is by raising taxes; but how far can you raise taxes?" he wonders.

"There was a time when we didn't pay for any police funding and now it's gone up every single year. It's frozen for one year, but then it goes up 39 per cent, and I think it's ludicrous. I'd love for the minister to tell me where I'm supposed to get that money."

Pankiw, who's been mayor for 10 years, says their RCMP numbers haven't gone up since the current funding model was implemented.

According to Alberta RCMP Public Information Officer, Cpl. Troy Savinkoff, Rimbey has added one police officer and one civilian support position since the original funding model came in, and Penhold has added one officer.

Pankiw also wonders why the province, which has strongly indicated it'd like to ship out the RCMP, is talking about the RCMP CBA when it too is set to expire next year.

Pankiw clarifies that Rimbey's stance on moving away from the RCMP is that it would be wrong and unwanted.

Meantime, outgoing RMA President Paul McLauchlin, who is also Ponoka County reeve, says the police funding model has been a tremendous download onto municipalities, and worse yet, it hasn't led to a change in service.

McLauchlin says the discussion should be around contract management on the province's part, as opposed to the work of the RCMP.

"As far as the funding model, key performance indicators aren't defined, and I've called it in the past the worst policy development I've ever seen, because we're paying for something that's got no feedback loop to see whether it's successful or not," he says.

"The freeze is a positive thing because the increase will cause impairment to municipalities, but the fundamentals of this discussion should be that the system is flawed."

McLauchlin, speaking to us from his organization's annual convention in Edmonton, is also concerned that this is being made out to be a union issue.

"There are a lot of big discussions related to policing, and we seem to be paying for something we have no input or control over," he says.

In his own jurisdiction — Ponoka County — RCMP regularly report to council, like they do in Red Deer. He says that model has proven successful; for example, they hired a private investigator, directly leading to the uncovering of a significant crime ring.

McLauchlin surmises too that when the province alludes to hundreds of new positions, many have simultaneously been lost due to retirement and relocation.

About RMA being involved in forming the regulation five years ago, McLauchlin says, "They say they worked with us, but they literally told us what they were going to do and then did it. We weren't a partner in deciding how this worked."

Tyler Gandam, president with AB Munis, agrees with McLauchlin on the degree to which they worked together with the province, adding that municipalities need to see value for their money.

"The mixed messaging there was when the police funding model came out, and there was the understanding that if municipalities were paying, they'd have more boots on the ground," says Gandam. "That's probably why there's some apprehension for those communities now, because they've not had a good experience."

He says if there's been roughly 500 new positions created, councils and residents want to know how they've impacted communities.

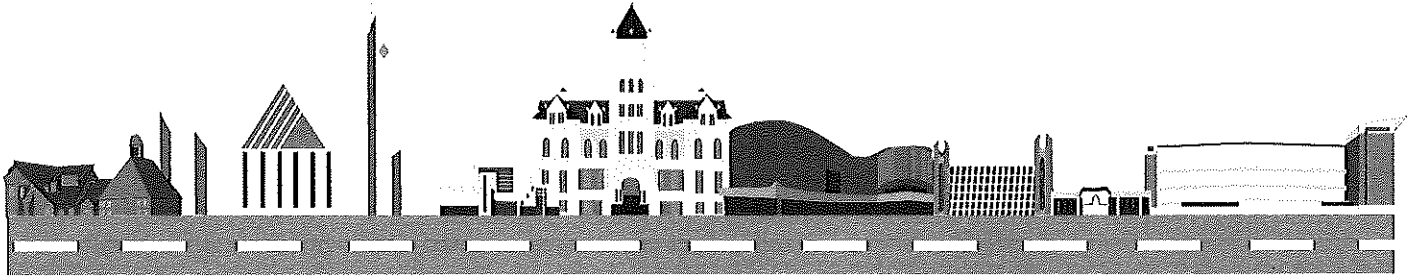
"We continue to offer to be a partner for the province, and that includes helping with what these agreements can look like," adds Gandam.

Cpl. Savinkoff clarifies that recently re-negotiated collective agreements saw police officers receive an increase in pay to keep pace with inflation. This compensates officers but also helps in retention and attraction, he says.

Says Savinkoff: "Alberta RCMP has increased capacity to a number of units that provide specialized support to detachments in areas such as crime reduction, investigations, forensic units, police-dog teams, Emergency Response Teams (ERT), and Relief Teams (teams of officers who will be able to deploy to detachments experiencing short-term resource pressures)."

# Municipal Musings | October 2024

## Municipal Services Division Newsletter



### Key Updates

Learn! Connect! Engage!

Municipal Affairs hosted a variety of online sessions to support municipal capacity through our annual Municipal Affairs Administrators' Training Initiative (MAATI) sessions. MAATI sessions that took place throughout October. [MAATI sessions](#) specific to Bill 20, the *Municipal Affairs Statutes Amendment Act, 2024 (MASAA)* will take place in November.

MAATI sessions offer a variety of different sessions focused to build the capacity of municipal elected officials in the areas of creating accessible public documents, information on Alberta policies and processes regarding disaster assistance, conflict management, land use planning, dashboards, and digital data.

#### Friendly Reminder

A reminder that [Alberta Community Partnership](#) program funding is available under the Mediation and Cooperative Processes stream until February 3, 2025. Municipalities can apply for this funding to develop collaborative protocols and processes, to proactively manage conflict (through mediation, facilitation, or other dispute resolution alternatives to resolve intermunicipal conflict), to assist with intermunicipal negotiations, and to establish an agreed-upon process for collaboration.

#### Municipal Statistics

Municipal statistics are essential to understanding how municipalities are doing across the province. The Information Services (IS) Team is responsible for collecting, reporting, and analyzing information that is submitted into Municipal Affairs by any of Alberta's 332 municipalities and 74 regional service commissions.

Data submitted by municipalities include: Financial Information Returns (FIR) and tax reporting (TAX); municipal censuses; municipal elections data; and updates to the contact information for administrative and elected officials.

All data products published by the IS team can be accessed on-line through the [Municipal Data and Statistics](#) page. Should you notice a discrepancy in any of the publications or dashboards, please contact [ma.updates@gov.ab.ca](mailto:ma.updates@gov.ab.ca) to reach a member of the IS team.

#### Municipal Affairs Indicator: On-Time Financial Reporting

Alberta Municipal Affairs produces 13 measures related to specific aspects of a municipality's governance, finances, or community. The following shows one of the municipal indicators for on time financial reporting. FIR and TAX information are due May 1 and July 1, respectively.

Financial information reported by municipalities is used to calculate the municipal indicators related to financial health. These indicators help identify where municipalities may face long-term viability challenges in the future.

**Municipal Affairs on the Road**

We hope to see you at:

- RMA Convention, Edmonton, November 4-7

### Save the Date

- **February 3, 2025:** Deadline for applications for the [Mediation and Cooperative Processes](#) component.

#### Important dates in the MGA:

- **October 31, 2024:** Proclamation of MASAA
- **December 1, 2024:** Last day for a municipality to appeal to the Land and Property Rights Tribunal.
- **December 31, 2024:** Municipalities must submit the fourth quarterly installment to the Alberta School Foundation Fund or to a board. See section 162 of the *Education Act*.
- **December 31, 2024:** Last day to pass an interim operating and capital budget for next fiscal year.
- **December 31, 2024:** Last day for a municipality to pass a bylaw changing its number of councillors.
- **December 31, 2024:** Last day for a municipality to pass a bylaw changing the manner in which a municipality is divided into wards or changing the manner in which councillors are elected from wards.
- **December 31, 2024:** Last day for a city or town to pass a bylaw in which the chief elected official is appointed from among the councillors and specify the term of the appointment.

127



The statistics below are for the period from January 1 to September 1, 2024.

#### Municipal Financial Information Returns Received (n=332)



Received Pending

As of September 1, 2024, 93 per cent of municipalities submitted their FIR to Municipal Affairs. On-time financial reporting is not only an indicator of the financial and administrative health of a municipality, but through the ministry's open data portal, it also ensures that Albertans have access to financial information about their municipality. This supports open and transparent local government.

#### RCS Financial Information Returns Received (n=74)



Received Pending

As of September 1, 2024, all regional service commissions (RSCs) had submitted their FIR to Municipal Affairs.

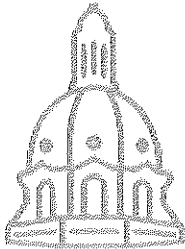
#### Municipal Tax Rate Bylaws Received (n=332)



Received Pending

As of September 1, 2024, 92 per cent of municipalities had submitted their tax rate bylaws to Municipal Affairs. Tax rate bylaws are due on July 1 each year and authorize the rates of taxation to be levied against assessable property within the municipality for the taxation year.

## Program Overview: Advisory Team



Municipal Affairs' Advisory Team responds to inquiries and provides timely and relevant support to municipalities and Albertans on a wide range of topics, including municipal governance, administration, petitioning, by-elections, planning and development, finance, and taxation. This team responded to over 1,900 calls, emails, and requests in 2023/24 alone!

In addition to general support through telephone and email inquiries, the Advisory Team typically provides direct support to municipalities with unique needs, such as those with new chief administrative officers, to ensure they have the support needed to successfully meet legislative requirements and implement best practices.

Our advisors also develop online resources and deliver in-person and virtual training opportunities to municipal staff and councils on topics of relevance through MAATI or upon request, in collaboration with stakeholders such as the Alberta Municipal Tax Professionals Association and the Society of Local Government Managers. Municipal staff can contact the team to discuss their specific training needs.

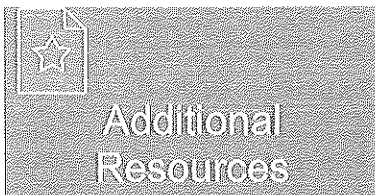
Contact the Advisory Team:  
[ma.advisory@gov.ab.ca](mailto:ma.advisory@gov.ab.ca)

Toll free by dialing 310-0000 followed by 780-427-2225.

A significant focus of the team in the coming months will be ensuring recent amendments to the *Local Authorities Election Act* are reflected in resources and training for returning office.

#### Recently updated resources:

- [Municipal Affairs Administrators' Training Initiative 2023 virtual session recordings](#)
- [2023 Municipal Affairs Population List](#)
- [Alberta Municipal Sustainability Strategy Self-Assessment Questionnaire](#)
- [Municipal data and statistics dashboards](#)
- [Recall of a municipal councillor handbook](#)



Alberta

128

	A	B	C	D	E	F	G	H
	Olsvik	Gelych	Vaughan	Lovich	Blakeman	Bohnet	Giebelhaus	
	Div. 1	Div. 2	Div. 3	Div. 4	Div. 5	Div. 6	Div. 7	
	Lorne Olsvik	Deputy Reeve Nick Gelych	George Vaughan	Kevin Lovich	Reeve Joe Blakeman	Ross Bohnet	Lloyd Giebelhaus	
1	Committee							
2								
3								
4								
5	Municipal Committee	X	X	X	X	X	X	
6	Municipal Planning Commission	X	X	X	X	X alternate	X	
7	Ag. Services Board					X	X	
8	Emergency Advisory Committee		X	X			X	
9	Alberta Beach IDP Committee			X			X	
10	Athabasca Watershed Council						X	
11	Beachwave Park			X				
12	East End Bus							X
13	West End Bus							X
14	Campground, Parks and Outdoor Spaces Committee	X	X	X	X	X	X	
15	Community Futures Yellowhead East		X					
16	Community Futures Yellowhead Alliance (CRAA) 2023		X					
17	Darwell Wastewater Lagoon Commission	A			X	A		
18	Economic Development Advisory Committee	X	X	X	X	X	X	
19	Fallen Four Visitor Center/Mayerthorpe Library Project Committee							
20	First Nations Committee	X	X					
21	George Pegg Botanic Garden Society			X				
22	Highway 43 East Waste Commission	X		X				
23	Interlakes Regional Trail Master Plan Steering Committee		X					X
24	Joint Worksite Health & Safety Training		X	X				
25	Lac La Nonne Enhancement & Protection Association (LEPA)			X				
26	Lac Ste. Anne County Library Board				X			
27	Lac Ste Anne Foundation							
28	Lac Ste Anne/Lake Isle Water Quality Group Society (LLSA)			X		X		
29	Mayerthorpe IDP Committee						X	
30	Mayerthorpe and LSAC Economic Development Committee		X					Alt.
31	Millar Western Advisory Committee						X	
32	North 43 Lagoon Commission	X		X				
33	North Saskatchewan Watershed Alliance Committee				X			

	A	B	C	D	E	F	G	H
34								
35								
36	Committee	Olsvik	Gelych	Vaughan	Lovich	Blakeman	Bohnet	Giebelhaus
37		Div. 1	Div. 2	Div. 3	Div. 4	Div. 5	Div. 6	Div. 7
38			Deputy Reeve			Reeve		
39		Lorne Olsvik	Nick Gelych	George Vaughan	Kevin Lovich	Joe Blakeman	Ross Bohnet	Lloyd Giebelhaus
40	Onoway IDP Committee	X	X					
41	Onoway Regional Medical Clinic Board of Directors	X	X					
42	Peter Trynchy Airport Committee					X	X	X
43	Provincial Ag. Services Board Rep. (Endorsed by the County)						X	
44	Rural IDP Committee - local Councillor						X	X
45	Shop Committee - Council as a Whole	X	X	X	X	X	X	X
46	Ste. Anne Emergency Response Center							
47	Ste Anne Regional Lake Use Committee (SARLUC)			X	X	X		
48	Ste Anne Regional Trail Use Committee (SARTUC)			X	X	X		X
49	Sturgeon River Watershed Alliance (SRWA)				X			
50	Swede M/oren Park Committee			X		X		
51	Upper Athabasca Watershed Alliance							X
52	Villeneuve Landing Network		X					
53	West Inter Lake District (WILD) Water Commission	X						
54	Yellowhead Regional Library (public member)							



# Alberta Beach

Box 278 • Alberta Beach • Alberta • T0E 0A0  
Telephone: 780-924-3181 • Fax: 780-924-3313

October 30, 2024

Lac Ste. Anne County  
Town of Onoway  
Town of Mayerthorpe

Summer Villages of Birch Cove, Castle Island, Nakamun Park, Ross Haven, Sandy Beach, Silver Sands,  
South View, Sunrise Beach, Sunset Point, Val Quentin, West Cove and Yellowstone

**Re: Alberta Beach Organizational Meeting**

Alberta Beach Council held their Organizational Meeting on October 29<sup>th</sup>, 2024. Please be advised that the results of their Organizational Meeting are as follows;

Mayor.....	Kelly Muir	<a href="mailto:kellymuir@albertabeach.com">kellymuir@albertabeach.com</a>
Deputy Mayor.....	Bill Love	<a href="mailto:aboffice@albertabeach.com">aboffice@albertabeach.com</a>
Councillor.....	Debbie Durocher	<a href="mailto:debbiedurocher@albertabeach.com">debbiedurocher@albertabeach.com</a>
Councillor.....	Tara Elwood	<a href="mailto:taraelwood@albertabeach.com">taraelwood@albertabeach.com</a>
Councillor.....	Daryl Weber	<a href="mailto:aboffice@albertabeach.com">aboffice@albertabeach.com</a>

Please do not hesitate to contact the undersigned if you require any further information, I can be reached at 780-924-3181 or [aboffice@albertabeach.com](mailto:aboffice@albertabeach.com).

Sincerely,

*Kathy Skwarchuk*  
Kathy Skwarchuk,  
C.A.O.

131



# Alberta Beach

Box 278 • Alberta Beach • Alberta • T0E 0A0  
Telephone: 780-924-3181 • Fax: 780-924-3313

October 30, 2024

**Re: Alberta Beach Organizational Meeting**

Council of Alberta Beach held their Organizational Meeting on October 29<sup>th</sup>, 2024. The results of their Organizational Meeting are as follows;

Mayor.....	Kelly Muir	<a href="mailto:kellymuir@albertabeach.com">kellymuir@albertabeach.com</a>
Deputy Mayor.....	Bill Love	<a href="mailto:aboffice@albertabeach.com">aboffice@albertabeach.com</a>
Councillor.....	Debbie Durocher	<a href="mailto:debbiedurocher@albertabeach.com">debbiedurocher@albertabeach.com</a>
Councillor.....	Tara Elwood	<a href="mailto:taraelwood@albertabeach.com">taraelwood@albertabeach.com</a>
Councillor.....	Daryl Weber	<a href="mailto:aboffice@albertabeach.com">aboffice@albertabeach.com</a>

**Committee Appointments:**

- Alberta Beach Ag Society Agliplex Operations Committee – Mayor Muir & Councillor Elwood as alternate
- Alberta Beach Ag Society Beachwave Park Operations Committee – Mayor Muir & Councillor Durocher as alternate
- Alberta Beach Campground Advisory Committee – Deputy Mayor Love & Councillor Elwood
- Alberta Beach Inter-municipal Development Plan Steering Committee – Councillor Elwood & Councillor Weber
- Alberta Beach Library Board – Councillor Elwood
- Alberta Beach Museum & Archives – Councillor Durocher
- Alberta Beach Public Works Advisory Committee – Deputy Mayor Love & Councillor Elwood
- Beachwave Park Stakeholders Committee – Mayor Muir & Councillor Durocher as alternate
- Community Futures Yellowhead East – Councillor Weber & Councillor Elwood as alternate
- Ste. Anne Summer Village Regional Emergency Partnership Advisory Committee – Councillor Elwood
- FCSS Trivillage Committee – Mayor Muir
- Highway 43 East Waste Commission – Deputy Mayor Love & Councillor Weber as alternate
- Inter-municipal Collaboration Framework (ICF) Committee – Councillor Elwood & Councillor Weber & Mayor Muir as alternate
- Lac Ste. Anne East End Bus – Deputy Mayor Love
- Lac Ste. Anne Foundation – Councillor Weber
- Lake Isle and Lac Ste. Anne Stewardship Society – Councillor Durocher
- Land Use Bylaw Review Committee – Councillor Durocher & Councillor Elwood
- Municipal Planning Commission – All Council members
- Partners In Progress Committee – Mayor Muir
- Regional Fire Services Committee – Mayor Muir & Councillor Elwood
- Regional Trail Master Plan Steering Committee – Mayor Muir & Councillor Elwood
- Ste. Anne Recreational Lake Use Committee (SARLUC) – Mayor Muir & Councillor Weber
- Sturgeon River Watershed Alliance – Councillor Weber
- Trivillage Regional Sewage Service Commission – Mayor Muir & Councillor Weber
- Water Distribution Feasibility Study Steering Committee – Mayor Muir & Councillor Elwood & Councillor Durocher as alternate
- West Inter Lake District (WILD) Water Commission – Councillor Elwood & Councillor Durocher as alternate
- Yellowhead Regional Library Board – Councillor Elwood & Councillor Weber as alternate

132



**TOWN OF ONOWAY**

Mail: Box 540  
Onoway, Alberta  
T0E-1V0  
Town Office: 4812-51 Street  
Phone: 780-967-5338  
info@onoway.ca

November 5, 2024

**Town of Onoway Organizational Meeting – October 24, 2024**

Onoway Town Council held their organizational meeting on October 24, 2024. The results of the Organizational Meeting are:

Mayor	Lenard Kwasny
Deputy Mayor	Lisa Johnson
Councillor	Bridgitte Coninx
Councillor	Robin Murray
Councillor	Sheila Pockett

**COMMISSION APPOINTMENTS:**

**Capital Regional Assessment Services Commission**

- Councillor Robin Murray as representative and Deputy Mayor Lisa Johnson as alternate.

**Highway 43 East Waste Commission**

- Mayor Lenard Kwasny as representative and Deputy Mayor Lisa Johnson as alternate.

**West Inter Lake District (WILD) Regional Water Services Commission**

- Mayor Lenard Kwasny as representative and Councillor Bridgitte Coninx as alternate.

**REGIONAL BOARD APPOINTMENTS:**

**East End Bus Society**

- Councillor Sheila Pockett as representative and Deputy Mayor Lisa Johnson as alternate.

**Community Futures Yellowhead East**

- Councillor Robin Murray as representative and Councillor Bridgitte Coninx as alternate.

**Lac Ste. Anne Foundation**

- Deputy Mayor Lisa Johnson as representative.

**Yellowhead Regional Library Board**

- Councillor Bridgitte Coninx as representative.

**Economic Development Committee/Partnership Committee**

- Councillor Bridgitte Coninx and Councillor Robin Murray as representatives and Councillor Sheila Pockett as alternate.

**Onoway Regional Medical Clinic / Physician Recruitment Retention Committee**

- Councillor Bridgitte Coninx as representative and Councillor Sheila Pockett as alternate.

133

**Town of Onoway Organizational Meeting Appointments – Page 2**

**North Saskatchewan Watershed Alliance**

- Councillor Bridgitte Coninx as representative; Public Works Manager to the Technical Committee.

**Onoway Regional Fire Services Committee**

- Deputy Mayor Lisa Johnson as representative and Councillor Sheila Pockett as alternate; Chief Administrative Officer or designate to attend meetings.

**Emergency Management/ Disaster Services Committee**

- Deputy Mayor Lisa Johnson and Councillor Bridgitte Coninx as representatives

**LOCAL BOARD APPOINTMENTS:**

**Town of Onoway Library Board**

- Councillor Bridgitte Coninx and Councillor Sheila Pockett as representatives.

**Onoway and District Chamber of Commerce**

- Councillor Sheila Pockett as representative and Deputy Mayor Lisa Johnson as alternate.

**Onoway Beautification Committee**

- Councillor Sheila Pockett and Councillor Bridgitte Coninx as representatives.

**Onoway and District Agricultural Society (ODAS) - (Arena)**

- Councillor Bridgitte Coninx as representative and Deputy Mayor Lisa Johnson as alternate.

**Onoway Facility Enhancement Association (OFEA) – Community Hall**

- Deputy Mayor Lisa Johnson as representative and Councillor Bridgitte Coninx as alternate.

**Onoway and District Historical Guild**

- Councillor Robin Murray as representative and Deputy Mayor Lisa Johnson as alternate.

**Regional Wastewater Line Committee**

- Mayor Len Kwasny and Deputy Mayor Lisa Johnson as representatives; CAO Thompson to the Technical Committee.

**Regional Trail Committee**

- Deputy Mayor Lisa Johnson and Councillor Bridgitte Coninx as representatives.

**Onoway Economic Development and Tourism Committee/Subcommittee Onoway Interagency Committee**

- Mayor Lenard Kwasny and Deputy Mayor Lisa Johnson as representatives.

**MISCELLANEOUS COMMITTEE APPOINTMENTS:**

**Enforcement Review Committee**

- Deputy Mayor Lisa Johnson, Councillor Bridgitte Coninx and Councillor Sheila Pockett.

134

# CASUAL LEGAL: SHARE WISELY

[Home](#) / [News](#) / Casual Legal: Share wisely

← News

*DISCLAIMER: This article is meant to provide information to Alberta Municipalities members only and is not intended to provide legal advice. You should seek the advice of legal counsel to address your specific set of circumstances. Although every effort has been made to provide current and accurate information, changes to the law may cause the information in this article to be outdated. This content is not intended for the general public.*

By Sean Ward  
Reynolds Mirth Richards Farmer LLP  
Alberta Municipalities Casual Legal Service Provider

In the age of social media, we often give little thought to sharing or re-posting an article, blog or other information that was prepared by another person. However, people are often surprised to learn that if the content is defamatory, it is not only the original author of the defamatory content that could be liable in defamation, but also any person that has re-published or shared that content with others.

One of the requirements in any defamation action is to show that the defamatory words were "published". That could mean publication in the traditional sense of a newspaper, television or radio, but it could also mean publication over social media or by email. Publication simply requires sharing the information with at least one person other than the target of the defamatory comments, whether in writing, verbally, or online.

It also includes re-publication by another person after the original defamatory words were first published. The person who republishes the defamatory words could be liable despite not having been involved in the original defamatory work, and potentially even in cases where they do not agree with the defamatory content that they have republished.

135



That does not mean that any time a person shares information about someone else's work, they will be considered to have republished the information. The Supreme Court of Canada has found that simply publishing a hyperlink to defamatory content does not amount to a republication of that content. The Court noted that a link itself is a neutral reference, and it would be unfair to ascribe liability to the person posting the link, who cannot control any changes to the website linked to, after the link was published.

However, that is a limited exception where a person simply posts a hyperlink to a work. If, along with the hyperlink, a person includes commentary that expresses support or agreement for the content they are linking to, or repeats portions of that work, that may be sufficient to attract liability for the defamatory content they are sharing. And certainly, in cases where a person reposts the actual defamatory words themselves on social media, or repeats it in an email or other communications, that person faces potential liability for the defamatory content.

Employees and elected officials should therefore exercise caution when publishing, sharing or promoting information that could potentially be defamatory.

*To access Alberta Municipalities Casual Legal Helpline, Alberta Municipalities members can call toll-free to 1-800-661-7673 or email to reach the municipal legal experts at Reynolds Mirth Richards and Farmer LLP. For more information on the Casual Legal Service, please call 310-MUNI (6864) or email to connect with Alberta Municipalities Risk Management staff. Any Regular or Associate member of Alberta Municipalities can access the Casual Legal Service.*

Oct 22

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13/10

# EMERGING TRENDS IN MUNICIPAL LAW

PRESENTED  
BY



BROWNLEE LLP  
*Barristers & Solicitors*

**CALGARY** February  
6th, 2025

**EDMONTON** February  
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Save the Date: Emerging Trends in Municipal Law 2025

Brownlee LLP cordially invites you to our annual Emerging Trends in Municipal Law seminar, aimed at delivering expert insight and understanding into the field of municipal law. Join us as we delve into the challenges, opportunities and changes that lie ahead for municipalities, while providing invaluable strategies to empower municipal success at this invite-only event.

Please mark your calendars and feel free to reach out to me at [mmoyo@brownleelaw.com](mailto:mmoyo@brownleelaw.com) if you have any questions.

Stay tuned for further updates!

**Emerging Trends dates:**

- Feb 6<sup>th</sup> 2025 – Calgary
- Feb 13<sup>th</sup> 2025 – Edmonton

Sincerely,

Brownlee LLP

*This message is sent on behalf of the Brownlee Municipal Practice Area.*

137

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1500 Watermark Tower  
530 – 8 Ave. SW  
Calgary, AB T2P 3S8  
(403) 232-8300  
Toll Free: 1-877-232-8303

**Vancouver:**

1450 Toronto Dominion  
Tower  
700 West Georgia St.  
Vancouver, BC V7Y 1K8  
(604) 416-5100

**Regina:**

7th Floor, Royal Bank  
Building  
2010 – 11th Avenue  
Regina, SK S4P 0J3  
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138