

## SUMMER VILLAGE OF SUNRISE BEACH AGENDA

Tuesday, October 24th, 2023 commencing at 7:00 p.m.

In person or Via Zoom at the Administration Office 2317 Twp. Rd. 545 Lac Ste.

Anne County

As per Bylaw 448-2018 there will be no audio/video recordings of Meetings

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1.	<u>Call to Order</u>		
2.	<u>Agenda</u>	a)	<p>October 24<sup>th</sup>, 2023 Regular Council Meeting</p> <p><i>Recommendation:</i>  <i>(that the October 24<sup>th</sup>, 2023 Regular Council Meeting Agenda be approved as presented</i>  <i>or</i>  <i>that the October 24<sup>th</sup>, 2023 Regular Council Meeting Agenda be approved with the following amendment(s) (list amendments)</i></p>
3.	<u>Minutes</u> Pages 1-4	a)	<p>Tuesday, September 26<sup>th</sup>, 2023 Regular Council Meeting Minutes</p> <p><i>Recommendation:</i>  <i>(that the September 26<sup>th</sup>, 2023 Regular Council Meeting Minutes be approved as presented</i>  <i>or</i>  <i>that the September 26<sup>th</sup>, 2023 Regular Council Meeting Minutes be approved with the following amendment(s) (list amendments):</i></p>
4.	<u>Appointments</u> p5	a)	<p>7:05 p.m. – Laurie Ladourette – please refer to the attached October 16<sup>th</sup>, 2023 email from Ms. Ladourette requesting to discuss bylaws in the Summer Village.</p> <p><i>(accept presentation for information)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
5.	<u>Bylaws</u> p6-8 p9-12	a)	<p>Bylaw 191-2023 – a bylaw to establish fees and charges for the provision of goods and services. At the September 26<sup>th</sup>, 2023 Regular Council meeting, Council approved Bylaw 189-2023 with the new fee schedule from Municipal Planning Services. Municipal Planning Services (MPS) has requested a few minor grammatical changes to their section of the fee schedule. Please note there has been no fees changed in this new bylaw. We have highlighted the changes (items to be removed) in Bylaw 189-2023.</p>

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			<p><i>Recommendation:</i>  <i>(that bylaw 191-2023, to establish fees and charges for the provision of goods and services, be given 1<sup>st</sup> reading as presented; or amended)</i></p> <p><i>(that bylaw 191-2023 be given 2<sup>nd</sup> reading as presented; or as amended)</i></p> <p><i>(that Council give unanimous consent for 3<sup>rd</sup> reading of bylaw 191-2023 as presented; or as amended)</i></p> <p><i>(that bylaw 191-2023 be given 3<sup>rd</sup> and final reading as presented; or as amended)</i></p> <p>OR</p> <p><i>(some other direction as given at meeting time)</i></p>
6.	<p><b><u>Business</u></b></p> <p>Pages 13-14</p>	a)	<p>Brownlee LLP Emerging Trends in Municipal Law – October 11<sup>th</sup>, 2023 email invitation to their 2024 Municipal Law Seminar scheduled for Thursday, February 15<sup>th</sup>, 2024 at the Edmonton Expo Centre. Last year the cost was \$185.00 plus GST for in person and \$100.00 plus GST for virtual attendance. Seminar topics are not known at this time, more information will be available shortly.</p> <p><i>Recommendation:</i></p> <p><i>(subject to relative topics, Council and Administration be authorized to attend the Brownlee LLP 2024 Municipal Law Seminar scheduled for Thursday, February 16<sup>th</sup>, 2024 in Edmonton)</i></p> <p>or</p> <p><i>(direction as given by Council at meeting time)</i></p>

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<p>Pages</p> <p style="color: blue;">p 15-28 p 29-31</p>	<p>b)</p>	<p>6103 Willow Way Enforcement matter – a development permit was refused for an “as built” cabin on this property. This decision was appealed and the Subdivision and Development Appeal Board heard the appeal and rendered their decision as upholding the Development Officers decision to refuse the structure (decision attached). A development permit was then issued for the removal of the existing building to take place before November 30<sup>th</sup>, 2023.</p> <p>While conversations have taken place regarding the anticipated removal of this structure, the structure remains today. Development Officer Tony Sonnleitner will be present to discuss next steps should the structure still be on this property come December 1<sup>st</sup>, 2023.</p> <p><i>Recommendation:</i></p> <p><i>(that as per Development Permit Application No. 23DP05-44, should the existing structure remain at 6103 Willow Way on December 1<sup>st</sup>, 2023 that the Summer Village proceed with removal of this structure, including seeking court order to remove same if deemed necessary, with all associated costs being charged to the property owner)</i></p> <p>Or</p> <p><i>(that the Summer Village obtain legal opinion on next steps and bring back to the next council meeting)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
<p>Pages</p>	<p>c)</p>	<p>Community Peace Officer/Bylaw Enforcement Services – at the July 18<sup>th</sup> Lac Ste. Anne County Council Meeting, Council agreed that our initial contract with a 30 day cancellation window at a rate of \$120.00/hr with a 3% increase annually on an as needed when needed basis. Since that meeting Lac Ste. Anne County will require a an annual fee of \$2000.00 to cover the administration each year. Please see attached email from LSAC. The Summer Village currently has a few issues going on where CPO/Bylaw Enforcement service is needed, however we also have an annual budget that is over in several categories (SDAB, Byelection for example). If Council wishes to pursue this perhaps it would be best strictly from a budget point of</p>

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	<p>p32-33 p34-46</p>	<p>view, to commence same at the start of a new budget year (being Jan. 1, 2024). However that certainly does not help our residents who are currently, and in some cases for an extended period of time, been having ongoing issues with dogs, noise, traffic etc. Administration has also contacted Sturgeon County and they are offering a one-year trial experiment as such with no yearly administration fee and a rate of \$119.92/hr as a fee for service. Administration has explained our current budget is minimal for enforcement services, it was discussed that calls for enforcement would go through our administration to decide if it warrants enforcement services. This will need further discussion.</p> <p>As part of this discussion, Administration is attaching a copy of our existing Noise Bylaw (very outdated) which RCMP have advised needs updating. We have attached a draft nuisance bylaw, with discussion needed on what Council wishes to have for a bylaw for the community.</p> <p><i>Recommendation:</i> <i>(that the Summer Village of Sunrise Beach enter into a one year agreement for Community Peace Officer/Bylaw Enforcement Services with Sturgeon County at a rate of \$119.92/hr with no annual administration fee, commencing on or about _____)</i></p> <p>Or <i>(that the Summer Village of Sunrise Beach enter into an agreement for Community Peace Officer/Bylaw Enforcement Services with Lac Ste. Anne County with a 30 day cancellation window at a rate of \$120.00/hr, a 3% increase annually, and a \$2,000.00 annual administration fee on an as needed when needed basis, commencing on or about _____)</i></p> <p><i>(defer for further information)</i></p> <p>Or <i>(some direction as given at meeting time)</i></p>
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<p>Pages</p> <p style="color: blue; font-size: 1.2em;">p 47-55</p>	<p>d)</p>	<p>Fortis Franchise Fee – each year Fortis sends out information to municipalities to set the franchise fee rates for the following year, the deadline to set the rate is November 1<sup>st</sup>, 2023. Currently the Summer Village’s franchise fee rate is set at 0%, and the maximum a municipality can have is 20%. A list of municipalities and their respective rates is attached for reference. Many of the Summer Villages have a 3% fee and based on our consumption it was estimated last year that this would generate around \$3,300.00/year. If Council decides to set an actual rate we will need to advertise same in local papers.</p> <p><i>Recommendation:</i></p> <p><i>(that the Summer Village of Sunrise Beach set its 2024 Fortis Franchise Fee rate at ____%)</i></p>
<p>Pages</p> <p style="color: blue; font-size: 1.2em;">p56-68</p>	<p>e)</p>	<p>Land &amp; Property Rights Tribunal - Lac Ste. Anne County appeal respecting the proposed subdivision of 011SUB2023 – NE 04-056-01-W5M – please refer to the attached appeal notice dated October 10<sup>th</sup>, 2023. The subdivision application was refused by the County, and we note this proposed subdivision is near a landfill site. The LPRT has set an appeal hearing by videoconferencing on November 20<sup>th</sup>, 2023 at 9:00a.m. We have referred same to our Development Officer for comments as well.</p> <p><i>Recommendation:</i></p> <p><i>(direction as given by Council at meeting time)</i></p>
<p>Pages</p> <p style="color: blue; font-size: 1.2em;">p69</p>	<p>f)</p>	<p>Family and Community Support Services (FCSS) 2023 funding – this item was deferred from our last meeting. Currently there is \$2,291.29 to spend before the end of 2023 (report attached).</p> <p><i>(that the remaining \$2,291.29 in 2023 Family and Community Support Services (FCSS) funding be dispersed as follows:</i></p> <p><i>List</i></p>

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<p>Pages</p> <p style="color: blue; font-size: 1.2em;">p 70-72</p>	<p>g)</p>	<p>2023 Road Project – in 2022 Council approved road rehabilitation work with Spectre Systems. This road work was not completed in 2022 and some of it was carried forward into the 2023 year. In the 2023 budget \$60,000.00 was built in to cover the remaining part of this work, as well as additional work that was anticipated to be done as a result of further deterioration in various areas. While waiting for this work to be completed more areas showed up that required repair (which we have faced each summer we have completed rehab work on Victory and Sheddon). In July of 2023 additional onsite mtgs with the contractor highlighted 16 various locations cited and agreed to for repair (quote attached) in the estimated amount of \$177,600.00. As brought forward by a resident at our last Council meeting, Administration is now requesting a Council motion ratifying this 2023 road rehabilitation project as completed.</p> <p><i>(that Council ratify the completion of the road rehabilitation work (of which part was a carry forward of 2022 approved work) on Victory Road and Sheddon Drive as outlined in the July 8<sup>th</sup>, 2023 quote, with total costs expensed to Spectre Systems in the amount of \$179,211.50 and Tyschuk Construction in the amount of \$1,465.00, costs to be covered through grant funds)</i></p>
<p>Pages</p>	<p>h)</p>	<p>Mail out for updated contact information for Residents – during the by-election Mayor Ethier suggested we do a request to residents to get updated contact information. Discussion on what information the municipality may be seeking, for what intended purpose, and how best to achieve receipt of same.</p> <p><i>Recommendation: (Direction as given at meeting time)</i></p>
<p>Pages</p> <p style="color: blue; font-size: 1.2em;">p 73-91</p>	<p>i)</p>	<p>Celebrate Canada 2024 – the application for the Celebrate Canada 2024 grant is out and the deadline for registering is November 21<sup>st</sup>, 2023. The Celebrate Canada funding stream is a grant that supports a select set of cultural events/initiatives through the nation. We did not apply for this in 2023. Attached is the application form for your information.</p> <p><i>Recommendation: (Direction as given at meeting time)</i></p>

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	<p>Pages p92</p>	j)	<p>2023 Remembrance Day Service - Edward Gallagher, President of the Onoway Legion Branch No. 132 has extended an invitation for a member of Council to attend the community Remembrance Day service in Onoway on November 11<sup>th</sup>, 2023.</p> <p><i>Recommendation:</i> <i>(that the Summer Village of Sunrise Beach send a representative to the Remembrance Day ceremony in Onoway on November 11<sup>th</sup>, 2023, and lay a wreath on behalf of the Summer Village)</i></p> <p>Or <i>(some other direction as given by council at meeting time)</i></p>
		k)  l)  m)	
7.	<b><u>Financial</u></b>	a)	<p>Income and Expense Statement – as of September 30<sup>th</sup>, 2023</p> <p><i>(that the Income and Expense Statement as of September 30<sup>th</sup>, 2023 be accepted for information)</i></p>
8.	<b><u>Councillor Reports</u></b>		
		a)	Mayor Ethier
		b)	Deputy Mayor Benson
		c)	<p>Councillor Benning</p> <p><i>(that the Councillor reports be accepted for information)</i></p>

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9.	<b><u>Administration Reports</u></b>		
	p93	a)	Development Officers Report
	p94-99	b)	2024 Municipal Census
	p100	c)	Extended Producer Responsibility – Oct 12 email
	p101-108	d)	Yellowhead Regional Library public meeting – verbal update
	p109-110	e)	Emergent Resolution on LGFF Capital funding
		f)	RCMP Deputy Commissioner Zablocki Sept 22 letter on funding and how it affects Morinville detachment
		g)	Proposed sewer line – verbal update on potential mtg date
		h)	
			<i>(that the Administration reports be accepted for information)</i>
10.	<b><u>Correspondence &amp; Information</u></b>		
	Pages 111-114	a)	Yellowhead Regional Library 2024 Budget Overview and 2024 Draft Budget Projections for 2025 and 2026
	Pages 115	b)	September 20 <sup>th</sup> , 2023 Letter from the Village of Alberta Beach regarding Byelection results
		c)	
			<i>Recommendation:</i>
			<i>(that items a) through b) be accepted for information)</i>
11.	<b><u>Open Floor Discussion with Gallery</u></b>		
			(15 minutes TOTAL time limit as per Bylaw #162-2020)
			<i>Recommendation:</i>
			<i>(that the open floor discussion with the gallery be accepted for information</i>
			or
			<i>some other direction as given by Council at meeting time)</i>

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12.	<u>Closed Session</u>		N/A
13.	<u>Adjournment</u>		

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Next Meetings:

SVLSACE (SRB host)      October 28<sup>th</sup>, 2023  
Regular Council Meeting    November 28<sup>th</sup>, 2023  
Regular Council Meeting    January 23<sup>rd</sup>, 2024  
Regular Council Meeting    February 27<sup>th</sup>, 2024

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER  
VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA HELD ON  
TUESDAY SEPTEMBER 26TH, 2023, ADMINISTRATION OFFICE 2317 TWP. RD.  
545 LAC STE. ANNE COUNTY AT 7:00 P.M., IN PERSON AND VIA ZOOM

	<b>PRESENT</b>	<p>Mayor Jon Ethier Deputy Mayor Mike Benson Councillor Brian Benning</p> <p>Chief Administrative Officer Wendy Wildman Administrative Assistant Victoria Message – via zoom</p> <p>Public at Large: 5 In Person 3 On Zoom</p>
1.	<b>CALL TO ORDER</b>	Mayor Ethier called the council meeting to order at 7:00 p.m.
2.	<b>AGENDA</b> 189-23	<p><b>MOVED</b> by Mayor Ethier that the September 26<sup>th</sup>, 2023, Agenda be approved as presented.</p> <p align="right"><b>CARRIED</b></p>
3.	<b>MINUTES</b> 190-23	<p><b>MOVED</b> by Mayor Ethier that the minutes of the August 22<sup>nd</sup>, 2023, Organizational Council meeting minutes be approved as presented.</p> <p align="right"><b>CARRIED</b></p>
	191-23	<p><b>MOVED</b> by Mayor Ethier that the minutes of the August 22<sup>nd</sup>, 2023, Regular Council meeting minutes be approved as presented.</p> <p align="right"><b>CARRIED</b></p>
4.	<b>APPOINTMENTS</b> 192-23	<p><b>MOVED</b> by Mayor Ethier that the presentation from Rick Lacasse regarding the asphalt work in 2023, open floor discussion, and income and expense statements be accepted for information.</p> <p align="right"><b>CARRIED</b></p>
5.	<b>BYLAWS/POLICY</b> 193-23	<p><b>MOVED</b> by Deputy Mayor Benson that Bylaw 188-2023; a bylaw to establish the position of designated officer for the position of clerk of the assessment review board be given 1<sup>st</sup> reading as presented.</p> <p align="right"><b>CARRIED</b></p>
	194-23	<p><b>MOVED</b> by Mayor Ethier that Bylaw 188-2023 be given 2<sup>nd</sup> reading as presented.</p> <p align="right"><b>CARRIED</b></p>
	195-23	<p><b>MOVED</b> by Mayor Ethier that Bylaw 188-2023 be given unanimous consent to consider 3<sup>rd</sup> reading as presented.</p> <p align="right"><b>CARRIED UNANIMOUSLY</b></p>



MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA HELD ON TUESDAY SEPTEMBER 26TH, 2023, ADMINISTRATION OFFICE 2317 TWP. RD. 545 LAC STE. ANNE COUNTY AT 7:00 P.M., IN PERSON AND VIA ZOOM

	196-23		<p><b>MOVED</b> by Mayor Ethier that Bylaw 188-2023 be given 3<sup>rd</sup> and final reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	197-23		<p><b>MOVED</b> by Mayor Ethier that Bylaw 189-2023; a bylaw to establish fees and charges for the provision of goods and services, be given 1<sup>st</sup> reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	198-23		<p><b>MOVED</b> by Deputy Mayor Benson that Bylaw 189-2023 be given 2<sup>nd</sup> reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	199-23		<p><b>MOVED</b> by Councillor Benning that Bylaw 189-2023 be given unanimous consent to consider 3<sup>rd</sup> reading as presented.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>
	200-23		<p><b>MOVED</b> by Mayor Ethier that Bylaw 189-2023 be given 3<sup>rd</sup> and final reading as presented.</p> <p style="text-align: right;"><b>CARRIED</b></p>
<b>6.</b>	<b>BUSINESS</b>		
	201-23	a)	<p><b>MOVED</b> by Mayor Ethier that the discussion on moving the open floor discussion with the gallery to the start of the agenda and making the income and expense statements available to the public be accepted for information.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	202-23	b)	<p><b>MOVED</b> by Mayor Ethier that the Summer Village of Sunrise Beach approve entering into an Agreement with Sturgeon County Protective Services to provide firefighting services to the Summer Village for the period of January 1<sup>st</sup>, 2024, to December 31<sup>st</sup>, 2026.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	203-23	c)	<p><b>MOVED</b> by Deputy Mayor Benson that the discussion on Community Peace Officer/Bylaw Enforcement Services be deferred for further information.</p> <p style="text-align: right;"><b>CARRIED</b></p>
	204-23	c)	<p><b>MOVED</b> by Deputy Mayor Benson that the Summer Village of Sunrise Beach approve the financial contribution of \$100.00 to the North Saskatchewan Watershed Alliance (NSWA) for 2024.</p> <p style="text-align: right;"><b>CARRIED</b></p>

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MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA HELD ON TUESDAY SEPTEMBER 26TH, 2023, ADMINISTRATION OFFICE 2317 TWP. RD. 545 LAC STE. ANNE COUNTY AT 7:00 P.M., IN PERSON AND VIA ZOOM

	<p>205-23</p> <p>d)</p> <p>206-23</p> <p>207-23</p>	<p>MOVED by Mayor Ethier that the Summer Village of Sunrise Beach request Alberta Municipal Affairs attend in the region to deliver the Council Roles and Responsibilities training AND THAT the Summer Village of Sunrise Beach participate with regional counterparts to share the cost of this training.</p> <p align="right"><b>CARRIED</b></p> <p>MOVED by Mayor Ethier that the remaining 2023 Family and Community Support Services (FCSS) funding be deferred to the October Regular Council meeting.</p> <p align="right"><b>CARRIED</b></p> <p>Mayor Ethier declared a conflict of interest, stepped away from the Mayor's chair at 7:39 p.m. and did not vote on the following motion. Deputy Mayor Benson assumed the chair.</p> <p>MOVED by Deputy Mayor Benson that the Summer Village of Sunrise Beach provide a letter of no objection to the property owner of 6413 Shedden Drive allowing him to hire a professional contractor to remove the trees located between his property and Shedden Drive with all associated costs and liability being covered by said landowner and allowing the landowner to retain salvageable wood and haul branches to the burn pit.</p> <p align="right"><b>CARRIED</b></p> <p>Mayor Ethier resumed Mayor's chair at 7:42 p.m.</p>
7.	<p><b>FINANCIAL</b></p> <p>208-23</p> <p>a)</p>	<p>MOVED by Deputy Mayor Benson that the Income and Expense Statement as of August 31st, 2023 be accepted for information.</p> <p align="right"><b>CARRIED</b></p>
8.	<p><b>COUNCIL REPORTS</b></p> <p>209-23</p>	<p>MOVED by Mayor Ethier that the verbal Council Reports be accepted for information as presented.</p> <p align="right"><b>CARRIED</b></p>
9.	<p><b>ADMINISTRATION REPORTS</b></p> <p>210-23</p>	<p>MOVED by Mayor Ethier that the Administration Reports be accepted for information as presented.</p> <p align="right"><b>CARRIED</b></p>

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA HELD ON TUESDAY SEPTEMBER 26TH, 2023, ADMINISTRATION OFFICE 2317 TWP. RD. 545 LAC STE. ANNE COUNTY AT 7:00 P.M., IN PERSON AND VIA ZOOM

10.	<p><b>CORRESPONDENCE</b></p> <p>211-23</p>	<p><b>MOVED</b> by Mayor Ethier that the following correspondence be accepted for information:</p> <ul style="list-style-type: none"> <li>a) Development Permit 23DP08-44, plan 3703RS block 5 lot 4 – removal of an existing tank and installation of a septic system (holding tank) at 4504 Leisure Lane</li> <li>b) Development Permit 23DP09-44, plan 3503KS block a lot 16 – construction of an accessory building (13.0 sq. m. = 10' x 14') at 6116 Poplar Place</li> <li>c) August 29<sup>th</sup>, 2023 Letter from the Summer Village of Birch Cove regarding a Councillor Resignation and Byelection results</li> <li>d) AB Munis – September 18<sup>th</sup>, 2023 email from President Cathy Heron on misinformation disseminated by an entity called Energy Associates International (EAI)</li> <li>e) Lac Ste. Anne County – subdivision referral REFUSED on NE 04-56-01-W5M – 011SUB2023</li> </ul> <p align="right"><b>CARRIED</b></p> <p>Councillor Benning left the meeting at 7:59 p.m.</p>
11.	<p><b>OPEN FLOOR DISCUSSION WITH THE GALLERY</b></p> <p>212-23</p>	<p><b>MOVED</b> by Mayor Ethier that the open floor discussion with the gallery be accepted for information.</p> <p align="right"><b>CARRIED</b></p>
12.	<p><b>CLOSED MEETING</b></p>	<p>N/A</p>
13.	<p><b>ADJOURNMENT</b></p>	<p>As all matters have been addressed Mayor Ethier declared the meeting adjourned at 8:36 p.m.</p>

\_\_\_\_\_  
Mayor, Jon Ethier

\_\_\_\_\_  
Chief Administrative Officer, Wendy Wildman

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**Fw: Discuss with Council - Appointment**

svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

Mon 10/16/2023 1:17 PM

To:wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>

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**From:** Laurie L [REDACTED]

**Sent:** Monday, October 16, 2023 1:16 PM

**To:** svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

**Subject:** Discuss with Council

Good morning,

I am requesting to speak to Council at the Oct24th meeting regarding our Bylaws please.

Thank you.

Laurie

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**THIS IS A BYLAW OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE  
PROVINCE OF ALBERTA, TO BE KNOWN AS THE SUMMER VILLAGE OF SUNRISE  
BEACH FEES & CHARGES BYLAW.**

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WHEREAS, in accordance with the *Municipal Government Act*, a municipality has the authority to establish fees and charges for the provision of goods and services;

AND WHEREAS, the Summer Village of Sunrise Beach wishes to establish, in a bylaw, certain fees and charges.

NOW THEREFORE, the Council of the Summer Village of Sunrise Beach, in the Province of Alberta, duly assembled, enacts as follows:

1. That this Bylaw may be cited as the "FEES and CHARGES BYLAW".
2. That the Summer Village of Sunrise Beach shall charge fees as established in Schedule A, 'The Fee Schedule', attached hereto.
3. Bylaw #189-2023 is hereby repealed.
4. THAT this BYLAW shall come into force and have effect on the date of the third and final reading.

Read a first time on this 24<sup>th</sup> day of October, 2023.

Read a second time on this 24<sup>th</sup> day of October, 2023.

Unanimous Consent to proceed to third reading on this 24<sup>th</sup> day of October, 2023.

Read a third and final time on this 24<sup>th</sup> day of October, 2023.

Signed this 24<sup>th</sup> day of October, 2023.

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Mayor, Jon Ethier

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Chief Administrative Officer, Wendy Wildman

SCHEDULE 'A' – Page 1 of 2	
BYLAW #186-2023 FEES & CHARGES	
<b>Summer Village of Sunrise Beach</b>	
<b>ADMINISTRATIVE FEES</b>	
REQUEST FOR COPIES OF VILLAGE DOCUMENTS PER REQUEST	\$25
COST OF COPIES PER COPY	\$0.50
SPECIAL SERVICES RATE PER HOUR	\$75
TAX CERTIFICATE	\$50
TAX NOTIFICATION CHARGES	\$60
ONE TIME DOG LICENSE FEE PER DOG (LIMIT OF THREE)	\$25
SNOW REMOVAL PER LOT	SMALL \$200, MEDIUM \$250, LARGE \$300
<b>APPEAL/AMENDMENT FEES</b>	
ASSESSMENT APPEAL FEE (Refundable if applicant is successful)	\$50
DEVELOPMENT APPEAL FEE (Refundable if applicant is successful)	\$1,250
SUBDIVISION APPEAL FEE (Refundable if applicant is successful)	\$1,250
LAND USE BYLAW AMENDMENT FEE	\$2,000
<b>DEVELOPMENT FEES</b>	
PERMIT FEES ARE DOUBLED IF CONSTRUCTION STARTS PRIOR TO APPROVAL OF THE DEVELOPMENT PERMIT	
DEVELOPMENT PERMITS – RESIDENTIAL PRINCIPAL BUILDING	\$300
DEVELOPMENT PERMITS – RESIDENTIAL PRINCIPAL BUILDING DISCRETIONARY	\$500
DEVELOPMENT PERMITS – RESIDENTIAL ADDITIONS TO PRINCIPAL BUILDING - PERMITTED	\$150
DEVELOPMENT PERMITS – RESIDENTIAL ADDITIONS TO PRINCIPAL BUILDING - DISCRETIONARY	\$300
DEVELOPMENT PERMITS – SECONDARY SUITE, GARAGE & GARDEN – PERMITTED	\$300
DEVELOPMENT PERMITS – SECONDARY SUITE, GARAGE & GARDEN – DISCRETIONARY	\$500
DEVELOPMENT PERMITS - DEMOLITION	\$ 50
DEVELOPMENT PERMITS - COMMERCIAL	\$300
DEVELOPMENT PERMITS – COMMERCIAL - DISCRETIONARY	\$500
DEVELOPMENT PERMITS – HOME OCCUPATION/HOME OFFICE	\$150
LETTER OF COMPLIANCE - STANDARD	\$ 95
LETTER OF COMPLIANCE - RUSH	\$190
PLAN CANCELLATION BYLAW (LOT CONSOLIDATION)	\$400
PLAN CANCELLATION BYLAW REGISTRATION	\$ 35



SCHEDULE 'A' – PAGE 2 OF 2	
BYLAW #186-2023 FEES & CHARGES	
<b>SUMMER VILLAGE OF SUNRISE BEACH</b>	
DECK, OVER-HEIGHT FENCE, RETAINING WALL, CISTERN, HOLDING TANK	\$ 50
BUILDING PERMITS	AS PER
ELECTRICAL PERMITS	SAFETY CODES
PLUMBING PERMITS	SERVICE PROVIDER
GAS & HEATING PERMITS	FEES
<b>FEES (SUBDIVISION AUTHORITY)</b>	
Subdivision fees at application	\$750 + \$250 per lot
Extension-The extension request and fee must be received before the file expires. <b>Once a file has expired, an extension cannot be processed, and a new subdivision application will be required.</b>	\$350
Recirculation	\$250
Fee at Endorsement ** Endorsement fees are charged at time of endorsement for all subdivisions except Separation of Titles	\$200 per lot
Current Land Title	\$15
G.S.T. is payable on all Subdivision Fees (Subdivision Authority)	
<b>SUB-DIVISION FEES (MUNICIPALITY)</b>	
Lot Subdivision fee for lots that were previously consolidated:	
-1 <sup>st</sup> Lot	\$5,000
-each subsequent lot	\$2,500
<b>RE-DISTRICTING/RE-ZONING FEES</b>	
Re-districting application	\$2,000
Amend Municipal Development Plan	\$2,000
Amend Land Use Bylaw	\$2,000
Amend Provision of a Statutory Plan	\$2,000
Adoption of New Statutory Plan	\$2,000
<i>GST will be charged where applicable</i>	

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**THIS IS A BYLAW OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE  
PROVINCE OF ALBERTA, TO BE KNOWN AS THE SUMMER VILLAGE OF SUNRISE  
BEACH FEES & CHARGES BYLAW.**

---

WHEREAS, in accordance with the *Municipal Government Act*, a municipality has the authority to establish fees and charges for the provision of goods and services;

AND WHEREAS, the Summer Village of Sunrise Beach wishes to establish, in a bylaw, certain fees and charges.

NOW THEREFORE, the Council of the Summer Village of Sunrise Beach, in the Province of Alberta, duly assembled, enacts as follows:

1. That this Bylaw may be cited as the "FEES and CHARGES BYLAW".
2. That the Summer Village of Sunrise Beach shall charge fees as established in Schedule A, 'The Fee Schedule', attached hereto.
3. Bylaw #186-2023 is hereby repealed.
4. THAT this BYLAW shall come into force and have effect on the date of the third and final reading.

Read a first time on this 26<sup>th</sup> day of September, 2023.

Read a second time on this 26<sup>th</sup> day of September, 2023.

Unanimous Consent to proceed to third reading on this 26<sup>th</sup> day of September, 2023.

Read a third and final time on this 26<sup>th</sup> day of September, 2023.

Signed this 26<sup>th</sup> day of September, 2023.

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Mayor, Jon Ethier

---

Chief Administrative Officer, Wendy Wildman

SCHEDULE 'A' – Page 1 of 2	
BYLAW #186-2023 FEES & CHARGES	
<b>Summer Village of Sunrise Beach</b>	
<b>ADMINISTRATIVE FEES</b>	
REQUEST FOR COPIES OF VILLAGE DOCUMENTS PER REQUEST	\$25
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SCHEDULE 'A' – PAGE 2 OF 2	
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<b>SUMMER VILLAGE OF SUNRISE BEACH</b>	
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BUILDING PERMITS	AS PER
ELECTRICAL PERMITS	SAFETY CODES
PLUMBING PERMITS	SERVICE PROVIDER
GAS & HEATING PERMITS	FEES
<b>SUB-DIVISION FEES (SUBDIVISION AUTHORITY)</b>	
Subdivision fees at application for up to 3 lots, including any remainder	\$750 + \$250 per lot
Subdivision fees at application for up to 4 lots, including any remainder	\$750 + \$250 per lot
Separation of Titles (MGA 652(4))	\$700
Condominium Plan Consent	\$50 per unit
Extension—once a file has expired, an extension cannot be processed, and a new subdivision application will be required	\$350
Re-circulation	\$250
Fee at Endorsement ** Endorsement fees are charged at time of endorsement for all subdivisions except Separation of Titles	\$200 per lot
Current Land Title	\$15
<b>SUB-DIVISION FEES (MUNICIPALITY)</b>	
Lot Subdivision fee for lots that were previously consolidated:	
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Amend Land Use Bylaw	\$2,000
Amend Provision of a Statutory Plan	\$2,000
Adoption of New Statutory Plan	\$2,000
<i>GST will be charged where applicable</i>	



BYLAW NO. 189-2023

Municipal Government Act RSA 2000 Chapter M-26  
Section 8 Establishing Fees

BYLAW NO.189-2023

4

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## Save the Date: Emerging Trends in Municipal Law 2024

Moyo, Nicole <nmoyo@brownleelaw.com>

Wed 10/11/2023 12:36 PM

To:wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>

# EMERGING TRENDS IN MUNICIPAL LAW

PRESENTED  
BY



BROWNLEE LLP  
*Barristers & Solicitors*

CALGARY February  
8th, 2024

EDMONTON February  
15th, 2024

## Save the Date: Emerging Trends in Municipal Law 2024

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 [nmoyo@brownleelaw.com](mailto:nmoyo@brownleelaw.com) if you have any questions.

Stay tuned for further updates!

### Emerging Trends dates:

- Feb 8<sup>th</sup> 2024 – Calgary
- Feb 15<sup>th</sup> 2024 – Edmonton

Sincerely,

Brownlee LLP

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

*You are receiving this correspondence because you have previously attended Emerging Trends in Municipal Law, or because you or your employer has utilized or expressed interest in utilizing our services.*

Connect with us:

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Toll Free: 1-800-661-9069

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530 – 8 Ave. SW  
Calgary, AB T2P 3S8  
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Vancouver, BC V7Y 1K8  
(604) 416-5100

Website: [BrownleeLaw.com](http://BrownleeLaw.com)

LinkedIn: [Brownlee LLP](#)

If you do not wish to receive information regarding upcoming Emerging Trends in Municipal Law sessions, [Unsubscribe here](#).

**NICOLE MOYO | EVENTS ASSISTANT | BROWNLEE LLP**

**MARKETING**



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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION  
Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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**Background:**

The Subdivision and Development Appeal Board (the "Board") heard an appeal by [REDACTED] represented by Craig Thomas of the decision by the Development Authority for the Summer Village of Sunrise Beach to refuse Development Permit No. 23DP01-44 which proposes to leave a previously constructed structure "as built" and as sited on lands described as Plan 3503KS, Block 1, Lot 3: 6103 Willow Way within the Summer Village of Sunrise Beach, Alberta (the "Lands").

The Board heard from [REDACTED] Appellant, Craig Thomas, Representative for the Appellant, Tony Sonnleitner, Development Officer for the Summer Village of Sunrise Beach and Michelle Gallagher, Legal Counsel for the Summer Village of Sunrise Beach. Documents were provided to the Board, as follows:

Exhibit 1	Letter of Appeal – Submitted by Craig Thomas – Received March 27, 2023
Exhibit 2	Legal Counsel Submission – Submitted by Michelle Gallagher, Patriot Law
Exhibit 3	Email from Alberta Land Titles, Re: Ownership and Designation of Land as walkway/road as per Plan 3503KS – Submitted by Tony Sonnleitner
Exhibit 4	Development Officer's Report – Submitted by Tony Sonnleitner
Exhibit 5	Appellant's Report – Submitted by Craig Thomas
Exhibit 6	Letter Opposing Appeal – Submitted by Morris and Jane Burak

The Board determined based upon the information supplied that the Hearing would fall under the Summer Village of Sunrise Beach's Subdivision and Development Appeal Board.

**Decision:**

The Board determined that the decision of the Development Authority for the Summer Village of Sunrise Beach to deny Development Permit Application No. 23DP01-44 which proposes to leave a previously constructed structure "as built" and as sited upon the Lands described as 3503KS, Block 1, Lot 3: 6103 Willow Way, within the Summer Village of Sunrise Beach, Alberta shall be upheld and that the appeal be denied for the following reasons.

**Reasons:**

1. The Board determined that the as-built structure does not conform to the definition of a "Modular Home" or "Single Detached Dwelling" as defined in the Summer Village of Sunrise Beach Land Use Bylaw 71-1999, as amended.

**SECTION 4 DEFINITIONS**

- a. "MODULAR HOME" – means a factory fabricated built dwelling unit, designed to be transported on a truck in sections and assembled on site, 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 with a maximum length to width ratio of 2.0:1. A modular home does not include a single detached dwelling, manufactured home or mobile home and shall have a minimum 74.3 square metres (800 sq. feet) in floor area not including decks, porches or verandahs.
- b. "SINGLE DETACHED DWELLING" – means a complete building intended to be used as a permanent residence not separated from direct access to the outside by another separate or self contained portion of a building and has a length to width ratio of no more than 2.0:1. Does not include a mobile home, manufactured home, or modular home as defined under this Bylaw and shall have a minimum floor area of 74.3 sq. metres (800 sq. feet) not including decks, porches or verandahs.

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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023  
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The evidence given at the Subdivision and Development Appeal Board Hearing indicated that the subject as-built structure was built on-site, not factory fabricated, on the subject lands therefore, the structure does not meet the definition of Modular Home. In addition, the evidence shows that the as-built structure has a floor area of 32.51m<sup>2</sup> whereas the definition of both a Single Detached Dwelling and Modular Home indicates that the minimum floor area shall be 74.3 m<sup>2</sup> (or 800 ft<sup>2</sup>).

Therefore, the Board determined that the as-built structure does not meet the definitions of a Modular Home or Single Detached Dwelling.

2. The Board determined that as the as-built structure does not meet the definitions of Modular Home or Single Detached Dwelling, it is not a Permitted nor Discretionary Use in the R – Residential District as stated in Section 50(2) of Land Use Bylaw No. 71-1999, as amended, which states:

**SECTION 50 R - RESIDENTIAL DISTRICT**

(2) Permitted Uses

- Single detached dwelling
- Accessory use – home occupation

Discretionary Uses

- Modular home
- Public utility building and operation
- Public park
- Accessor building
- Home occupation
- Holding tank
- Well

The Board did consider Section 9 of Land Use Bylaw No. 71-1999, as amended, which states:

**SECTION 9 SAME OR SIMILAR USES**

The uses which are listed in the permitted and discretionary uses columns under the land use districts are not intended to be exclusive or restrictive. Where a specific use does not conform to the wording of any definition, the Development Officer may deem that the proposed use conforms to the spirit and intent of the purpose of the land use district and is deemed similar to other uses allowed in that land use district. Notwithstanding, all uses defined as "same or similar uses" shall be discretionary.

In addition, the Board considered evidence submitted that pursuant to the Summer Village of Sunrise Beach Land Use Bylaw 71-1999, as amended, Section 10 DEVELOPMENT PERMIT REFERRALS the Development Officer, directed the development permit application to Council for their review and comment. The Board took into consideration that Council's response was that the proposed development does not meet the spirit and intent of the current Land Use Bylaw and is not compatible with the community.

The Board determined that the as-built structure is so significantly and materially different from the defined requirements of a Single Detached Dwelling or Modular Home as the floor area is less than half of the size of the required minimum for a permitted type of residence, the as-built structure is of a completely different character and nature and as such, the as-built structure reflects an entirely different "use". The Board also determined that as it does not reflect the spirit or intent of the Land Use Bylaw No. 71-1999, which was adopted by Council for the Summer Village of Sunrise Beach, the as-built structure does not fall within a same or similar use.

**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION  
Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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3. The Board determined that as the as-built structure does not fall within the parameters of a Permitted Use or Discretionary Use, the Development Authority was correct in refusing Development Permit Application No. 23DP01-44 in accordance with Section 640(6)(b) of the Municipal Government Act, R.S.A. 2000, c. M-26 which states:

**Land use bylaw**

640(6) A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

- (b) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

In addition, the Board, when determining if the Board would have the ability to approve the as-built structure, referred to Section 687(3)(d)(ii) Municipal Government Act, R.S.A. 2000, c. M-26, as amended which states:

**Hearing and Decision**

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1),

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

The Board also considered, as given in evidence, Planning Law and Practice in Alberta, Laux and Stewart-Palmer, 2019, 4th ed, page 10-58 which states:

The *Municipal Government Act* authorizes a municipal council to delegate a variance power to the development authority in its land use bylaw,<sup>267</sup> and directly delegates such power to a subdivision and development appeal board.<sup>268</sup> A board may approve a development that does not comply with a land use bylaw, but only if it "conforms with the uses prescribed" in the bylaw for the land on which the development is to be undertaken.<sup>269</sup> In other words, a use variance is not permitted in Alberta.

It has been suggested by some that if a proposed use, which is not listed for a district in which it is to be affected, is compatible with the listed uses, a board has jurisdiction to grant a permit. Indeed, this same interpretation was placed on a board's variance power when the 1977 Planning Act first went into effect. However, at that time, the relevant sections of the Act stated that a permit could be issued for a non-complying development if it did "not conflict with the use prescribed" in the bylaw.<sup>270</sup> The word "conflict" was changed by a 1979 amendment to read "conform".<sup>271</sup> The word "conform" is found in the current legislation.<sup>272</sup> Use of this word, it is submitted, forecloses any argument that the test is one of compatibility.

The Board concluded they do not have the authority to approve the as-built structure as it does not conform to the uses prescribed under Section 50(2) of Land Use Bylaw No. 71-1999, as amended.

4. The Board determined that the as-built structure does not comply with the Municipal Development Plan Bylaw No. 166-2020 for the following reasons:

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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DPO1-44

File No. 23SDAB01-44

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Policy 3.1.2 requires that "Residential infill should respect or complement the existing built form, including height, size and architectural detailing of existing development."

From the evidence given, the as-built structure is less than half the size of the minimum requirements for a Single Detached Dwelling or Modular Home under the Land Use Bylaw No. 71-1999, as amended. Evidence was also submitted of newer developed single detached dwellings or modular homes within the Summer Village of Sunrise Beach that have variances to minimum floor area of less than 20% whereas the subject as-built structure would require a 56% variance to the requirements of floor area required under Land Use Bylaw No. 71-199, as amended. Therefore, the Board determined that the as-built structure does not respect or complement the "existing built form" or the "size and architectural detailing" of the existing development.

5. The Board determined that the as-built structure does not comply with the Site Requirements or the Front Yard Setback Requirements of Land Use Bylaw No. 71-1999, as amended.

Land Use Bylaw No. 71-1999, as amended states:

**SECTION 50 R - RESIDENTIAL DISTRICT**

(4) Site Requirements

- (b) Minimum floor area per dwelling unit (not including attached garage) 74.3 m<sup>2</sup> (800.0 ft<sup>2</sup>).

The as-built structure has a floor area of 32.51m<sup>2</sup> which is a 56% variation from the minimum floor area.

**SECTION 50 R - RESIDENTIAL DISTRICT**

(4) Site Requirements

- (d) Minimum Front Yard Setback

Shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels, but in no case shall a front yard setback be less than 7.0 m (22.9 ft).

The as-built structure has a front yard setback of 2.74m which is a 61% variation from the minimum front yard setback:

The Board determined that this is a substantial variance to the requirements of Land Use Bylaw No. 71-1999, as amended, and based upon the evidence received regarding the site plan, they found that there is sufficient area on the Lands to meet the minimum floor area and front yard setback. The Board also considered the amount of foliage, vegetation and trees that covers the Lands and determined that this is not sufficient permanent features to shield the as-built structure from view nor does building on the Lands to meet the requirements of Land Use Bylaw No. 71-199, as amended, facilitate unnecessary hardship, as these Lands display common features to other lands.

In addition, the Board considered the municipal lands that are adjacent to the subject Lands and determined that these lands would not be considered in the calculation of the front-yard setback, as the municipal lands are not part of the subject Lands and can be developed at a future date by the Summer Village of Sunrise Beach.

The Board determined that the variances for the as-built structure are too extensive and undermine both Land Use Bylaw No. 71-1999, as amended, and Municipal Development Plan Bylaw No. 166-2020, and does not collaborate with the characteristics of other single detached dwellings within the Summer Village of Sunrise Beach based upon

**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION

Hearing: Monday, April 24, 2023

Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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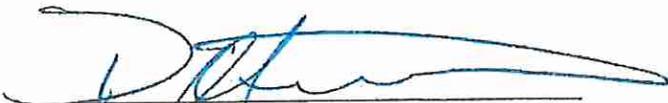
size and value and if approved, changes the characteristic and structure of the municipality not intended when Land Use Bylaw No. 71-1999, as amended, and Municipal Development Plan Bylaw No. 166-2020, were approved by Council.

6. The Board considered the argument that a refusal of the Development Permit No. 23DP01-44 based upon the as-built structure not meeting the minimum floor area requirements in Land Use Bylaw No. 71-1999, as amended, can be determined to be discriminatory. The Board determined that the evidence given at the Subdivision and Development Hearing was based upon Single-Family Dwellings or Districts where the discrimination is based upon the use of single-family. The Board determined this is not a relevant argument as Land Use Bylaw No. 71-1999, as amended, does not use the terms Single-Family Dwelling or Districts.

In light of the evidence given, the Board determined that the decision of the Development Authority for the Summer Village of Sunrise Beach to deny Development Permit Application No. 23DP01-44 which proposes to leave a previously constructed structure "as built" and as sited upon the Lands described as 3503KS, Block 1, Lot 3: 6103 Willow Way, within the Summer Village of Sunrise Beach, Alberta shall be upheld and that the appeal be denied.

A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons. Subject only to an appeal on a question of law or jurisdiction, an appeal lies to the Alberta Court of Appeal from a decision of the Subdivision and Development Appeal Board, pursuant to Section 668 of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26. An application for leave to appeal shall be made:

- (a) To a judge for the Court of Appeal; and
- (b) Within thirty (30) days after the issue of the decision sought to be appealed.



Denis Meier, Chairperson  
Subdivision and Development Appeal Board



Emily House, Clerk  
Subdivision and Development Appeal Board

May 9, 2023

Date of Decision

**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION  
Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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The Board heard from [REDACTED] Appellant, Craig Thomas, Representative for the Appellant, Tony Sonnleitner, Development Officer for the Summer Village of Sunrise Beach and Michelle Gallagher, Legal Counsel for the Summer Village of Sunrise Beach. Documents were provided to the Board, as follows:

Exhibit 1	Letter of Appeal – Submitted by Craig Thomas – Received March 27, 2023
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Exhibit 4	Development Officer's Report – Submitted by Tony Sonnleitner
Exhibit 5	Appellant's Report – Submitted by Craig Thomas
Exhibit 6	Letter Opposing Appeal – Submitted by Morris and Jane Burak

The Board determined based upon the information supplied that the Hearing would fall under the Summer Village of Sunrise Beach's Subdivision and Development Appeal Board.

**Decision:**

The Board determined that the decision of the Development Authority for the Summer Village of Sunrise Beach to deny Development Permit Application No. 23DP01-44 which proposes to leave a previously constructed structure "as built" and as sited upon the Lands described as 3503KS, Block 1, Lot 3: 6103 Willow Way, within the Summer Village of Sunrise Beach, Alberta shall be upheld and that the appeal be denied for the following reasons.

**Reasons:**

1. The Board determined that the as-built structure does not conform to the definition of a "Modular Home" or "Single Detached Dwelling" as defined in the Summer Village of Sunrise Beach Land Use Bylaw 71-1999, as amended.

**SECTION 4 DEFINITIONS**

- a. "MODULAR HOME" -- means a factory fabricated built dwelling unit, designed to be transported on a truck in sections and assembled on site, 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 with a maximum length to width ratio of 2.0:1. A modular home does not include a single detached dwelling, manufactured home or mobile home and shall have a minimum 74.3 square metres (800 sq. feet) in floor area not including decks, porches or verandahs.
- b. "SINGLE DETACHED DWELLING" – means a complete building intended to be used as a permanent residence not separated from direct access to the outside by another separate or self contained portion of a building and has a length to width ratio of no more than 2.0:1. Does not include a mobile home, manufactured home, or modular home as defined under this Bylaw and shall have a minimum floor area of 74.3 sq. metres (800 sq. feet) not including decks, porches or verandahs.

**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023

Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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The evidence given at the Subdivision and Development Appeal Board Hearing indicated that the subject as-built structure was built on-site, not factory fabricated, on the subject lands therefore, the structure does not meet the definition of Modular Home. In addition, the evidence shows that the as-built structure has a floor area of 32.51m<sup>2</sup> whereas the definition of both a Single Detached Dwelling and Modular Home indicates that the minimum floor area shall be 74.3 m<sup>2</sup> (or 800 ft<sup>2</sup>).

Therefore, the Board determined that the as-built structure does not meet the definitions of a Modular Home or Single Detached Dwelling.

2. The Board determined that as the as-built structure does not meet the definitions of Modular Home or Single Detached Dwelling, it is not a Permitted nor Discretionary Use in the R – Residential District as stated in Section 50(2) of Land Use Bylaw No. 71-1999, as amended, which states:

**SECTION 50 R - RESIDENTIAL DISTRICT**

(2) Permitted Uses

- Single detached dwelling
- Accessory use – home occupation

Discretionary Uses

- Modular home
- Public utility building and operation
- Public park
- Accessor building
- Home occupation
- Holding tank
- Well

The Board did consider Section 9 of Land Use Bylaw No. 71-1999, as amended, which states:

**SECTION 9 SAME OR SIMILAR USES**

The uses which are listed in the permitted and discretionary uses columns under the land use districts are not intended to be exclusive or restrictive. Where a specific use does not conform to the wording of any definition, the Development Officer may deem that the proposed use conforms to the spirit and intent of the purpose of the land use district and is deemed similar to other uses allowed in that land use district. Notwithstanding, all uses defined as “same or similar uses” shall be discretionary.

In addition, the Board considered evidence submitted that pursuant to the Summer Village of Sunrise Beach Land Use Bylaw 71-1999, as amended, Section 10 DEVELOPMENT PERMIT REFERRALS the Development Officer, directed the development permit application to Council for their review and comment. The Board took into consideration that Council’s response was that the proposed development does not meet the spirit and intent of the current Land Use Bylaw and is not compatible with the community.

The Board determined that the as-built structure is so significantly and materially different from the defined requirements of a Single Detached Dwelling or Modular Home as the floor area is less than half of the size of the required minimum for a permitted type of residence, the as-built structure is of a completely different character and nature and as such, the as-built structure reflects an entirely different “use”. The Board also determined that as it does not reflect the spirit or intent of the Land Use Bylaw No. 71-1999, which was adopted by Council for the Summer Village of Sunrise Beach, the as-built structure does not fall within a same or similar use.

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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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3. The Board determined that as the as-built structure does not fall within the parameters of a Permitted Use or Discretionary Use, the Development Authority was correct in refusing Development Permit Application No. 23DP01-44 in accordance with Section 640(6)(b) of the Municipal Government Act, R.S.A. 2000, c. M-26 which states:

**Land use bylaw**

640(6) A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

- (b) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

In addition, the Board, when determining if the Board would have the ability to approve the as-built structure, referred to Section 687(3)(d)(ii) Municipal Government Act, R.S.A. 2000, c. M-26, as amended which states:

**Hearing and Decision**

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1),

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

The Board also considered, as given in evidence, Planning Law and Practice in Alberta, Laux and Stewart-Palmer, 2019, 4th ed, page 10-58 which states:

The *Municipal Government Act* authorizes a municipal council to delegate a variance power to the development authority in its land use bylaw,<sup>267</sup> and directly delegates such power to a subdivision and development appeal board.<sup>268</sup> A board may approve a development that does not comply with a land use bylaw, but only if it "conforms with the uses prescribed" in the bylaw for the land on which the development is to be undertaken.<sup>269</sup> In other words, a use variance is not permitted in Alberta.

It has been suggested by some that if a proposed use, which is not listed for a district in which it is to be affected, is compatible with the listed uses, a board has jurisdiction to grant a permit. Indeed, this same interpretation was placed on a board's variance power when the 1977 Planning Act first went into effect. However, at that time, the relevant sections of the Act stated that a permit could be issued for a non-complying development if it did "not conflict with the use prescribed" in the bylaw.<sup>270</sup> The word "conflict" was changed by a 1979 amendment to read "conform".<sup>271</sup> The word "conform" is found in the current legislation.<sup>272</sup> Use of this word, it is submitted, forecloses any argument that the test is one of compatibility.

The Board concluded they do not have the authority to approve the as-built structure as it does not conform to the uses prescribed under Section 50(2) of Land Use Bylaw No. 71-1999, as amended.

4. The Board determined that the as-built structure does not comply with the Municipal Development Plan Bylaw No. 166-2020 for the following reasons:

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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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Policy 3.1.2 requires that "Residential infill should respect or complement the existing built form, including height, size and architectural detailing of existing development."

From the evidence given, the as-built structure is less than half the size of the minimum requirements for a Single Detached Dwelling or Modular Home under the Land Use Bylaw No. 71-1999, as amended. Evidence was also submitted of newer developed single detached dwellings or modular homes within the Summer Village of Sunrise Beach that have variances to minimum floor area of less than 20% whereas the subject as-built structure would require a 56% variance to the requirements of floor area required under Land Use Bylaw No. 71-199, as amended. Therefore, the Board determined that the as-built structure does not respect or complement the "existing built form" or the "size and architectural detailing" of the existing development.

5. The Board determined that the as-built structure does not comply with the Site Requirements or the Front Yard Setback Requirements of Land Use Bylaw No. 71-1999, as amended.

Land Use Bylaw No. 71-1999, as amended states:

**SECTION 50 R - RESIDENTIAL DISTRICT**

(4) Site Requirements

- (b) Minimum floor area per dwelling unit (not including attached garage) 74.3 m<sup>2</sup> (800.0 ft<sup>2</sup>).

The as-built structure has a floor area of 32.51m<sup>2</sup> which is a 56% variation from the minimum floor area.

**SECTION 50 R - RESIDENTIAL DISTRICT**

(4) Site Requirements

- (d) Minimum Front Yard Setback

Shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels, but in no case shall a front yard setback be less than 7.0 m (22.9 ft).

The as-built structure has a front yard setback of 2.74m which is a 61% variation from the minimum front yard setback.

The Board determined that this is a substantial variance to the requirements of Land Use Bylaw No. 71-1999, as amended, and based upon the evidence received regarding the site plan, they found that there is sufficient area on the Lands to meet the minimum floor area and front yard setback. The Board also considered the amount of foliage, vegetation and trees that covers the Lands and determined that this is not sufficient permanent features to shield the as-built structure from view nor does building on the Lands to meet the requirements of Land Use Bylaw No. 71-199, as amended, facilitate unnecessary hardship, as these Lands display common features to other lands.

In addition, the Board considered the municipal lands that are adjacent to the subject Lands and determined that these lands would not be considered in the calculation of the front-yard setback, as the municipal lands are not part of the subject Lands and can be developed at a future date by the Summer Village of Sunrise Beach.

The Board determined that the variances for the as-built structure are too extensive and undermine both Land Use Bylaw No. 71-1999, as amended, and Municipal Development Plan Bylaw No. 166-2020, and does not collaborate with the characteristics of other single detached dwellings within the Summer Village of Sunrise Beach based upon

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**SUMMER VILLAGE OF SUNRISE BEACH  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING DECISION**

Hearing: Monday, April 24, 2023  
Development Permit Applicant No. 23DP01-44

File No. 23SDAB01-44

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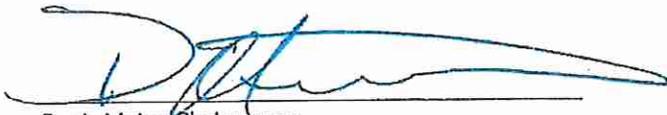
size and value and if approved, changes the characteristic and structure of the municipality not intended when Land Use Bylaw No. 71-1999, as amended, and Municipal Development Plan Bylaw No. 166-2020, were approved by Council.

6. The Board considered the argument that a refusal of the Development Permit No. 23DP01-44 based upon the as-built structure not meeting the minimum floor area requirements in Land Use Bylaw No. 71-1999, as amended, can be determined to be discriminatory. The Board determined that the evidence given at the Subdivision and Development Hearing was based upon Single-Family Dwellings or Districts where the discrimination is based upon the use of single-family. The Board determined this is not a relevant argument as Land Use Bylaw No. 71-1999, as amended, does not use the terms Single-Family Dwelling or Districts.

In light of the evidence given, the Board determined that the decision of the Development Authority for the Summer Village of Sunrise Beach to deny Development Permit Application No. 23DP01-44 which proposes to leave a previously constructed structure "as built" and as sited upon the Lands described as 3503KS, Block 1, Lot 3: 6103 Willow Way, within the Summer Village of Sunrise Beach, Alberta shall be upheld and that the appeal be denied.

A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons. Subject only to an appeal on a question of law or jurisdiction, an appeal lies to the Alberta Court of Appeal from a decision of the Subdivision and Development Appeal Board, pursuant to Section 668 of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26. An application for leave to appeal shall be made:

- (a) To a judge for the Court of Appeal; and
- (b) Within thirty (30) days after the issue of the decision sought to be appealed.



Denis Meier, Chairperson  
Subdivision and Development Appeal Board



Emily House, Clerk  
Subdivision and Development Appeal Board

May 9, 2023  
Date of Decision



Development Services  
for the

## Summer Village of Sunrise Beach

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

### Notification Letter and Notice of Decision

March 9, 2023

File: 23DP01-44

CRAIG THOMAS  
URBAN CREATIVE  
10155 – 82 STREET NW  
EDMONTON, ALBERTA  
T6A 3M1

Dear Mr. Thomas:

**Re: Development Permit Application No. 23DP01-44  
Plan 3503 KS, Block 1, Lot 3 : 6103 Willow Way (the "Lands")  
R – Residential : Summer Village of Sunrise Beach**

**Preamble: The application proposes to leave a previously constructed structure "as built" and as sited upon the Lands. The structure has a floor area of approximately 32.51 sq. m. and is located 2.74 m. from the Northeast boundary of the Lands.**

#### DEVELOPMENT PERMIT APPLICATION - DECISION

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

### **TO LEAVE STRUCTURE AS BUILT.**

Has been **REFUSED** at this date, March 9, 2023, for the following reasons:

1. The proposed development does not conform to the definition of a "Modular Home" nor "Single Detached Dwelling" as defined in the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended. Therefore, the proposed development is not a Permitted nor Discretionary Use in the R – Residential District and the development permit application must be refused in accordance with section 640(6)(b) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended. For reference, Modular Home and Single Detached Dwelling are defined as follows:
  - a. **"MODULAR HOME"** – means a factory fabricated built dwelling unit, designed to be transported on a truck in sections and assembled on site, 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 with a maximum length to width ratio of 2.0:1. A modular home does not include a single detached dwelling, manufactured home or mobile home and shall have a

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## Summer Village of Sunrise Beach

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- minimum 74.3 square metres (800 sq. feet) in floor area not including decks, porches or verandahs.
- b. **“SINGLE DETACHED DWELLING”** – means a complete building intended to be used as a permanent residence not separated from direct access to the outside by another separate or self contained portion of a building and has a length to width ratio of no more than 2.0:1. Does not include a mobile home, manufactured, home, or modular home as defined under this Bylaw and shall have a minimum floor area of 74.3 sq. metres (800 sq. feet) not including decks, porches or verandahs.
2. The Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, requires the minimum floor area of a single detached dwelling and a modular home to be 74.3 sq. m. The proposed development has a floor area of 32.51 sq. m. and the Development Authority has not granted a variance to the required 74.3 sq. m. minimum floor area.
- a. A structure with a floor area of 32.51 sq. m. requires a variance of 56% of the minimum floor area of 74.3 sq. m. The proposed development does not comply with the minimum floor for a single detached dwelling nor modular home, as required by Section 50(4)(b) in the *Land Use Bylaw 71-1999*, as amended.
- b. Further, a variance to the minimum floor area for a single detached dwelling or modular home as required by Section 50(4)(b) of the same cannot be justified by the Development Authority as there is sufficient area on the Lands to construct a single detached dwelling or a modular home in accordance with the requirements of the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended.
3. The Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, requires a front yard setback of 8.0 m. The proposed development has a front yard setback of 2.74 m and the Development Authority has not granted a variance to the required 8.0 m front yard setback.
- a. The 2.74 m (9 ft.) setback requested is a variance of 66% of the required setback of 8.0 m (26.2 ft.). The proposed development does not comply with the requirements of the *Land Use Bylaw 71-1999*, as amended, and a variance to Section 50(4)(c) of the same cannot be justified by the Development Authority as there is sufficient area on the Lands to meet the minimum front yard setback of 8.0 m (26.2 ft.).
4. Where the Summer Village of Sunrise Beach *Municipal Development Plan 166-2020*, Section 3.1.2 POLICIES states that “Residential infill should respect or complement the existing built form, including, height, size and architectural detailing of existing development” and Section 3.1.3 POLICIES states that “Development of lakeside lots should be limited to single-family residential dwelling.” It is the opinion of the Development Officer that proposed development does respect nor complement the existing built form of adjacent properties or other properties within the District.



Development Services  
for the

## Summer Village of Sunrise Beach

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

5. Residential infill should respect or complement the existing built form, including, height, size and architectural detailing of existing development. The proposed use is neither a Permitted nor a Discretionary, use within the R – Residential District under Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended (LUB) and the proposed development does not complement the existing built form in the Summer Village of Sunrise Beach.
6. Therefore, a variance is neither appropriate nor available for the proposed development for the following reasons:
  - a. Pursuant to Section 640(6) of the *Municipal Government Act*, R.S.A. 2000, c: M-26, as amended ("MGA"), the Development Authority for the Summer Village of Sunrise Beach is of the opinion that the proposed development would materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land due to the inconsistency of that development and the built form of the community. Further, the proposed development does not conform with the uses prescribed for that land or building in the *Land Use Bylaw 71-1999*, as amended.
  - b. Pursuant to Section 8(6)(a) of the *Land Use Bylaw 71-1999*, as amended the Development Officer is of the opinion that, given the substantial difference between the proposed development and the other development in the District:
    - i. the proposed development would unduly interfere with the amenities of the neighbourhood; and
    - ii. the proposed development would materially interfere with or affect the use, enjoyment or value of neighbouring properties.
  - c. Pursuant to the Section 8(6)(b) of the *Land Use Bylaw 71-1999*, as amended, the proposed development does not conform with the uses prescribed for that land or building in the *Land Use Bylaw 71-1999*, as amended.
7. Pursuant to the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, Section 10 DEVELOPMENT PERMIT REFERRALS the Development Officer, directed the development permit application to Council for their review and comment. Council response was that the proposed development does not meet the spirit and intent of the current Land Use Bylaw and is not compatible with the community.

This decision may be appealed 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

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Development Services  
for the

## Summer Village of Sunrise Beach

Box 2945, Stony Plain, AB., T7Z 1Y4, Phone (780) 718-5479 Fax (866) 363-3342

Email: [pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

later than twenty-one (21) days after the notice of decision.. The appeal should be directed to this office at:

Clerk of the Subdivision and Development Appeal Board  
Summer Village of Sunrise Beach  
Box 1197  
Oneway, AB T0E 1V0

and should include a statement of the grounds for the appeal and have attached an Appeal fee in the amount of \$200.00.

Sincerely,

Tony Sonnleitner, Development Officer, Summer Village of Sunrise Beach

Phone: (780) 718-5479

Fax: (780) 967-0431

Email: [svsunrisebeach@wildwillowenterprises.com](mailto:svsunrisebeach@wildwillowenterprises.com)

cc: Wendy Wildman, Municipal Administrator, Summer Village of Sunrise Beach

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Development Services  
for the  
**Summer Village of Sunrise Beach**

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

May 26, 2023

File: 23DP05-44

**Re: Development Permit Application No. 23DP05-44  
Plan 3503 KS, Block 1, Lot 3 : 6103 Willow Way (the "Lands")  
R – Residential : Summer Village of Sunrise Beach**

Preamble: The removal of the building is in conjunction with the decision of the Subdivision and Development Appeal Board in respect to Stop Order 22STOP03-44 and is valid at issuance, May 26, 2023.

APPROVAL OF DEVELOPMENT PERMIT

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

**REMOVAL OF AN EXISTING BUILDING (32.7 sq. m.)**

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

- 1- All municipal taxes must be paid.
- 2- **That the property be leveled and landscaped in such a manner as to prevent surface drainage onto adjacent properties or the pooling of water on the subject lands.**
- 3- **All refuse shall be hauled from the site by November 30, 2023 and disposed of in an appropriate manner.**
- 4- No refuse may be buried on the site.
- 5- The applicants provide a certified copy of plan of subdivision to determine all easements and restrictive covenants on the parcel.
- 6- The applicants shall obtain and comply with 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. Copies of all permits shall be submitted to the Summer Village of Sunrise Beach for review.
- 7- The applicants shall be financially responsible during demolition for any damage by the applicant, his servants, his suppliers, agents or contractors, to any public or private property.

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Development Services  
for the

# Summer Village of Sunrise Beach

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

- 8- The applicants shall be responsible for any and all costs associated with repair of damage to municipal infrastructure as a result of the removal of the building.
- 9- The applicant shall be responsible for contact to all utility companies that may be impacted by the removal of the building for the relocation of power lines, telephone lines, and other utilities
- 10- The applicants 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.

**11- That all improvements shall be completed by November 30, 2023.**

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

Date Application Deemed Complete	<b>May 26, 2023</b>
Date of Decision	<b>May 26, 2023</b>
Effective Date of Permit	<b>May 26, 2023</b>
Signature of Development Officer	

Tony Sonnleitner, Development Officer, Summer Village of Sunrise Beach

cc Wendy Wildman, Municipal Administrator, Summer Village of Sunrise Beach  
Superior Safety Codes  
Assessors - MASG

**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 at:**

**Town of Onoway  
Box 1197  
Onoway, AB T0E 1V0**

**and should include a statement of the grounds for the appeal and have attached an Appeal fee in the amount of \$150.00.**

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Development Services  
for the  
**Summer Village of Sunrise Beach**

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

***IMPORTANT NOTES***

1. This Development Permit is valid for a period of 6 months from the date it was issued, or the date of an approval order being granted by the Development Appeal Board. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, the permit becomes invalid unless an extension has been granted by the Development Officer.
2. The applicant is reminded that compliance with this Permit requires compliance with all conditions affixed thereto.
  - a. This is not a Building Permit and, where required by any regulation, a Building Permit, and all other permits in connection with this development, shall also be obtained from:

**Superior Safety Codes Inc.  
Edmonton Office**

14613 – 134 Avenue  
Edmonton, Alberta T5L 4S9  
E-mail: [info@superiorsafetycodes.com](mailto:info@superiorsafetycodes.com)  
Phone: 780 489 4777  
Fax: 780 489 4711  
Toll Free Ph: 1 866 999 4777  
Toll Free Fax: 1 866 900 4711

3. A development permit is an authorization for development under the Land Use Bylaw, but is not an approval under any other regulations that may be applicable.
  - (a) Water and sewage systems are under the jurisdiction of Superior Safety Codes (780) 489-4777 or 1-866-999-4777.
  - (b) Development in proximity to gaslines, other pipelines, powerlines, or telephone lines require approvals from: The Gas Protection Branch - Alberta Labour, Alberta Energy Resources Conservation Board, Alberta Utilities and Telecommunications.
  - (c) All plans submitted for the construction or alteration of a commercial or industrial building as specified under the Alberta Architects Act, shall be authorized by a registered architect or a professional engineer.

## BYLAW 69-1999

BEING A BYLAW OF THE SUMMER VILLAGE OF SUNRISE BEACH FOR THE PURPOSE OF REGULATING NOISE IN THE SUMMER VILLAGE OF SUNRISE BEACH.

**WHEREAS** the Municipal Government Act, R.S.A. 1994, being Chapter M-26.1 and amendments thereto provides that the Council of the Summer Village of Sunrise Beach may pass bylaws for the purposes respecting the safety, health and welfare of people; and

**WHEREAS** it is considered to be a nuisance when uncontrolled noise for all or varying periods of the day, in all or a designated part of the municipality, affect the enjoyment, health and welfare of residents of the municipality;

**NOW THEREFORE** the Municipal Council of the Summer Village of Sunrise Beach, duly assembled, enacts as follows:

1.0 TITLE

1.1 This Bylaw shall be cited as "The Noise Control Bylaw".

2.0 DEFINITIONS

In this Bylaw:

- 2.1 "Land Use Bylaw" shall mean Bylaw 114-89 of the Summer Village of Sunrise Beach and any amendments thereto or any Bylaw passed in substitution for or in addition to Bylaw 114-89;
- 2.2 "Municipality" shall mean the Summer Village of Sunrise Beach or the area within the corporate limits of the Summer Village of Sunrise Beach as the context may require;
- 2.3 "Person" shall include Her Majesty and public bodies, bodies corporate, Societies, Partnerships, firms, individuals, or companies;
- 2.4 "Property" shall mean real property and shall include land, together with improvements which have been so affixed to the land as to make them in fact and in law a part thereof;
- 2.5 "Residential District" shall mean a district defined as such in the municipality's Land Use Bylaw;
- 2.6 "Voluntary Penalty" shall mean a penalty specified in this bylaw for a contravention of a provision of this Bylaw which amount shall be paid by a person to whom a municipal tag has been issued.

3.0 GENERAL PROHIBITIONS

- 3.1 Except to the extent that is allowed by this Bylaw, no person shall make, continue, cause or allow to be made or continued any loud, unnecessary or unusual noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health or peace or safety of other persons within the municipality.
- 3.2 No person being the owner, tenant or occupier of property shall allow or permit such property to be used so that noise which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons within the municipality.

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- 3.3 No person shall own, keep or harbor any animal or bird which makes, or causes to be made, any noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons within the municipality.
- 3.4 What is a loud noise, or an unnecessary noise, an unusual noise which either annoys, disturbs, injures, endangers or detracts from the comfort, repose health, peace or safety of others is a question of fact for a court which hears a prosecution of an offence against this Bylaw.
- 3.5 Where an activity which is not allowed by this bylaw involves creating or making a sound which is or may become, or creates or produces or may create or produce a disturbance or annoyance to other people or a danger to the comfort, repose, health, peace, or safety of others, a person engaging in such an activity shall do so in such a manner as to create as little of such sound as practicable under the circumstances.
- 3.6 Nothing herein shall render any person liable to a fine, penalty or punishment for performing work of an emergency nature for the preservation or protection of life, health or property.
- 3.7 Unless written permission from the Municipal Administrator or the Public Works Foreman is first obtained, no person shall carry on in any manner of a noisy nature so as to create a noise, confusion or disturbance which may be heard in a residential building at any time between the hours of eleven (11) o'clock p.m. and seven (7) o'clock a.m. of the following morning of any day Monday through Saturday.
- 3.8 Unless written permission from the Municipal Administrator or the Public Works Foreman is first obtained, no person shall carry on in any manner of a noisy nature so as to create a noise, confusion or disturbance which may be heard in a residential building at any time between the hours of twelve (12) o'clock midnight Saturday and nine (9) o'clock a.m. of the following Sunday morning.

4.0 PENALTIES

- 4.1 Everyone who commits a breach of any of the provisions of this Bylaw shall be liable to a fine as set out in Schedule "A" which is attached to and forms part of this Bylaw.
- 4.2 Voluntary payment in lieu of prosecution must be made within fifteen (15) days of issuance of a summons or offence ticket.
- 4.3 Any person who is issued a summons or offence ticket shall immediately discontinue creating such noise. If the noise continues or is allowed to continue, a second summons or offence ticket may be issued and so on.

This bylaw shall come into full force and effect upon the date of its final passing.

Read a first time this 1<sup>st</sup> day of September 1999.

Read a second time this 1<sup>st</sup> day of September 1999.

Unanimously consented to and read a third time this 1<sup>st</sup> day of September 1999.

\_\_\_\_\_  
Mayor

33

\_\_\_\_\_  
Municipal Administrator

34

BYLAW 69-1999  
SCHEDULE "A"

	Voluntary Penalty	Summary Conviction
First offence:	\$100.00	\$500.00 fine or in default of payment 6 month term of imprisonment or both
Second and Subsequent Offences	\$200.00	\$500.00 fine or in default of payment 6 month term of imprisonment or both

35

Draft  
New Bylaw

---

**THIS IS A BYLAW OF THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING NEIGHBOURHOOD NUISANCE, SAFETY AND QUALITY OF LIFE MATTERS**

---

**WHEREAS** pursuant to the provisions of the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw for municipal purposes respecting the safety, health and welfare of people and the protection of people and property, and

**WHEREAS** the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes respecting nuisances; and

**WHEREAS** the intent of this Bylaw is that all noises shall be reduced as much as possible compatible with the normal activities of urban life and that unnecessary noise be eliminated; and

*in a rural setting?*

**WHEREAS** Council believes the regulation of nuisances through a Community Standards Bylaw would benefit the community as a whole;

**NOW THEREFORE**, the Council of the Summer Village of Sunrise Beach in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. SHORT TITLE**

This Bylaw shall be known as the "Community Standards Bylaw".

**2. DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

2.1 "Act" means the Municipal Government Act, RSA 2000, c. M26 as amended, and any amendment or substitutions thereof.

2.2 "Bullying" means verbal or physical abuse, threats, taunts, teasing, name calling, and put downs, written or electronically transmitted, or repeated abusive communication, directly or indirectly through any medium whatsoever. *Lots have promoted the inclusion of this clause - but it opens the door for excessive*

2.3 "Chief Administrative Officer" means the Chief Administrative Officer of the Summer Village of Sunrise Beach appointed by Council. *complaints should a complainant choose*

2.4 "Council" means the Municipal Council of the Summer Village of Sunrise Beach.

2.5 "Drinking Establishment" means any business, organization, or individual that holds a liquor license issued by the Alberta Gaming and Liquor Commission. *remove?*

2.6 "Graffiti" means the defacement or disfigurement of any property or object, through the performance of any of the following acts:

- a) the application of any substance, including paint, ink, stain, or whitewash to any surface; or
- b) the affixing of any substance, including paper, fabric or plastic, by any form of adhesion that does not remove cleanly when pulled away from the applied surface; or
- c) the marking, scratching, etching or other alteration or disfigurement of any surface.

2.7 "Highway" means: any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

- a) a sidewalk, including a boulevard adjacent to the sidewalk, *remove?*
- b) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
- c) if a Highway right of way is contained between fences or between a fence, and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be but does not include a place declared by regulation not to be a Highway.

2.8 "Holiday" includes:

- a) every Sunday,
- b) New Year's Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Labour Day, Remembrance Day and Christmas Day,
- c) the birthday or the day fixed by proclamation for the celebration of the birthday of the reigning sovereign,
- d) December 26, or when that date falls on a Sunday or a Monday, then December 27, *remove*
- e) any day appointed by proclamation of the Governor General in Council or by proclamation of the Lieutenant Governor in Council for a public Holiday or for a day of fast or Thanksgiving or as a day of mourning, and *huh*
- f) with reference to any particular part of Alberta, the day in each year that may by proclamation of the Lieutenant Governor in Council be appointed as a public Holiday for that part of Alberta for the planting or forests or other trees.

*August Long Day  
Box Day  
Truth & Reconciliation  
7*

2.9 "Industrial Zone" means: includes lands in Districts defined as in the Land Use Bylaw. *remove?*

2.10 "Land Use Bylaw" means: Bylaw #71-1999 (and amendments).

2.11 "Panhandling" means to communicate, in person, using the spoken, written, or printed word, a gesture or another means, for the purpose of receiving money or another thing of value, regardless of whether consideration is offered or provided in return but does not include a solicitation allowed or authorized pursuant to the Charitable Fundraising Act, or any other legislation permitting the solicitation of

*35*

charitable donations.

2.12 "Peace Officer" means:

- a) a member of the Royal Canadian Mounted Police;
- b) a Community Peace Officer as appointed by the Solicitor General of Alberta; or
- c) a Bylaw Enforcement Officer as appointed by the Summer Village of Sunrise to enforce bylaws of the Summer Village.

2.13 "Persons" means: natural person.

2.14 "Premises" means: the external surfaces of all buildings and the whole or part of any parcel of real property, including the land immediately adjacent to any building or buildings.

2.15 "Public Place" means: any place, Highway, street, sidewalk, lane, alley, park, school ground, playground, business, facility, or any public owned property within the Summer Village of Sunrise Beach and also includes privately owned or leased property, to which the public reasonably has or is permitted to have access. *← remove*

2.16 "Residential Building" includes lands in Districts defined as Residential Districts in the Land Use Bylaw.

2.17 "Telecommunication" means: any transmission, emission or reception of signs, signals, writing, images or sounds or intelligence of any nature by wire, radio, visual or other electromagnetic system. *satellite wireless*

2.18 "Temporary Sign" means: a sign which will remain for a limited time.

2.19 "Village" means: the Summer Village of Sunrise Beach.

2.20 "Violation Tag" means: a notice or tag in a form as approved by the Chief Administrative Officer, issued by the Summer Village of Sunrise Beach allowing a voluntary payment option of a fine established under this Bylaw.

2.21 "Violation Ticket" means: a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, RSA 2000, C P-34, as amended and any regulations thereto. *confirm references*

2.22 "Youth" means: an individual 12 (twelve) to 17 (seventeen) years of age.

2.23 Number and Gender References: All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female Person, or a corporation or partnership. *legal to review*

### 3. NOISE

3.1 No person shall cause or permit noise that annoys or disturbs the peace of any other person.

- 3.2 No person shall permit property that they own, occupy or control to be used so that noise from the property annoys or disturbs the peace of any other person.
- 3.3 In determining what constitutes noise likely to annoy or disturb the peace of any other person, considerations may be given, but are not limited to:
  - a) Type, volume, and duration of the sound;
  - b) Time of day, and day of the week;
  - c) Nature and use of the surrounding area.
- 3.4 No person shall yell, scream, or swear in any Public Place thereby creating a disturbance.
- 3.5 No person shall advertise events or merchandise by ringing bells or by use of mechanical, electrical or sound amplification devices in a residential district between the hours of 9 p.m. and 9 a.m.
- 3.6 No Drinking Establishment shall permit any noise to emanate from the Premises of such Drinking Establishment such that it annoys or disturbs any other person outside the boundary of the Drinking Establishment. Section 3 .3 of this Bylaw applies to this provision. *remove?*

**4. INDUSTRIAL AND CONSTRUCTION NOISE**

*no Industrial in our LUB*

- 4.1 Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
  - a) is a permitted use; or
  - b) is an approved discretionary use; or
  - c) is a non-conforming use as defined in the Municipal Government Act, but not illegal.
- 4.2 In the operation or carrying on of an industrial or construction activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.

**5. PERMITTABLE HOURS**

*Need to discuss hours*

- 5.1 With the exception of the activities referred to in section 4.1, no person shall use, operate, or allow to be used or operated, any tools, machinery or equipment so as to create a noise or disturbance which may be heard in a Residential Building between the hours of 10:00 p.m. and 7:00 a.m. on Monday to Saturday and from 10:00 p.m. to 9:00 a.m. on Sunday and Holidays.

**6. EXCEPTIONS**

- 6.1 These provisions do not apply to work carried out by the Village, or by a contractor carrying out instructions of the Village, providing it is work of an emergent nature or circumstance.

- 6.2 Snow removal from school, commercial or industrial sites located adjacent to or within residential districts may be allowed if it is in the best interest of the public and their safety and at a time when there will be minimal vehicular and/or pedestrian traffic that may obstruct such snow removal operations.
- 6.3 In the case of snow removal from commercial or industrial sites located adjacent to residential districts, the Village may require noise abatement practices including the following conditions:
- a) requirement that snow not be removed between the hours of 12:00 a.m. and 6:00 a.m.; or
  - b) a requirement that snow be removed from sites in a sequence which is least disruptive to the peace and quiet of residents

## 7. GRAFFITI

- 7.1 No person shall place any Graffiti or cause it to be placed on any property.
- 7.2 Every property owner shall ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view within seven days.
- 7.3 A property owner who breaches the provisions of Section 7.2, where, following the issuance of and failure to comply with an Order under section 545 of the Municipal Government Act, shall be liable to payment of a penalty as prescribed in Schedule "A".
- 7.4 In prosecution for an offence under this Section, the consent of the property owner of any Premises to place Graffiti shall not be a defense under this bylaw.

## 8. ORDER

- 8.1 An officer designated by the Chief Administrative Officer may, by written order, require a person responsible for the contravention to remedy the contravention.
- 8.2 The written order shall:
- a) state a time within which the owner must comply with the order, and
  - b) state that if the owner does not comply with the order within a specified time, the Village will take the action or measure at the expense of the owner.
- 8.3 The Village may, in respect of an order, register a caveat under the Land Titles Act against the certificate of title for the land that is the subject of the order.

## 9. CONSTRUCTION WASTE

- 9.1 Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.

9.2 A waste container on a construction site must be designed and/or have the capacity to contain all waste construction material within the container to ensure that the waste construction material is not capable of blowing off the construction site.

9.3 No construction material is to be stored or accumulated on a construction site unless it is not capable of being blown away from the construction site.

*protect the municipality but consider practicality*

**10. REPAIR OF MOTOR VEHICLES**

10.1 For the purposes of this section "motor vehicles" means:

- a) a vehicle propelled by any power other than muscular power, or
- b) a moped, or
- c) off Highway vehicles as defined by the Traffic Safety Act RSA 2000 Chapter T-6 Section 117, and
- d) includes, but is not limited to, the repair of any internal combustion engine.

10.2 No person may conduct any repair work on motor vehicles, including mechanical repairs, auto body work, frame repair, collision repair, auto painting or modifications to the body or rebuilding of a motor vehicle, on any Premises in a residential district unless:

- a) the activity does not create a nuisance or noise complaints from the neighbourhood;
- b) there is no escape of offensive, annoying or noxious odours, fumes or smoke from the Premises;
- c) vehicle fluids, oil, gasoline products or other hazardous material are properly disposed of and not swept or washed into lanes, streets, or down storm or sanitary sewers;
- d) all discarded vehicle parts and materials are properly stored and disposed of from the Premises; and
- e) no power washing of motor or power train is performed on the Premises.

*← good.*

10.3 This prohibition shall not apply to routine maintenance work done on any vehicles owned, operated and registered in the name of the owner or occupant of the Premises, provided that all building and fire code regulations are met.

**11. LITTERING**

11.1 No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Village property, including any street, lane, sidewalk, parking lot, park or other Public Place or water course:

- a) a cardboard or wooden box, carton, container, or receptacle of any kind;
- b) a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionary;

*plastics and electronics*

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- c) paper of any kind, whether or not containing written or printed matter thereon;
  - d) any human, animal or vegetable matter or waste;
  - e) any glass, crockery, nails, tacks, barbed wire or other breakable or sharp objects;
  - f) scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts there from;
  - g) any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any Highway, street, lane, alley, bi-way or other Public Place, or
  - h) dirt, filth or rubbish of any kind whether similar or dissimilar to the foregoing.
- 11.2 A person who has placed, deposited or thrown or caused to be placed, deposited or thrown anything or any matter mentioned in subsection 11.1 shall forthwith remove it.

## **12. AUTHORITY TO REMOVE**

*costs ?*

- 12.1 The Chief Administrative Officer may authorize any Village employee, or other person, to remove and put in storage or destroy anything placed upon Village property in contravention of this Bylaw.

## **13. SPITTING/HUMAN WASTE**

- 13.1 No person shall urinate or deposit human waste in any Public Place or in view of a Public Place, other than in a public washroom.
- 13.2 No person shall spit at or on any person in or near a Public Place.

## **14. FLYERS ON VEHICLES**

- 14.1 No person shall place, deposit or throw or cause to be placed, deposited or thrown onto or into any motor vehicle, which is parked on any street, lane, parking lot or other Public Place, any leaflet, pamphlet, poster, handbill, flyer or any other paper containing printed or written matter, whether advertising or not, with the exception of any Violation Ticket or Violation Tag issued pursuant to lawful authority.

## **15. FIGHTING/LOITERING**

- 15.1 No person shall engage in a fight or any physical confrontation in any Public Place or any place to which the public is allowed access.
- 15.2 No person shall be a member of an assembly of three or more Persons in any Public Place or any place to which the public is allowed access where a Peace Officer has reasonable grounds to believe the assembly will disturb the peace of the neighbourhood, and any such person shall disperse as requested by a Peace Officer.

15.3 No person shall loiter and thereby obstruct any person in any Public Place.

**16. BULLYING**

16.1 No person shall bully any person in any Public Place.

16.2 No person shall participate in, or encourage by verbal or other means, the Bullying of any person in any Public Place.

16.3 No person shall bully any person by means of Telecommunication or writing.

← how does control this

**17. PANHANDLING**

17.1 No person shall engage in Panhandling.

**18. TEMPORARY SIGNS**

- 18.1 a) An A-board Sign may be placed on a Boulevard if the A-board Sign
  - i. does not exceed 0.8m<sup>2</sup> in Sign Area;
  - ii. does not exceed 1m in Sign Height; and
  - iii. is separated by at least 3m from another A-board Sign.
  - iv. is posted no more than 48 hours prior to the advertised event and removed no more than 24 hours following the advertised event.
- b) A Developer Marketing Sign may be placed on a Boulevard if the Developer Marketing Sign
  - i. is located in a subdivision or development that is subject to a subsisting development agreement issued by the Village;
  - ii. is Self-Supported;
  - iii. does not exceed 3m<sup>2</sup> in Sign Area;
  - iv. does not exceed 3m in Sign Height; and
  - v. is separated by at least 10m from another Developer Marketing Sign.
- c) An Election Sign may be placed on a Boulevard if the Election Sign is posted

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- i. with respect to municipal and school elections, only between 12:00 noon on nomination day and 24 hours after the closing of polling stations, and
- ii. with respect to provincial and federal elections, only between 12:00 noon on the day when an election writ is handed down and 24 hours after the closing of polling stations; and
- iii. is not located within any Village-owned or occupied facility, or on or within any property upon which that facility is situated.

e) A Garage Sale Sign may be placed on a Boulevard if the Garage Sale Sign

- i. is Self-Supported;
- ii. does not exceed 0.6m in width;
- iii. does not exceed 1m in Sign Height; and
- iv. is posted no more than 48 hours prior to the advertised event and removed no more than 24 hours following the advertised event.

(e) An Open House Sign may be placed on a Boulevard if the Open House Sign

- i. is Self-Supported;
- ii. does not exceed 0.6m in width;
- iii. does not exceed 1m in Sign Height; and
- iv. is posted no more than 24 hours prior to the advertised event and removed no more than 24 hours following the advertised event.

18.2 For the purposes of the enforcement of this Part, the individual, business or organization referred to on a Sign shall be presumed to be the Person who placed the Sign.

18.3 In addition to pursuing any other remedy referenced under this Bylaw, the Village may cause to be immediately removed and/or impounded any Sign where

- a) the Sign interferes with Village maintenance operations;
- b) the Sign is in a state of disrepair;
- c) safety concerns or emergency conditions require the Sign's removal; or
- d) the Sign is placed in contravention of a provision of this Part

18.4 A Sign removed under section (18) shall be disposed with in any manner the Village deems to be appropriate.

## 19. PENALTIES

- 19.1 Any person who contravenes any section of this Bylaw is guilty of an offence and liable to:
- a) payment of the penalty specified in Schedule "A" hereto, or
  - b) for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.; and
  - c) in default of payment of any penalty, to imprisonment for up to 6 (six) months.

## 20. VIOLATION TAGS AND VIOLATION TICKETS

- 20.1 Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw, may issue and serve:
- a) a Violation Tag allowing a payment of the specified penalty to the Village; or
  - b) a Violation Ticket allowing payment according to the provisions of the Provincial Offences Procedures Act.
- 20.2 Service of a Violation Tag will be sufficient if it is:
- a) personally served; or
  - b) served by regular mail to the person's last known mailing address.
- 20.2 If a Violation Ticket is issued in respect to an offence, the Violation Ticket may:
- a) specify the fine amount established by this Bylaw for the offence; or
  - b) require a person to appear in Court without the alternative of making a voluntary payment.
- 20.3 A person who commits an offence may:
- a) if a Violation Ticket is issued in respect of the offence; and
  - b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the Violation Ticket and the specified fine to the Provincial Courthouse specified on the Violation Ticket.

## 21. SEVERABILITY

21.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

**22. LIABILITY**

22.1 The Village, any Designated Officer or any Person who inspects any Property under this Bylaw, or any Person who performs any work on behalf of the Village to remedy a contravention of this Bylaw is not liable for any damages caused by the inspection, the work or disposing of anything to complete the work set out in the order.

*← and clause*

**23. ENFORCEMENT**

23.1 The Village is not required to enforce this Bylaw. In deciding whether to enforce this Bylaw, the Village may take into account any practical concerns, including available municipal budget and personnel resources.

**24. BYLAW COMING INTO EFFECT**

24.1 This Bylaw takes effect on the final passing thereof and, on such final passing, Bylaw #69-1999, is hereby repealed.

Read a first time on this ~~26<sup>th</sup>~~ day of September, 2023.

Read a second time on this ~~26<sup>th</sup>~~ day of September, 2023.

Unanimous Consent to proceed to third reading on this ~~26<sup>th</sup>~~ day of September, 2023.

Read a third and final time on this ~~26<sup>th</sup>~~ day of September, 2023.

Signed this ~~26<sup>th</sup>~~ day of September, 2023.

\_\_\_\_\_  
Mayor, Jon Ethier

\_\_\_\_\_  
Chief Administrative Officer, Wendy Wildman

*44*

Need legal opinion

- Tag vs Ticket

- municipal vs Provincial and court costs

- charge costs back to taxpay.

BYLAW NO. 190-2023

Municipal Government Act RSA 2000 Chapter M-26

<b>"Schedule A"</b>			
<b>Section</b>	<b>Title</b>	<b>Offence</b>	<b>Penalty</b>
3.1	Make Noise	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00
3.2	Permit Noise	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00
3.4	Yelling, Swearing, or Screaming	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$150.00 \$250.00 \$500.00
3.5	Advertise with Bells etc.	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$100.00 \$200.00 \$400.00
3.6	Drinking Establishment Noise	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$500.00 \$1,000.00 \$1,500.00
4.2 or 5.1	Industrial or Construction Noise	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$500.00 \$1,000.00 \$1,500.00
7.1	Placing Graffiti on Property	1 <sup>st</sup> Offence-by adult 2 <sup>nd</sup> Offence within 1 year by adult 3 <sup>rd</sup> and subsequent offences within 1 year by adult	\$2,500.00 \$5,000.00 \$7,500.00
7.1	Placing Graffiti on Property	Offence-by Youth	\$1,000.00
7.2	Failure to Remove Graffiti	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00
7.3	Failure to comply		\$250.00 with Graffiti Order each day after the breach
9.1, 9.2, or 9.3	Failure to contain construction waste/material	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$500.00 \$750.00 \$1,000.00
10.2	Repair of Motor Vehicles in Residential District	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$500.00 \$750.00 \$1,000.00
11.1	Littering	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00
11.2	Fail to remove Litter	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00
13.1	Depositing Human Waste in a Public Place	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$1,000.00

BYLAW NO.190-2023

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Municipal Government Act RSA 2000 Chapter M-26

13.2	Spitting	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year	\$250.00 \$500.00
14.1	Placing Flyers on Motor Vehicles		\$150.00
15.1	Fighting in a Public Place	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$500.00 \$750.00 \$1,000.00
15.2	Being a Member of an Assembly Failing to disperse as directed by a Peace Officer	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
15.3	Loitering	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence within 1 year 3 <sup>rd</sup> and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
16.1, or 16.2	Bullying	1 <sup>st</sup> Offence by an adult * 2 <sup>nd</sup> Offence and subsequent offences	\$500.00 \$1,000.00
16.1,16.2, or 16.3	Bullying	1 <sup>st</sup> Offence by a Youth * 2 <sup>nd</sup> Offence and subsequent offences	\$125.00 \$250.00
17.1	Panhandling	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence 3 <sup>rd</sup> and subsequent offences	\$75.00 \$150.00 \$300.00
18.	Temporary Signs	1 <sup>st</sup> Offence 2 <sup>nd</sup> Offence 3 <sup>rd</sup> and subsequent offences	\$75.00 \$150.00 \$300.00

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## Fwd: FortisAlberta Franchise Fee Documents/Changes - Sunrise Beach

svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

Fri 10/13/2023 9:50 AM

To: wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>

📎 5 attachments (810 KB)

FortisAlberta Municipal Franchise Letter.pdf; 2023-2024 Franchise Calculator - Sunrise Beach.xlsx; Franchise Fee Advisement Template.docx; Municipal Franchise Fees (July 2023).pdf; Franchise Fee Advisement Notification - Please Return via Email by November 1.doc;

Here's Sunrises

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**From:** svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

**Sent:** Thursday, September 28, 2023 9:58:57 AM

**To:** wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>

**Subject:** Fwd: FortisAlberta Franchise Fee Documents/Changes - Sunrise Beach

I'll stick in the Oct agenda.

Get [Outlook for iOS](#)

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**From:** Kelsey Nixon <kelsey.nixon@fortisalberta.com> on behalf of Stakeholder Relations Team <stakeholderrelations@fortisalberta.com>

**Sent:** Thursday, September 28, 2023 7:27:40 AM

**To:** svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

**Cc:** Nicole Smith <nicole.smith@fortisalberta.com>

**Subject:** FortisAlberta Franchise Fee Documents/Changes - Sunrise Beach

Good morning:

**RE: Request Confirmation of Electric Distribution Franchise Fee for 2024**

Please see the important information letter attached regarding the 2024 Franchise Agreement Fee Calculators and Confirmation of Information (Critical Information).

As part of your Electrical Distribution System Franchise Agreement with FortisAlberta you have the annual ability to either **increase, decrease or keep your franchise fee the same, with written notice.**

**IMPORTANT TIMELINES TO ENSURE FRANCHISE FEE CHANGES ARE IMPLEMENTED BY JANUARY 1, 2024.**

1. **Review** the attached letter, Franchise Fee Calculator, and present the recommendations to Council.
2. If Council is proposing an **increase or decrease to your franchise fee**, a resulting impact to the customer's annual billing is **required to be advertised in the local newspaper having the widest circulation within your municipality for two consecutive weeks.** (Please use the sample advertisement that is attached)
3. If **increasing** your franchise fee, it must stay within the current **Franchise Fee Cap of 20%.**

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4. **By November 1<sup>st</sup>, 2023**, please email clear copies of the following documentation to [stakeholderrelations@fortisalberta.com](mailto:stakeholderrelations@fortisalberta.com).

**INCLUDE:**

- Copies of **both** advertisements.
- **Publication dates** for both advertisements.
- Name & location of newspaper.

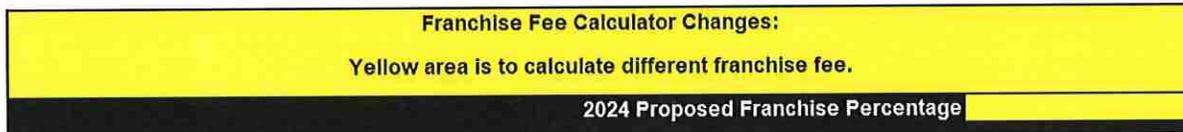
5. Any late, inaccurate or incomplete responses may be subject to late Alberta Utilities Commission (AUC) approvals, which may cause your new franchise fee to be in effect **April 1, 2024**.

6. If Council decides to keep the current franchise fee you do not have to advertise, however, please notify us via email of this decision at [stakeholderrelations@fortisalberta.com](mailto:stakeholderrelations@fortisalberta.com).

**TIPS FOR USING THE FRANCHISE CALCULATOR**

Attached you will find the FortisAlberta Franchise Calculator specific to your municipality. The spreadsheet is intended to assist in determining the **estimated** revenue forecast from your Franchise Fee.

- On the first tab: **Financial Impacts**, you can change the Franchise Fee percentage (**yellow cell**). By changing this cell, the spreadsheet will automatically update to reflect your estimated revenue for 2024.



- On the second tab: Residential Bill Impacts, you can **view the impact to an Average Residential Bill Impact on the second tab by changing cell F21 & F39.** (You will need this information for your advertisement if you are changing your current fee)
- On the third tab:** January 2021 to June 2023 you can see how much revenue your municipality has collected over the last two and a half years.

If you have any questions or concerns, please contact your Stakeholder Relations Manager.

Thank you,



We lead by example, innovate with purpose, and champion sustainable change so we can power the future Albertans deserve, together.

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September 26, 2023

**RE: 2024 Franchise Fee Calculator, Confirmation of Franchise Fee, Microgeneration Update**

FortisAlberta is writing to you to share some important information about the 2024 Franchise Fee Calculator as well as an update on franchise fees and microgeneration.

**2024 Franchise Fee Calculator**

FortisAlberta is currently preparing for the annual franchise fee changes and is updating the calculator used by the municipalities to forecast franchise fee revenue in 2024.

In early September, FortisAlberta filed its annual rates application as required by the Alberta Utilities Commission (AUC). However, the AUC has not yet issued a decision on the *Third Generation Performance-Based Regulation* plan that will cover the 2024-2028 period or the *Cost-of-Capital Parameters in 2024 and Beyond*, that will determine the 2024 rates. The AUC is expected to issue these decisions by the end of September.

Once these decisions are issued, FortisAlberta would then incorporate the directions from these decisions, or any other relevant decisions and apply for its 2024 distribution rates as and when directed by the AUC, potentially towards the end of October. In addition, actual transmission rates primarily depend on the transmission rates filed by the Alberta Electric System Operator (AESO), which are then approved by the AUC. As of the date of this letter, the AESO has not applied for the 2024 transmission rates.

Typically, rate information for the coming year is known by early September. FortisAlberta recognizes this delayed timeline for 2024 rates will be a challenge for municipalities as they prepare their budgets and set their franchise fees for 2024. To allow the municipalities to start budgeting for 2024, FortisAlberta has created the franchise fee calculator with an assumption that both transmission and distribution rates would increase by 3.71 per cent.

Currently, inflation in 2024 is expected to be somewhat lower than in 2023, and therefore, FortisAlberta considers that assuming a rate increase of 3.71 per cent is reasonable on balance. However, any actual rate change for 2024 could be materially different than this estimated increase of 3.71 per cent. FortisAlberta also estimates electricity consumption and the franchise fee amount paid by customers within each municipality. While this estimate is more robust, actual consumption could be somewhat different.

**Request - Confirmation of Franchise Fee**

Reviewing the process for 2024 franchise fee changes, FortisAlberta requests all municipalities to confirm via email that they have received this information and if they plan any increase/decrease or plan to keep the current franchise fee percentage. Please confirm your franchise information that is included in the calculator, specifically the franchise fee percentage and respond to

[StakeholderRelations@FortisAlberta.com](mailto:StakeholderRelations@FortisAlberta.com) to confirm any increase/decrease or no change. Additionally, we have included a table showing municipalities and their current franchise fee percentage. This information will help you understand what other communities are charging and confirms of your current franchise fee percentage.

**Media Coverage on Franchise Fees**

Recently in the media there have been reports of high Regulated Rate Option (RRO) rates where some Distribution Facility Owners (DFO) charge Franchise Fees on these Retailer costs. FortisAlberta only charges Franchise Fees on Transmission and Distribution tariff costs and excludes all rate riders and Retailer costs.

**Microgeneration Update**

In case you are asked by constituents about our microgeneration connection process and why it is taking longer to connect these installations, we wanted to provide you with some context. During the last three years, FortisAlberta microgeneration connections have doubled. For 2023, we estimated that more than 1,600 connections will take place in our service area alone. We have added additional staff to meet the demand as FortisAlberta has the busiest service area for microgeneration in Canada. Additionally, one in three applications are not complete when it is submitted resulting in additional work. We are working closely with customers to ensure their preparedness and continue to identify and execute efficiencies to streamline the process.

If you have additional questions or concerns specific to microgeneration, franchise fees or questions in general please contact your Stakeholder Relations Manager.

Sincerely,



Dave Hunka  
Manager, Municipalities  
P: (780) 464-8311  
C: (780) 868-7040  
E: Dave.Hunka@FortisAlberta.com

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Municipal Code	Municipality	Rate Category	2023 Transmission January to June Actuals	2023 Distribution January to June Actuals	2023 Franchise Fee Revenue January to June Actuals	12 Month Transmission (ESTIMATED)	12 Month Distribution (ESTIMATED)	12 Month Franchise Fee (ESTIMATED)	2024 Estimated Transmission Revenue Change*	2024 Estimated Distribution Revenue Change	2024 Transmission Including Estimated Rate Change (ESTIMATED)	2024 Distribution (Partially) Including Estimated Rate Change (ESTIMATED)	2024 D&T Including Estimated Rate Changes (ESTIMATED)	2024 Franchise Fee Revenue Per Percentage (ESTIMATED)
04-0200	Sumner Beach	1* - Residential Service	\$ 18,074.01	\$ 24,450.01	\$ -	\$ 26,149	\$ 60,094	\$ -	\$ 2,715	\$ 2,715	\$ 27,469	\$ 71,552.96	\$ -170,044	\$ -
04-0200	Sumner Beach	3* - Street Light	\$ 18,074.01	\$ 4,400.04	\$ -	\$ 181	\$ 8,092	\$ -	\$ 3,715	\$ 3,715	\$ 188	\$ 9,294.16	\$ 8,452	\$ -
04-0200	Sumner Beach	4* - Street General Service	\$ 80,726	\$ 1,517.26	\$ -	\$ 1,664	\$ 3,291	\$ -	\$ 2,244	\$ 2,244	\$ 1,729	\$ 3,157.64	\$ 4,872	\$ -
			\$ 15,937	\$ 48,627	\$ -	\$ 27,294	\$ 62,294	\$ -	\$ 2,244	\$ 2,244	\$ 29,668	\$ 83,944.76	\$ 422,443	\$ -

2023 Current Franchise Fee	0.00%
Franchise Fee Cap	20%
2023 Estimated Revenue \$	-
2024 Estimated Franchise Fee Revenue if your Franchise Fee remains the same \$	-
Franchise Fee Calculator Changes:	
Yellow area is to calculate different franchise fee.	
2024 Estimated Franchise Percentage	-
2024 Estimated Franchise Fee Revenue if your Percentage is changed \$	-
Difference in Franchise Fees Collected from 2023 to 2024 with Estimated D&T Rate Changes.	\$

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## Advertisement Template

### FRANCHISE FEE INCREASE/DECREASE NOTICE

Please be advised that the (City) (Town) (Village) (Summer Village) of \_\_\_\_\_ is proposing to increase the local access fee, which is charged to FortisAlberta Inc. (FortisAlberta) for use of municipal lands for its power lines effective **January 1, 2024\***.

The fee is recovered by FortisAlberta from its customers as the local municipal access fee on electric billings of all customers that receive electric service in the (City) (Town) (Village) (Summer Village). This local access fee will be **increased/decreased** from \$\_\_ ( \_\_ %) to \$\_\_ ( \_\_ %) \*\* of the delivery charge of FortisAlberta, excluding energy related riders. This calculation is based on 640 kWh consumption in 30 days.

Questions or concerns should be directed to \_\_\_\_\_ (Name), \_\_\_\_\_ (Position) at ( \_\_ ) \_\_\_\_\_ (Phone Number).

Thank you.

**\*Your advertisement must include the full date**

**\*\*Your advertisement must have the \$ amount and the % amount**

*These numbers are calculated for you once you enter the proposed change in the Franchise Calculator on the first tab (yellow box); the second tab (Residential Bill Impact) automatically populates with the estimated Residential Bill Impact by dollar & percentage.*

Existing (Current) Typical Residential Customer Monthly Costs			
Rate 11 Effective Jan. 1, 2024 (Distribution Tariff Estimated Rate Final Rate on Current 4% Franchise Fee)			
Delivery Service Charge			
All kWh Delivered	\$0.02758	640 kWh	\$18.17
Basic Daily Charge	\$0.8162	30 Days	\$24.48
			\$42.65
Current Franchise Fee	3.30%		\$14.08
	GST 5.2%		\$1.22
			\$15.30
Current Annual Franchise Fee Cost: \$15.30 * 12 = \$183.60			

Proposed Residential Customer Monthly Costs			
Rate 11 (Proposed January 2024 Estimated Distribution Tariff) Based on 3.0% Franchise Fee			
Delivery Service Charge			
All kWh Delivered*	\$ 0.02758	640 kWh	\$18.24
Basic Daily Charge*	\$ 0.81987	30 Days	\$24.59
			\$42.83
Estimated Proposed Franchise Fee	3.00%		\$13.00
	GST 5.2%		\$1.22
			\$14.22
Proposed Annual Franchise Fee Cost: \$14.22 * 12 = \$170.64			
*Includes estimated Basic Volume			

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**MUNICIPAL FRANCHISE FEE RIDERS**

**Availability:** Effective for all consumption, estimated or actual, on and after the first of the month following Commission approval, the following franchise fee riders apply to each rate class.

**Price Adjustment:**

A percentage surcharge per the table below will be added to the total distribution tariff, including both the transmission and distribution charges, and excluding any Riders, calculated for every Point of Service within each Municipality and will be billed to the applicable Retailer.

FortisAlberta will pay to each Municipality each month, in accordance with the franchise agreements between FortisAlberta and the Municipalities or an agreement with a non-municipality, the franchise fee revenue collected from the Retailers.

Muni Code	Municipality	Rider	Effective	Muni Code	Municipality	Rider	Effective
03-0002	Acme	3%	2013/07/01	02-0040	Bowden	15%	2017/01/01
01-0003	Airdrie	20%	2021/04/01	03-0041	Boyle	20%	2021/01/01
03-0005	Alix	8.50%	2019/01/01	03-0042	Breton	20%	2015/01/01
03-0004	Alberta Beach	8%	2021/01/01	01-0043	Brooks	14%	2021/01/01
03-0007	Amisk	0%	2014/01/01	02-0044	Bruderheim	2%	2022/01/01
02-0011	Athabasca	16%	2023/01/01	02-0047	Calmar	20%	2013/07/01
04-0009	Argentia Beach	0%	2017/01/01	01-0048	Camrose	16%	2023/04/01
03-0010	Arrowwood	12%	2015/07/01	02-0050	Canmore	12%	2021/01/01
02-0387	Banff	6%	2020/01/01	03-0054	Carmangay	15%	2021/01/01
07-0164	Banff Park	4%	2019/10/01	03-0055	Caroline	12%	2021/01/01
03-0363	Barnwell	5%	2013/07/01	02-0056	Carstairs	10%	2015/01/01
03-0013	Barons	5%	2015/04/01	03-0061	Champion	15%	2015/04/01
02-0014	Barrhead	14%	2023/04/01	03-0062	Chauvin	11%	2016/01/01
02-0016	Bashaw	2%	2021/01/01	01-0356	Chestermere	11.50%	2014/01/01
02-0017	Bassano	14.40%	2019/01/01	03-0064	Chipman	0%	2016/01/01
03-0018	Bawlf	6%	2016/01/01	02-0065	Claresholm	5%	2022/04/01
01-0019	Beaumont	17.25%	2020/01/01	03-0066	Clive	11%	2023/01/01
03-0022	Beiseker	3.50%	2019/01/01	03-0068	Clyde	15%	2017/01/01
02-0024	Bentley	10%	2019/01/01	02-0069	Coaldale	16%	2023/04/01
04-0026	Betula Beach	0%	2017/01/01	02-0360	Coalhurst	7.5%	2023/01/01
03-0029	Bittern Lake	7%	2016/01/01	02-0070	Cochrane	17%	2020/01/01
02-0031	Blackfalds	20%	2013/10/01	03-0076	Coutts	3%	2017/01/01
02-0034	Bon Accord	19%	2022/01/01	03-0077	Cowley	5%	2016/01/01
02-0039	Bow Island	8.50%	2018/01/01	03-0078	Cremona	10%	2016/01/01
				02-0079	Crossfield	17%	2023/01/01

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Muni Code	Municipality	Rider	Effective	Muni Code	Municipality	Rider	Effective
09-0361	Crowsnest Pass	16%	2016/01/01	02-0188	Killam	9%	2021/01/01
04-0080	Crystal Springs	0%	2016/01/01	01-0194	Lacombe	17.13%	2022/01/01
03-0081	Czar	5%	2013/10/01	04-0196	Lakeview	2%	2016/01/01
02-0082	Daysland	7%	2018/01/01	02-0197	Lamont	7.50%	2020/01/01
02-0086	Devon	15%	2023/01/01	04-0378	Larkspur	3%	2020/04/01
02-7662	Diamond Valley	10%	2023/01/01	01-0200	Leduc	16%	2014/01/01
02-0088	Didsbury	17%	2016/01/01	02-0202	Legal	15%	2021/01/01
02-0091	Drayton Valley	10%	2016/01/01	03-0207	Lomond	15%	2017/01/01
03-0093	Duchess	15%	2018/01/01	03-0208	Longview	17%	2017/01/01
02-0095	Eckville	10%	2015/01/01	03-0209	Lougheed	5%	2016/01/01
03-0096	Edberg	13%	2021/01/01	02-0211	Magrath	15%	2023/01/01
03-0097	Edgerton	15%	2022/01/01	04-0210	Ma-Me-O Beach	0%	2016/01/01
02-0100	Edson	4.91%	2023/01/01	02-0215	Mayerthorpe	12%	2023/04/01
03-0109	Ferintosh	11%	2016/01/01	04-0359	Mewatha Beach	2%	2016/10/01
03-0112	Foremost	7%	2016/01/01	02-0218	Milk River	12%	2017/01/01
02-0115	Fort Macleod	15%	2018/10/01	02-0219	Millet	16%	2019/01/01
01-0117	Fort Saskatchewan	0%	2013/10/01	03-0220	Milo	20%	2017/01/01
02-0124	Gibbons	10%	2013/01/01	02-0224	Morinville	20%	2013/07/01
03-0128	Glenwood	5%	2022/04/01	04-0230	Nakamun Park	0%	2013/10/01
04-0129	Golden Days	0%	2017/01/01	02-0232	Nanton	9%	2019/01/01
02-0135	Granum	5.50%	2013/07/01	02-0236	Nobleford	5%	2023/01/01
04-0134	Grandview	0%	2016/01/01	03-0233	New Norway	6%	2009/01/01
04-0138	Gull Lake	0%	2016/01/01	04-0237	Norglenwold	5%	2015/01/01
04-0358	Half Moon Bay	0%	2021/01/01	04-0385	Norris Beach	0%	2016/01/01
02-0143	Hardisty	9.50%	2021/01/01	02-0238	Okotoks	20%	2021/01/01
03-0144	Hay Lakes	9%	2021/01/01	02-0239	Olds	15%	2019/01/01
02-0148	High River	20%	2015/07/01	02-0240	Onoway	10%	2022/01/01
03-0149	Hill Spring	5%	2014/01/01	04-0374	Parkland Beach	0%	2015/01/01
02-0151	Hinton	11.73%	2022/01/01	02-0248	Penhold	19%	2014/01/01
03-0152	Holden	4%	2016/01/01	02-0249	Picture Butte	11%	2022/01/01
03-0153	Hughenden	5%	2016/01/01	02-0250	Pincher Creek	13%	2017/01/01
03-0154	Hussar	12.50%	2017/01/01	04-0253	Point Alison	0%	2017/01/23
02-0180	Innisfail	17%	2023/03/01	04-0256	Poplar Bay	0%	2016/01/01
03-0182	Irma	20%	2015/01/01	02-0257	Provost	20%	2015/01/01
02-0183	Irricana	8%	2023/05/01	02-0261	Raymond	16%	2022/01/01
04-0185	Island Lake	0%	2016/01/01	02-0265	Redwater	10%	2023/04/01
04-0186	Itaska Beach	0%	2017/10/01	02-0266	Rimbey	20%	2022/01/01
04-0379	Jarvis Bay	0%	2015/10/08	02-0268	Rocky Mtn House	15.3%	2023/01/01
04-0187	Kapasiwin	0%	2018/04/01	03-0270	Rockyford	5%	2015/04/01

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Muni Code	Municipality	Rider	Effective	Muni Code	Municipality	Rider	Effective
03-0272	Rosemary	15.50%	2023/01/01	02-0311	Taber	18%	2020/07/01
04-0273	Ross Haven	0%	2016/01/01	02-0315	Thorsby	20%	2014/01/01
03-0276	Ryley	3%	2016/01/01	02-0318	Tofield	5%	2015/01/01
04-0279	Seba Beach	4%	2014/01/01	04-0324	Val Quentin	0%	2016/01/01
02-0280	Sedgewick	10%	2023/01/01	02-0326	Vauxhall	8%	2022/01/01
04-0283	Silver Sands	3%	2018/01/01	02-0331	Viking	8%	2013/01/01
04-0369	South Baptiste	0%	2005/05/01	02-0333	Vulcan	20%	2013/10/01
04-0288	South View	3%	2019/01/01	03-0364	Wabamun	10%	2017/01/01
01-0291	Spruce Grove	20%	2016/01/01	02-0335	Wainwright	11%	2020/04/01
01-0292	St. Albert	15%	2023/01/01	07-0159	Waterton Park	8%	2018/10/01
03-0295	Standard	0%	2015/01/01	03-0338	Warburg	10%	2015/01/01
02-0297	Stavely	6%	2021/01/01	03-0339	Warner	5%	2021/01/01
03-0300	Stirling	12%	2019/01/01	04-0344	West Cove	0%	2018/01/01
02-0301	Stony Plain	20%	2013/01/01	02-0345	Westlock	14.75%	2022/01/01
09-0302	Strathcona County	0%	TBD	01-0347	Wetaskiwin	17.0%	2023/01/01
02-0303	Strathmore	20%	2020/07/01	04-0371	Whispering Hills	5%	2016/10/01
03-0304	Strome	9%	2022/01/01	02-0350	Whitecourt	3.91%	2023/01/01
02-0307	Sundre	10%	2020/01/01	04-0354	Yellowstone	3%	2016/01/01
04-0386	Sunrise Beach	0%	2018/01/01				
04-0308	Sunset Point	10%	2017/01/01				
02-0310	Sylvan Lake	18%	2023/01/01				

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2<sup>nd</sup> Floor, Summerside Business Centre  
1229 – 91 ST SW  
Edmonton, AB T6X 1E9

Tel (780) 427-2444  
Email [lpri.appeals@gov.ab.ca](mailto:lpri.appeals@gov.ab.ca)  
Website [www.lprt.alberta.ca](http://www.lprt.alberta.ca)

## NOTICE OF HEARING

Our File: S23/LACS/CO-024

October 10, 2023

Appellant: [REDACTED]

Respondent: Lac Ste Anne County (Subdivision Authority)

Re: **Appeal respecting the proposed subdivision of  
NE-04-056-01-W5M, Lac Ste. Anne County  
Subdivision Authority File No.: 011SUB2023**

The above appeal will be held by **videoconference** on:

**DATE: November 20, 2023**  
**TIME: 9:00AM**

If you plan to attend, please register beforehand by emailing Case Manager Kellie Lau at [kellie.lau@gov.ab.ca](mailto:kellie.lau@gov.ab.ca).

### Filing and Reviewing Documents

All documents you wish the LPRT to consider must be submitted electronically to the Case Manager by **12 noon on November 13, 2023**. Please email the Case Manager if you have questions about how to file submissions or for directions about how to review material that has been filed.

Please be aware that any submissions you provide are being collected for the purpose of a public LPRT hearing. By making a submission, you are consenting that all the information it contains – including any addresses, personal or other sensitive information – to be forwarded to the parties (e.g. municipality, appellant, applicant), the panel, and any other person who requests to see materials filed with the LPRT.

### Postponements

Postponements may have serious repercussions for other participants and are not granted automatically. If you need a postponement, email your request to the Case Manager with supporting reasons. All parties should be prepared to proceed on the date scheduled unless otherwise directed by the Case Manager or LPRT panel.

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**Survey**

The LPRT uses email contacts provided at registration to conduct an annual survey of hearing participants. The survey is designed to get feedback about LPRT processes and improve them where possible. Please email the Case Manager if you do not consent to the LPRT using your contact information for its survey.

**Recordings**

The Tribunal may record the hearing but will not make copies of the recording available except in limited circumstances, such as requirements under s. 688 of the *Municipal Government Act*.

**Please Note:** More information on Hearing Recordings can be found on the LPRT website in our [Recording of Hearings SD-1-2021 Bulletin](#)

*S. Mugabi*

Land and Property Rights Tribunal

cc:

Adjacent Landowners  
Referral Agencies  
M. Kofluk, Lac Ste Anne County

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Telephone: 780-427-2444  
 Fax: 780-427-0986  
 Email: [LPRT.appeals@gov.ab.ca](mailto:LPRT.appeals@gov.ab.ca)

INTERNAL USE ONLY

# SUBDIVISION/ DEVELOPMENT AUTHORITY APPEAL FORM

Land and Property Rights Tribunal  
 1229-91 Street SW  
 Edmonton AB T6X 1E9

A notice of appeal for a subdivision matter must be filed within 14 days after receipt of the subdivision authority's written decision.  
 A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision is given.

This is an appeal of a:  Subdivision Authority Decision  Development Authority Decision

**Part 1- Contact Information**

**PROPERTY UNDER APPEAL**

Name of Municipality Lac St Anne	Subdivision/Development Authority (if applicable) Municipal Planning Commission of Lac Ste Anne County	Subdivision/Development Authority File or Permit Number 011SUB2023
-------------------------------------	-----------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------

Does the land that is subject of the appeal contain, or is it adjacent to, or near, any of the following? (Check ALL that apply)

**For Subdivision Appeals:**

Highway (# \_\_\_\_\_)  Body of Water (Name: \_\_\_\_\_)  Landfill

Green Area  Wastewater Treatment Facility  Waste Management Facility  Historical Site/Resource

Alberta Environment and Parks  AUC  NRCB  AER  ERCB  AEUB

Licence/Permit/Approval or Other Authorization Number: \_\_\_\_\_

**For Development Appeals:**

Alberta Environment and Parks  AUC  NRCB  AER  ERCB  AEUB

Licence/Permit/Approval or Other Authorization Number: \_\_\_\_\_

Land Description	Section	Township	Range	Meridian	Municipal Address or Lot Block Plan
NE-04-056-01-W5M					

**APPELLANT (e.g. Landowner, Applicant, Affected Person or Government Department filing the Appeal)**

Name(Organization)	(Last)	(First)	Telephone Number
[REDACTED]			[REDACTED]
Address (Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province) (Postal Code)
[REDACTED]			
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):			
[REDACTED]			

**LANDOWNER INFORMATION (If different from Appellant)**

Name	(Last)	(First)	Telephone Number
[REDACTED]			[REDACTED]
Address (Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province) (Postal Code)
[REDACTED]			
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):			
[REDACTED]			

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**REPRESENTATIVE INFORMATION AND AUTHORIZATION (if Appellant is Represented by an Agent)**

Name of Organization				Telephone Number	
Address (Street, PO Box, RR)		(Suite, Apartment)	(Municipality)	(Province)	(Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):					
I (We) hereby authorize _____ to act on my (our) behalf to this application.					
_____ Signature of Applicant(s)		_____ Date	_____ Signature of Applicant(s)		_____ Date

**Part 2- Decision of the Subdivision/Development Authority**

Date of Decision: Sept 6 2023

Copy of Subdivision/Development Authority Decision included?  Yes  No

**Part 3- Reasons for Appeal**

All appeals must contain reasons. Attach additional pages if required.

- Approval - Why do you oppose the approval or what conditions of approval do you disagree with and why?
- Refusal - Why do you think the application should be approved?

There is existing Engineering report of Valence for setback already on File for the landfill in question. As well I am attempting to work with the engineering firm to have separate report complete with Engineering stamp saying existing report is applicable to our property as well

Sept 21 2023

\_\_\_\_\_  
Signature of Appellant OR Person Authorized to Act on  
Behalf of Appellant

\_\_\_\_\_  
Date

The personal information collected is for the purpose of setting up application/appeal proceedings which will be provided to those who may be affected by your application/appeal and will be considered a public record. Your contact information will be used to send a follow up survey designed to measure satisfaction with the tribunal proceedings. This personal information collection is authorized by section 33(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of personal information, you may contact the Land and Property Rights Tribunal, 1229-91 Street, SW, Edmonton, Alberta T6X 1E9, (780) 427-2444 (Outside of Edmonton call 310-0000 to be connected toll free) or by email to [LPRT@gov.ab.ca](mailto:LPRT@gov.ab.ca).

Submit by E-mail	Print Form	Save	Reset Form
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September 11, 2023  
File: 011SUB2023

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**APPLICANT**

**LANDOWNER**

Dear Sir/Madame:

**Re: Proposed Subdivision  
NE 04-56-01 W5M,  
Lac Ste. Anne County**

This application for subdivision was considered complete by Lac Ste. Anne County on June 23, 2023 and was considered by the Subdivision Approving Authority on September 6, 2023.

The application was evaluated with respect to its conformance and/or consistency with applicable legislation, statutory plans, and bylaws. Consideration was also given to the various land use evaluation criteria and responses from adjacent landowners as described below:

<b>Topography</b>	The property has mix of trees within the North portion, and is more open and clear pasture across the South portion. There is 2 hills: one on the North cleared portion, and one on the South East.
<b>Soils</b>	The majority of the parcel has 5T soil quality. Class 5: Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible. The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of

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	<p>producing native or tame species of perennial forage plants, and may be improved by use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilization, or water control. Subclass T: adverse topography-either steepness or the pattern of slopes limits agricultural use.</p> <p>The South West and South East corners have 4D soil quality. Class 4: Soils in this class have severe limitations that restrict the range of crops or require special conservation practices. The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants, and may be improved by use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilizing, or water control. Subclass D: undesirable soil structure and/or low permeability-the soils are difficult to till, absorb water slowly or the depth of the rooting zone is restricted.</p>
<b>Storm Water</b>	No storm water issues for the proposed parcel.
<b>Flooding Risk</b>	No flood issues are expected on the property.
<b>Access</b>	Access is to be provided through the local road system.
<b>Water Supply</b>	The property is currently unserved. Water may be obtained through a cistern or well for the proposed parcel. The remainder of the parcel is within the no wells setback of an abandoned landfill and will only be allowed a cistern for water provision.
<b>Private Sewage System</b>	Property is currently unserved.
<b>Adjacent Land Uses</b>	Adjacent land uses are a mix of agricultural operations with residential usage.
<b>Landowner Concerns:<sup>1</sup></b>	None

<sup>1</sup> Note: This Office does not guarantee that all verbal comments or written comments received after the conclusion of the referral period will be addressed in this decision, however, all comments will be reviewed by the Approving Authority.

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The Subdivision Approving Authority has determined that this application shall be:

**REFUSED FOR THE FOLLOWING REASONS:**

The Municipal Planning Commission Refused this Subdivision on September 6, 2023 for the following reason:

- Non-compliance with section 17 of the Subdivision and Development Regulation.

In accordance with Section 678 of the *Municipal Government Act, R.S.A., 2000*, should you wish to appeal this decision, you may do so by filing notice of your intent to appeal on the required Appeal Form in writing, to the following address, along with the applicable application fee:

Land and Property Rights Tribunal

2nd Floor, Summerside Business Centre

1229 91 Street SW

Edmonton Alberta T6X 1E9

Phone: 780-427-2444, Toll free: 310-0000 before the phone number (in Alberta)

Fax: 780-427-0986

Email: [lpert.appeals@gov.ab.ca](mailto:lpert.appeals@gov.ab.ca)

Website: <https://www.alberta.ca/subdivision-appeals.aspx#jumplinks-1>

The required Appeal Form may be obtained by contacting the Land and Property Rights Tribunal or on the LPRT website.

The decision may be appealed within 14 days from the date of this letter, prior to 4:30 p.m. on September 25, 2023.

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Yours truly,



Mitchell Kofluk  
Development Officer  
Planning & Development Department  
Lac Ste. Anne County

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## WHAT TO EXPECT AT A SUBDIVISION APPEAL HEARING

### SUBDIVISION APPEAL BULLETIN NO. SUB-1-2021

**DISCLAIMER** – This bulletin provides general guidance and is not legal or land planning advice. The details in this bulletin may not apply to particular cases, or to future decisions of the Tribunal.

#### INTRODUCTION

This Bulletin describes what to expect at a typical LPRT<sup>1</sup> subdivision appeal hearing for those preparing to speak at a hearing, or those observing. To prepare for a hearing, review the LPRT's Rules of Procedure for Subdivision and Development Appeals. You can also contact an LPRT case manager for more information.

#### SIGNING IN TO A VIDEO CONFERENCE HEARING

The hearing notice will include instructions on how to register for the hearing and the case manager will send out additional information prior to hearing. The video hearing conference usually opens 30 minutes before the scheduled start time to allow time for the participants to join and test their video and audio connections. LPRT uses the platform Webex.

#### *Things to remember:*

- Sign in at least 15 minutes before the hearing is scheduled to begin.
- Hearings often last 1 – 2 hours before a recess. Please prepare accordingly.
- Mute your microphone when not speaking.
- It is best to have a fast and reliable internet connection (hard-wired if possible).
- Written material you wish to refer to during the hearing should be submitted ahead of time. Speak to the case manager to confirm submission timelines.

#### ARRIVING AT AN IN-PERSON HEARING

The hearing notice will include the location and instructions on how to register for the hearing. The hearing room is typically closed until just before the hearing begins. The LPRT will invite parties to come into the hearing room when the panel is ready. You will be given enough time to set up before the hearing begins. Everyone attending will be asked to sign in.<sup>2</sup>

<sup>1</sup> *Land and Property Rights Tribunal Act*, SA 2020, c-L2.3 amalgamated the Municipal Government Board with the Surface Rights Board, Land Compensation Board, and New Home Buyer Protection Board to form the Land and Property Rights Tribunal, effective June 2021.

<sup>2</sup> This information is used by the panel to know who is present at the hearing. LPRT administration also uses contact information provided to ask people who have attended hearings to respond to a satisfaction survey.

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### Things to remember:

- Arrive fifteen minutes before the hearing is scheduled to begin.
- Please do not enter the hearing room until invited to do so by the LPRT.
- Hearings often last 1 – 2 hours before a recess. Please prepare accordingly.
- LPRT does not have electronic or other audio-visual equipment available for presentations unless prior arrangements were made with the case manager. Talk to the case manager if you are considering bringing your own equipment or need assistance.

### **THE HEARING PROCESS – PART I: HEARING PARTICIPANTS**

The hearing process is the same whether the hearing is by video conference or in person. Parties in attendance may include

- Appellant – the person who filed the appeal. This may be the Applicant or a Government department
- Applicant/landowner – the person who made the subdivision application
- Subdivision Authority (SA) representative
- Adjacent landowners<sup>3</sup>
- Government departments (e.g. Alberta Transportation or Alberta Environment and Parks) representatives
- Area landowners or other observers – LPRT hearings are open to the public

Also in attendance on behalf of the Tribunal will be

- The Panel – usually three members, one of whom is the Presiding Officer for the hearing
- The case manager or another member of the Tribunal Administration

The case manager introduces the appeal and records the hearing if required, keeps track of evidence and supports the panel as needed. The case manager supports and facilitates the appeal process, but does not make the decision.

The Presiding Officer is often called the Panel Chair. He or she will give instructions to keep the hearing moving fairly and efficiently and let participants know when to speak. Any panel members may also ask questions throughout the hearing. All LPRT members are appointed by order in council, which are approved by [Alberta's Cabinet](#). LPRT Members' [Biographies](#) are available on the LPRT website.

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<sup>3</sup> Owners of land that is contiguous to the parcel that is being subdivided or would be contiguous if not for a highway, road, river or stream, or as otherwise identified in the land use bylaw – see s. 616(a) of the *Municipal Government Act*.

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### ***Things to remember:***

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- Let the case manager know beforehand if you need to make any special arrangements.
- If you need to communicate with the LPRT either before or after the hearing, do so through the case manager.
- Address the Presiding Officer as “Mister Chair” or “Madam Chair” as the case may be.
- Panel members may be addressed as “Sir” or “Mr. \_\_, and “Madam” or Ms. \_\_.
- Hearings are open to the public any documents submitted to LPRT may be viewed by other hearing participants or members of the public.

## **THE HEARING PROCESS – PART II: GETTING STARTED**

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### ***Introductions and the Oath***

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At the outset of the hearing, the case manager or Presiding Officer will ask everyone to introduce themselves and indicate whom they represent (if anyone). The panel may also request all those who intend to give evidence during the hearing to swear or affirm that they will tell the truth.

### ***Preliminary Issues***

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A preliminary issue is any matter that needs to be dealt with before the LPRT hears the merits of an appeal. Examples include:

- Postponement and rescheduling requests
- Whether an appeal was filed on time
- Whether the LPRT has jurisdiction to hear an appeal
- Objections to a panel member
- Whether a person at the hearing has standing to make a presentation

Let the case manager know well before the hearing if you intend to raise a preliminary issue at the hearing. Normally the panel will ask if there are any preliminary issues before the hearing begins; however, if they do not, be sure to advise them of the preliminary issue(s) before the presentations begin.

### ***Marking the Exhibits***

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The Appellant, the SA, Applicant and affected government departments are usually sent an information package, including the SA’s file, before the hearing. This information package is usually marked as exhibit #1. Other exhibits are usually marked as they are received.

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***Things to remember:***

- If you know ahead of time that a preliminary issue is likely to arise, let the case manager know as soon as possible so that arrangements can be made to avoid unnecessary surprises or delays.
- Certain preliminary issues, such as asking for the postponement of a hearing should be made to the LPRT in writing before the hearing.
- To avoid unnecessary delays, make sure any written material you wish to have considered is provided to the LPRT before the hearing in time for it to be shared with other parties.
- Number the pages of any submissions you wish to enter as exhibits.

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**THE HEARING PROCESS – PART III: PRESENTATIONS & QUESTIONS**

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***Presenting the Merits of a Subdivision Appeal***

Parties generally make their presentations in the order below. However, a panel may vary the usual order for any given case – for example, where a different order appears more fair or efficient.

1. Subdivision Authority (SA):
  - The SA provides the background information of the application;
  - The SA discusses its decision and the evidence and legislation in support of that decision and how it affects the public interest;
  - The Appellant(s) and other parties have the opportunity to ask the SA questions, through the Presiding Officer;
  - The panel has the opportunity to ask questions.
2. Government Department(s):
  - Government Department Representative presents information and evidence as to how the application affects the provincial interest and the department's position;
  - The Appellant(s), the SA, and other parties have the opportunity to ask questions, through the Presiding Officer;
  - The panel has the opportunity to ask questions.
3. Adjacent Landowner(s):
  - Adjacent landowners explain their position;
  - The Appellant(s), the SA, and other parties have the opportunity to ask questions, through the Presiding Officer;
  - The panel has the opportunity to ask questions.
4. Applicant (when the Appellant is not the Applicant):

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- The Applicant presents information and evidence as to why the application should be approved;
  - The Appellant(s), the SA, and other parties have the opportunity to ask questions, through the Presiding Officer;
  - The panel has the opportunity to ask questions.
5. Appellant(s):
- The Appellant(s) presents information and evidence as to why the LPRT should change the SA's decision;
  - The SA and other parties have the opportunity to ask the Appellant(s) questions, through the Presiding Officer;
  - The panel has the opportunity to ask questions.
6. The SA, Government Department(s), Applicant and Appellant will then give their final summations in this order with the Appellant having the last word.

***Things to remember:***

- Bring a note pad to write down ideas as they come to mind during the hearing – for example, other parties' points to speak to, or questions to ask.
- Bring a written outline of your intended presentation so you do not forget important points.
- If you need an unscheduled break, you can raise your hand and wait for the Presiding Officer to ask what is needed.
- If you have any technical difficulties during a video hearing contact the case manager for assistance.

**THE HEARING PROCESS – PART IV: CLOSING THE HEARING**

After the parties have completed their final summations, the panel will adjourn the hearing and allow the parties to leave.

Generally, the LPRT will not consider material filed after it has adjourned a hearing. However, in some cases, the panel may decide it needs more information after adjournment. If this happens, the case manager will contact the parties and give instructions to provide further information. If the panel determines it does not need any further information, it will close the hearing and notify the parties writing. The LPRT will then issue its decision, in writing, within 15 days of closing the hearing.

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## SUMMER VILLAGE OF SUNRISE BEACH FCSS FUNDING

EVENT	FUNDING 2023	FUNDING 2022	CHEQUE MADE OUT TO
ALLNET	\$ 580.00	\$ 580.00	S.V. OF SUNRISE BEACH
CHRISTMAS BLITZ		\$ 2,500.00	S.V. OF SUNRISE BEACH
LSAC HOME SUPPORT		\$ 1,000.00	LAC STE ANNE COUNTY
ODAS		\$ 500.00	ODAS ARENA
ONOWAY LIBRARY		\$ 513.00	ONOWAY PUBLIC LIBRARY
PRESCHOOL		\$ 500.00	ONOWAY ELEMENTARY SCHOOL
EAST END BUS	\$ 233.33		
SUN & SAND REC	\$ 1,500.00		RR#1, SITE 1, COMP 77 ONOWAY, AB Mandy Smallwood
SUN & SAND REC	\$ 1,500.00		
<b>TOTAL</b>	<b>\$ 3,813.33</b>	<b>\$ 5,593.00</b>	
<b>FCSS FUNDING</b>	<b>\$ 5,781.77</b>	<b>\$ 5,593.00</b>	
<b>LEFT 2023 TO SPEND</b>	<b>\$ 1,968.44</b>	<b>\$ -</b>	
<b>TOTAL INCLUDING 2022</b>	<b>\$ 2,291.29</b>		

**TOTAL TO SPEND \$ 2,291.29**

\*FUNDING HAS BEEN SENT

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SPECTRE SYSTEMS (A DIVISION OF 1932275 AB LTD)

# SPECTRE SYSTEMS

A DIVISION OF 1932275 AB LTD

PO BOX 12  
MUNDARE, AB T0B 3H0  
PH: 780.239.4321

WCB: 8352873

EMAIL: [ed@spectresystems.ca](mailto:ed@spectresystems.ca)

GST: 790330898

Date: **JULY 8, 2023**

CONTRACT: **#23-01-483A**

Owner: **SUMMER VILLAGE OF SUNRISE BEACH**  
Project: **2023 ASPHALT PATCHING PROGRAM**

Item	Description	Quantity	Unit	Unit Value	Contract Value
1.0	MOBILIZATION	1	Lump	\$0.00	\$0.00
2.0	ASPHALT PATCHING- HD				
	LOCATION 1	20	m2	\$ 200.00	\$ 4,000.00
	LOCATION 2	134	m2	\$ 150.00	\$ 20,100.00
	LOCATION 3	17	m2	\$ 200.00	\$ 3,400.00
	LOCATION 4	33	m2	\$ 200.00	\$ 6,600.00
	LOCATION 5	33	m2	\$ 200.00	\$ 6,600.00
	LOCATION 6	23	m2	\$ 200.00	\$ 4,600.00
	LOCATION 7	81	m2	\$ 150.00	\$ 12,150.00
	LOCATION 8 (CULVERT REPLACEMENT @ EVERETT CORNER)	1	each	\$ 6,500.00	\$ 6,500.00
	LOCATION 9	24	m2	\$ 200.00	\$ 4,800.00
	LOCATION 10	94	m2	\$ 150.00	\$ 14,100.00
	LOCATION 11	22	m2	\$ 200.00	\$ 4,400.00
	LOCATION 12	25	m2	\$ 200.00	\$ 5,000.00
	LOCATION 13	414	m2	\$ 150.00	\$ 62,100.00
	LOCATION 14	63	m2	\$ 150.00	\$ 9,450.00
	LOCATION 15	45	m2	\$ 200.00	\$ 9,000.00
	LOCATION 16	24	m2	\$ 200.00	\$ 4,800.00
2.1	Saw cut/cold mill perimeter of repair area (if required)				
2.2	Excavate & remove 400mm of current failed material				
2.3	Scarify & compact clay subgrade				
2.4	Supply & place woven geotextile (Nilex 2006 or equivalent)				
2.5	300mm- Supply, place, & compact 3/4" gravel (Alberta Transportation 2-20 spec, or equivalent)				
2.6	Prime/tack oil coats (SS-1 hot emulsified)				
2.7	100mm Hot mix ACP (Alberta Transportation M1 spec, or equivalent)				
4.0	CONTRACT TOTAL				\$177,600.00

INITIAL \_\_\_\_\_

YOUR ROAD CONSTRUCTION EXPERTS

TO 1

**General Notes:**

1. A no charge water supply, equipment lay down area, & campsite accommodations will be made available to Spectre Systems, while the job is being completed.
2. Spectre Systems reserves the right to reprice the project, if any of the items/quantities are deleted or modified. If any changes are to be made, representatives from Spectre Systems & the Summer Village of Sunrise Beach will review them before the project begins.
3. No mobilization will be charged, as Spectre Systems will complete this project while working in the area.
4. Any water valves that require lifting/adjusting will be charged at \$650 each. Any manholes that require lifting/adjusting will be charged at \$850 each.
5. ACP & GBC will be hauled to/from site using full & legal loads. If road bans are in place &/or trucks must haul using less than full loads, Spectre Systems reserves the right to re-price the work.
6. Any work that is determined to be outside of the scope listed above will be deemed extra & charged at force account rates (supplied to the Summer Village of Sunrise Beach, before the extra work commences.)
7. If any additional gravel/excavation is required for base repairs, it will be performed by Spectre Systems & charged on a force account basis.
8. Any material/density testing required will be the responsibility of the Summer Village of Sunrise Beach.
9. If bonding is required, please add 2% of the total cost to the project
10. Any hydrovac trucks required, to expose buried utilities, will be charged at cost plus 10% of charged rates (if applicable).

**ACCEPTANCE**

**SPECTRE SYSTEMS  
1932275 ALBERTA LTD.**

**SUMMER VILLAGE OF SUNRISE BEACH**

\_\_\_\_\_  
SIGNATURE c/s

\_\_\_\_\_  
SIGNATURE c/s

EDDIE SHEPEL- DIRECTOR  
I have the authority to bind the Corporation

\_\_\_\_\_  
I have the authority to bind the Village

***The conditions printed on the following sheet are a part of this Contract. No other terms, conditions, or obligations will govern unless specifically accepted by SPECTRE SYSTEMS.***



## TERMS AND PROVISIONS OF QUOTATIONS AND CONTRACT

### 1.0 Responsibilities of Spectre Systems (SS)

1.1 SS shall conduct the work in a good, workmanlike, & timely manner. However, in no event shall SS be responsible for the following:

- (a) Liability for damage to sidewalks, driveways, or other property in the vicinity of the work site.
- (b) Damage to underground utility lines or services where location of these underground lines or services was the responsibility of the Customer. Or where underground lines and services were located by the Customer, but found by SS to be in different locations. Or for any damages which may occur as a result of the utility lines and services being improperly located. Or where underground lines/services are installed to an inadequate depth.
- (c) Growth of vegetation through the finished asphalt surface.
- (d) Damage to the asphalt surface caused by high unit loading, e.g. bicycle or motorcycle kickstands, ladders, trailer hitch jacks, ect.
- (e) Asphalt surface depressions, settlements or failures caused by soil consolidation in trenches, near basement walls or underground tank installations.
- (f) Ponding of water or "bird baths" in the asphalt where the designed slope is less than two percent (2%) grade. Or where the elevation of existing structures such as sidewalks, lanes, floor slabs, ect, which the asphalt must match are such that this minimum 2% grade cannot be attained.
- (g) Asphalt surface deflection and/ or failure or any problem resulting from or caused by frost action.
- (h) Damages cause to surfaces in the vicinity of the site from the tracking of asphaltic materials such as tack, prime or seal coat material.
- (i) Delays in the construction of the Work caused by a lack of available equipment and personnel, transportation, road bans, strikes, accidents, acts of god or any cause beyond the control of SS.

### 2.0 Customers responsibilities

2.1 The customer shall be responsible for the following:

- (a) Provision of suitable, (in the sole opinion of SS) access roadways (taking into consideration road restrictions, ect.), & entrance points of delivery for trucks and other equipment necessary to perform the work.
- (b) Prior to commencement of the work, to locate and mark all underground utility lines and services at the location of the work (Unless otherwise specified).
- (c) To notify SS of all areas of the work site that has previously exhibited load bearing capacity problems.
- (d) To notify SS of all sub-surface conditions known to the Customer which may have a bearing on the work.

### 3.0 Contract price(s) and payment

3.1 In the event that this Contract is not accepted within thirty (30) days of the date there of, SS may amend and revise the amounts quoted.

3.2 Unless this Contract specifically states a lump sum price, contract pricing will be based on the actual area and/or volume of work and/or materials supplied using the unit price(s) quoted.

3.3 The contract price shall be due and payable on the 30<sup>th</sup> day following the date of invoice to the customer. SS, in its sole discretion, may invoice the Customer as the work progresses.

3.4 The customer shall pay interest on all unpaid invoiced amounts from the 30<sup>th</sup> day following the date of invoice to the date payment is received, at the rate of twenty four (24%) percent per annum.

3.5 Notwithstanding any other provisions here in contained, this quotation is subject to SS, in its sole discretion, approving the credit of the customer.

3.6 The contract price(s) as invoiced by SS shall be paid without claim of set-off. (Counterclaim or deduction of any nature for any cause whatsoever.)

3.7 Prices listed above do not include GST, PST or other applicable taxes.

### 4.0 Conduct of the work – delays

4.1 SS shall commence the work as soon as weather conditions & its work schedule shall allow.

4.2 In the event of poor weather or as a result of other commitments, SS, in its sole discretion, may stop the construction of the work at any time.

4.3 When included in this Contract, the Emulsion-Sand Slurry Sea Coat, other sealant or crack filling shall be done at SS's convenience and/or when weather conditions allow. Sealing or Crack filling which is not completed before October 1<sup>st</sup> in any year shall be completed in the following year, taking into consideration weather and SS's schedule.

4.4 Unless otherwise specified & notwithstanding that the customer may have accepted this Contract in compliance with Paragraph 3.1 above, in the event the Work has not been started/or completed within a reasonable time following the date of acceptance, SS may increase the quoted price(s) as a result in an increase in costs of labor, materials, & equipment required for the Work which have occurred following the date of the Contract.

### 5.0 Warranty

5.1 Subject to the following exceptions, SS warrants the work and materials supplied by SS including, without limitation. Hot Mix Asphalt, for a period of one (1) year from the completion day of the work.

5.2 SS does not warrant the work:

- (a) Where there is deflection and/or deterioration of the Hot Mix Asphalt due to base and/or sub-base failure, where that base or sub-base has been constructed by someone other than SS.
- (b) Where the base has not been designed by experts, and SS shapes & compacts the existing base to specifications, including, without limitation, contours and elevations specified by the Customer.
- (c) Where the base, sub-base, or sub-grade materials is placed by others or its placement is supervised by others.
- (d) Where the Customer fails to follow the recommendations of SS regarding construction of the base, sub-base, &/or Hot Mix Asphalt.
- (e) In the event that the Work is subjected to loads for which it was not designed.

Please note that the shaping of an existing base by SS for the purpose of placing Hot Mix Asphalt shall not be considered as construction of the base.

### 6.0 General

6.1 In the event that the Customer requests testing after Contract acceptance to verify the advice or opinions of SS, the testing shall be arranged by SS at the sole cost of the Customer.

6.2 All changes in the Work or Extra Work, whether specified by the Customer or at the Recommendation of SS, shall be at the expense of the Customer and will be in addition to the contract price(s).

6.3 Neither SS nor the Customer shall assign this Contract or any part thereof without the prior written consent of the other, which consent will not be unreasonably withheld.

6.4 This Contract shall ensure to the benefit of and be binding on the heirs, executors, administrators and permitted assignees of the parties.

6.5 In the event that the Customer & SS should enter into a conflict of the performance of the Work, the Customer & SS agree that the Terms and Provisions of this Contract supersede any verbal agreements & the parties shall be bound accordingly.

6.6 If any of the instu soils or other materials that are required to be removed from the site by SS are contaminated or polluted, within the meaning of any applicable Statutory (Federal, Provincial or Municipal) Laws; any additional costs of handling or disposing of such soil or other materials as a result of said contamination or pollution will be at the sole expense of the Customer.

INITIAL \_\_\_\_\_

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## Fw: Apply Now for Celebrate Canada 2024

Summer Village Office <administration@wildwillowenterprises.com>

Thu 10/12/2023 9:23 AM

To:wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>;Dwight Moskalyk <ddm@kronprinzconsulting.ca>; West Cove Admin <svwestcove@outlook.com>;Kristie Rose <administration@kronprinzconsulting.ca>;svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>;Summer Village Office <administration@wildwillowenterprises.com>;reception wildwillowenterprises.com <reception@wildwillowenterprises.com>; Wildwillow Enterprises <angela@wildwillowenterprises.com>

📎 2 attachments (2 MB)

Celebrate Canada 2024 Application Form.pdf; Canada en fête 2024 formulaire de demande.pdf;

FYI - for any munis applying for Canada Day funding for 2024, the deadline is November 21st, 2023.

Thanks,

**Heather Luhtala,**  
**Assistant CAO/Administration**

Summer Village of Silver Sands - [www.summervillageofsilversands.com](http://www.summervillageofsilversands.com)

Email: [administration@wildwillowenterprises.com](mailto:administration@wildwillowenterprises.com)

Phone: 587-873-5765 Fax: 780-967-0431

### **NOTE: NEW CONTACT INFORMATION FOR THE SUMMER VILLAGE OF SOUTH VIEW**

Summer Village of South View - [www.summervillageofsouthview.com](http://www.summervillageofsouthview.com)

NEW - email: [svsouthview@outlook.com](mailto:svsouthview@outlook.com)

NEW - phone: 780-967-0271

NEW - Assistant CAO/Administration Contact - Angela Duncan

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**From:** Canada 5k / Canada 5k (PCH) <canada5k@pch.gc.ca>

**Sent:** Friday, October 6, 2023 8:43 AM

**Subject:** Apply Now for Celebrate Canada 2024

(le français suit)

## Apply now for Celebrate Canada

The [Celebrate Canada](#) application period is now open. You can apply now until 11:59 pm (Pacific Time) November 21, 2023.

## Celebrate Canada 2024

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We recommend that you read the revised [Celebrate Canada Guidelines](#) available on the [Celebrate Canada](#) website before applying.

- Apply now on [My Canadian Heritage Account](#), or by completing the application form attached to this email.
- Please send your completed application forms and any questions to [canada5k@pch.gc.ca](mailto:canada5k@pch.gc.ca).

## Applying on My Canadian Heritage Account?

If you have an existing [My Canadian Heritage Account](#), please do not create a new one.

If you have trouble accessing your profile, or require any assistance with your account, please contact [info@pch.gc.ca](mailto:info@pch.gc.ca) or 1-866-811-0055 Monday to Friday from 8:30 a.m. to 5:00 p.m. (Eastern Standard Time).

Thank you,  
The Celebrate Canada Team

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## Postulez maintenant pour le Canada en fête

La période de candidature pour [Le Canada en fête](#) est maintenant ouverte. Vous pouvez présenter une demande de financement jusqu'au 21 novembre 2023 à 23 h 59 (heure du Pacifique).

### Le Canada en fête 2024

Nous vous recommandons de prendre connaissance des [lignes directrices révisées](#) avant de présenter votre demande. Les nouvelles lignes directrices sont disponibles sur le site web [Le Canada en fête](#).

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- Postulez maintenant sur [Mon compte Patrimoine canadien](#), ou en remplissant le formulaire de demande joint à ce courriel.
- Envoyez vos formulaires de demande dûment remplis et toutes questions à l'adresse suivante : [canada5k@pch.gc.ca](mailto:canada5k@pch.gc.ca).

## Présentez-vous une demande via Mon compte Patrimoine canadien ?

Si vous avez déjà [Mon compte Patrimoine canadien](#), veuillez ne pas créer de nouveau compte.

Si vous avez des difficultés à accéder à votre profil ou si vous avez besoin d'aide avec votre compte, veuillez communiquer avec le ministère à [info@pch.gc.ca](mailto:info@pch.gc.ca) ou par téléphone au 1-866-811-0055 du lundi au vendredi de 8 h 30 à 17 h 00 (heure normale de l'Est).

Merci,  
L'équipe le Canada en fête

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**CELEBRATE CANADA**  
**Application Form**  
**Deadline: November 21**

**Application must be received or postmarked by deadline date.**

Canadian Heritage provides financial support for events organized during the Celebrate Canada period, from June 21 to July 1. These events celebrate National Indigenous Peoples Day on June 21, Saint-Jean-Baptiste Day on June 24, Canadian Multiculturalism Day on June 27 and Canada Day on July 1.

Should you choose to complete this application, this form (with signature(s)) can be transmitted by e-mail to [canada5k@pch.gc.ca](mailto:canada5k@pch.gc.ca). Funding Application Forms received after the deadline will not be accepted.

**Privacy Notice**

The collection of personal information is authorized by the sections 4(2)b), 4(2)k.1) and 5 of the Department of Canadian Heritage Act and is required to provide funding to eligible groups across Canada who are celebrating: National Indigenous Peoples Day, Saint-Jean-Baptiste Day, Canadian Multiculturalism Day and Canada Day. Collection and use of this personal information are in accordance with the Privacy Act. The program will use this personal information to determine the eligibility of the applicant organization to the funding. The personal information collected is described in Personal Information Bank PCH PAC 015 - Celebration and Commemoration Program and will be retained for six (6) years. Failure to provide all required information may result in your application not being processed. Under the Privacy Act you have the right of access to, and correction of, your personal information. To exercise either of these rights, contact Canadian Heritage's ATIP Coordinator by email at [aiprp-atip@pch.gc.ca](mailto:aiprp-atip@pch.gc.ca). If you are not satisfied with Canadian Heritage's response to your privacy concern, you may wish to contact the Office of the Privacy Commissioner of Canada by telephone at 1-800-282-1376.

<b>PART A – ELIGIBILITY</b>
To be eligible for funding, you must agree to the following:  All events are free of charge and open to the public. No admission fees or donations will be requested.  <input type="radio"/> Yes, I agree (required)

<b>PART B – APPLICANT INFORMATION</b>
<b>1. General Information</b>
Organization's Legal Name
Organization's Client Name

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Organization's Former Name (if applicable)		
Telephone	Extension (optional)	Other Telephone
Email	Website (if applicable)	
In which official language do you wish to communicate?		
<input type="radio"/> English <input type="radio"/> French		

<b>2. Primary Address of the Organization</b>		
Primary Address – Number, street, post office box		
City	Province or Territory	Postal Code
Has the organization's address and/or phone number changed since the last submitted application?		
<input type="radio"/> Yes <input type="radio"/> No		

<b>3. Mailing Address of the Organization</b>		
Same as primary address? <input type="checkbox"/> Yes <input type="checkbox"/> No (complete below)		
Address – Number, street, post office box		
City	Province or Territory	Postal Code

<b>4. Person Authorized to Sign for the Organization</b>		
The authorized representative must be an individual with the authority to enter into contracts on behalf of the applicant organization and identified as such in the organization's official operating policies (e.g. financial policies, by-laws), or in an official motion from the organization's board or governing body.		
First Name	Last Name	
Title		
Telephone	Extension (optional)	Other Telephone
Email		

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<b>5. Contact Person for the Project</b>		
<input type="checkbox"/> Same as the person authorized to sign for the organization		
First Name	Last Name	
Title		
Telephone	Extension (optional)	Other Telephone
Email		
<b>6. Structure and Governance of Organization</b>		
Geographical area of operation of the organization		
<input type="checkbox"/> International <input type="checkbox"/> National <input type="checkbox"/> Provincial/Territorial <input type="checkbox"/> Regional <input type="checkbox"/> Local/Municipality <input type="checkbox"/> Other (specify) _____		
<b>7. Legal Status (required)</b>		
Is the organization a:		
<input type="radio"/> For-profit entity <input type="radio"/> Not-for-profit entity <input type="radio"/> Other (specify): _____		
Is your organization incorporated or applying for incorporation?		
<input type="radio"/> Yes <input type="radio"/> No (Please complete Part I – Unincorporated Applicant Acceptance of Responsibility Form)		
If the organization is incorporated or applying for incorporation, please provide the following information:		
<input type="checkbox"/> Federal <input type="checkbox"/> Provincial/Territorial <input type="checkbox"/> In process	Registration Number: _____	
	Date of Incorporation: _____	
	Date of Continuance (if applicable): _____	
<b>A copy of the certificate of incorporation must be provided.</b>		
Federal Business Number, GST, HST, or CRA Tax number (required if incorporated): _____		
See examples of a Federal Business Number here: <a href="http://Business number - Canada.ca">Business number - Canada.ca</a>		

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Select the attribute that applies to your organization (required)

- Official Language Minority Community
- Ethnocultural Community
- Indigenous Peoples' Community
- Not Applicable

What is the mandate and objective of the organization or group?

[Empty text area for response]

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**PART C – PROJECT INFORMATION**

Project Title

Please indicate which thematic days(s) your project celebrates (you must select at least one event).

- National Indigenous Peoples Day
- Saint-Jean-Baptiste Day
- Canadian Multiculturalism Day
- Canada Day (Event must be held on July 1)

Start date of celebrations

End date of celebrations

Funding request from Celebrate Canada

- \$5,000 or less

**Program objectives**

Which program objective(s) will your projects address? Choose the applicable response.

- Enable Canadians to appreciate Canada’s cultural, ethnic, linguistic and geographic diversity.
- Create opportunities for Canadians to participate in celebrations that create a sense of pride and belonging to Canada.

Describe how your organization plans to meet the selected program objective(s).

Please note whether members of diverse communities will be involved in the planning and/or programming of the event. Also note whether organizations serving diverse communities will be invited to partner with your organization to plan and/or manage the event (2800 characters) (required).

**Target Group**

In addition to the general public, the project will reach:

- Indigenous Peoples’ Communities
- Ethnocultural Communities
- Official-Language Minority Communities
- Youth

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Describe how your organization plans to conduct targeted outreach to the communities listed above. (required)  
Targeted outreach may include things such as: Recruiting volunteers from diverse communities, holding learning activities to promote diversity and planning events that highlight cultural, ethnic, linguistic and/or geographic diversity. (2800 characters)

Describe how your organization will make an effort to include members of the targeted communities in planning the events. (2800 characters)

Will you have partnerships and/or sponsors, including in-kind support?

Yes  No

#### Social Media

Please enter social media accounts related to the organization or the event.

Facebook	
Instagram	
Twitter / X	
YouTube	
Other	

## PART D – PROPOSED EVENT(S)

Note that priority is given to events held on the actual date of their Celebrate Canada designated day. In some circumstances, funded activities may be undertaken up to five days prior to the Celebrate Canada period, **except for Canada Day which has to be held on the designated day of July 1st.**

Only complete the sections for the day(s) you wish to celebrate.

### National Indigenous Peoples Day

Event Start Date: (format YYYY-MM-DD)

Event End Date: (format YYYY-MM-DD)

Please provide information regarding the [eligible](#) activities that will take place during your event. Include information such as description of the show, the protocol ceremony, entertainment, celebrations, games, fireworks, etc., (maximum 200 words)

Enter the total expected number of participants for this event:

If applicable, how many people attended the event last year?

Please provide one address where your main event will take place. If you cannot provide a specific address, please provide the intersection, park, postal code, or public space where your event is being held. This information may be used to promote your event.

Please provide the name of the public space where the event will be held:

Address

City

Province

Postal Code (required)

Google Maps Link for the main event (required)

**Saint-Jean-Baptiste Day**

Event Start Date:

Event End Date:

Please provide information regarding the [eligible](#) activities that will take place during your event. Include information such as description of the show, the protocol ceremony, entertainment, celebrations, games, fireworks, etc., (maximum 200 words)

Enter the total expected number of participants for this event:

If applicable, how many people attended the event last year?

Please provide one address where your main event will take place. If you cannot provide a specific address, please provide the intersection, park, postal code, or public space where your event is being held. This information may be used to promote your event.

Please provide the name of the public place where the event will be held:

Address:

City:

Province:

Postal Code (required)

Google Maps Link for the main event (required):

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Canadian Multiculturalism Day	
Event Start Date: (format YYYY-MM-DD)	Event End Date: (format YYYY-MM-DD)
<p>Please provide information regarding the <a href="#">eligible</a> activities that will take place during your event. Include information such as description of the show, the protocol ceremony, entertainment, celebrations, games, fireworks, etc., (maximum 200 words)</p>	
<p>Enter the total expected number of participants for this event</p>	
<p>If applicable, how many people attended the event last year?</p>	
<p>Please provide one address where your main event will take place. If you cannot provide a specific address, please provide the intersection, park, postal code, or public space where your event is being held. This information may be used to promote your event. (required)</p>	
<p>Please provide the name of the public place where the event will be held:</p>	
Address:	City:
Province:	Postal Code:
<p>Google Maps Link for the main event (required)</p>	

<b>Canada Day</b>	
Event Start Date: (Must be July 1 <sup>st</sup> , format 2024-07-01)	Event End Date: (Must be July 1 <sup>st</sup> , format: 2024-07-01)
Please provide information regarding the <a href="#">eligible</a> activities that will take place during your event. – Include information such as: description of the show, the protocol ceremony, entertainment, celebrations, games, fireworks, etc., (maximum 200 words)	
Enter the total expected number of participants for this event (required):	
If applicable, how many people attended the event last year?	
Please provide one address where your main event will take place. If you cannot provide a specific address, please provide the intersection, park, postal code, or public space where your event is being held. This information may be used to promote your event.	
Please provide the name of the public place where the event will be held:	
Address:	City:
Province:	Postal Code:
Google Maps Link for the main event (required)	

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## PART E - REQUIREMENTS

If you are successful in your funding request, you must respect a series of requirements in the carrying out of your event(s). Please answer the following questions regarding these requirements.

The expected number of participants for all events: 0

### Canadian Heritage acknowledgement and symbols

How will you acknowledge support from Canadian Heritage? At least one item must be selected. See the [Guide on the public acknowledgement of financial support](#) for more information.

- "Canada" wordmark and acknowledgement text
- Social media (Facebook, Twitter, Instagram etc.)
- Press releases
- Websites
- Advertisements and public service announcements
- Printed materials (flyers, ads, poster, etc.)
- Verbal acknowledgement
- Other (specify) \_\_\_\_\_

Will you use Canadian symbols? (required) \*Please note: Using Canadian symbols is not a requirement but is strongly encouraged. Visit the Symbols of Canada website for guidance.

- Yes
- No

### Official Languages Requirements

Canadian Heritage (PCH) is committed to take positive measures to enhance the vitality of the English and French linguistic minority communities in Canada as well as to support and assist their development, and to foster the full recognition and use of both English and French in Canadian society.

If you receive funding from PCH, you commit to being in compliance with the official languages obligations contained in your application and/or in your funding agreement.

Official language requirements:

- Acknowledge the Government of Canada's support for the project in English and in French.
- Basic information on the project will be available in English and French.

Yes, I agree

### Environmental Assessment Act

If you receive funding, your project may be subject to the provisions of the *Canadian Environmental Assessment Act, 2012*. If your activities are to be carried out on federal lands, contact your regional office for additional information prior to the start of your project.

### Acknowledgement of Government of Canada Financial Support

Organizations that receive funding from Canadian Heritage must publicly acknowledge, in English and in French, the financial support received from the Government of Canada in all communication materials and promotional activities related to the project, such as advertising, promotional and program materials, public announcements, speeches, website, social media, etc. The [Guide on the public acknowledgement of financial support - Canadian Heritage](#) will assist the Recipient in complying with the requirements.

**PART F – BUDGET \$5,000 AND LESS**

Please enter the project's planned expenses and the funding requested from Canadian Heritage (PCH) for each applicable expense item. (Note: Total Expenses must equal Total Revenues)

The following expense items cannot be requested from PCH: BBQ, food and beverages, alcohol license, prizes.

EXPENSES (cash only)		
	Total	Requested from PCH
BBQ, food, and beverages (only eligible for Canada Day activities held in the Territories or northern and remote communities)		\$0
Alcohol license (ineligible expense)		\$0
Prizes (ineligible expenses)		\$0
Traditional food (for Multiculturalism Day and National Indigenous Peoples Day only)		
Cake, plates, utensils, napkins		
Fireworks, light shows		
Entertainment		
Promotion, decorations, and signage		
Inflatable games		
Other (please specify):		
<b>TOTAL EXPENSES</b> The maximum that can be requested from PCH is \$5,000	\$0	\$0
REVENUES (cash only)		
Requested from PCH		\$0
Applicant contribution		
Municipal Government or Agency		
Provincial / Territorial Government		
Partners and Sponsors		
Other (please specify):		
<b>TOTAL REVENUES</b>		\$0
Note: Total planned expenses must equal total anticipated revenues.		

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## PART G – SUPPORTING DOCUMENTS

Please attach the following documents:

- The Funding Application is completed and signed (Parts A-E, Attestation)
- The Budget balances between Planned Expenses and Revenues
- (If unincorporated) The Unincorporated Applicant Acceptance of Responsibility form.

## PART H – DECLARATION / ATTESTATION

### Declaration

As the person that has the legal authority to bind and apply on behalf of the Applicant, I declare that:

- The information in the application is true, accurate and complete;
- I have all the necessary authorities to undertake the proposed project, or will obtain these authorities prior to the approval of the project;
- I and any person lobbying on my behalf to obtain funding are in compliance with the Lobbying Act and that no actual or potential, direct or indirect, contingency fee arrangement exists;
- No public servant or holder of public office, past or present, will derive a direct benefit from the approved funding in breach of the Values and Ethics Code for the Public Service or the Conflict of Interest Act;
- I will act in compliance with applicable statutes, laws, bylaws, regulations, orders, codes, standards directives and guidelines governing the activities for which funding is being sought; and
- I commit to take measures conducive to creating a workplace free from harassment, abuse and discrimination.

I acknowledge that:

- The submission of this Application does not constitute a commitment on the part of the Minister to award funding.
- Making a false declaration is a criminal offence.
- I authorize the Minister to disclose any information submitted in this Application within the Government of Canada or to outside entities, subject to applicable restrictions associated with privacy, confidentiality and security for the following purposes:
  - To reach a decision on the application; to support transparency, accountability and citizen engagement; and to respond to requests made under the Access to Information Act and the Privacy Act.

### Attestation

If funds are approved, as the person that has the legal authority to bind and apply on behalf of the Applicant, I agree that:

- This Application, the Funding Approval Letter, and any additional conditions agreed upon in a separate agreement, will constitute the entire agreement between myself (the Applicant) and the Minister of Canadian Heritage, effective as of the date of the Funding Approval Letter;
- Funding received, whether received as a grant or a contribution, may be audited by the Department to ensure funding conditions have been respected;
- This Agreement does not create a partnership, agency or joint venture and I shall not represent myself as an agent, partner or employee of the Department in carrying it out; and
- I will share results, as requested.

In addition, I shall:

- Use the funds only for the purposes specified in the Agreement;
- Indemnify the Minister from any claim or cause of action arising from injury, damage, or death sustained in carrying out this Agreement; and
- Publicly acknowledge the funding.

Yes, I agree.

#### Authorized Signature(s)

\_\_\_\_\_

Name of the authorized signatory (please print) (required)

\_\_\_\_\_

Title (required)

\_\_\_\_\_

Authorized Signature (handwritten or digital signature)

\_\_\_\_\_

Date: (format YYYY-MM-DD)

\_\_\_\_\_

Name of the authorized signatory (optional)

\_\_\_\_\_

Title (optional)

\_\_\_\_\_

Authorized Signature (optional)

\_\_\_\_\_

Date: (format YYYY-MM-DD) (optional)

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## Unincorporated Applicant Acceptance of Liability

Complete this form if your organization is unincorporated.

Organization's Legal Name (as entered in Part A)	
Project Title	
<p>Where the organization/group is not incorporated, it is agreed that all members of the organization/group named above shall undertake to be personally, jointly, and severally liable for all obligations, covenants, promises, liability, and expenses arising out of the financing, which may be granted to the organization/group. <b>This form requires signatures of a majority of representatives.</b></p> <p>The unincorporated organization/group must open a bank account in the name of its group (organization/group's name) (required). In the event that funding should be awarded by the Department of Canadian Heritage, a payment will be issued in the organization/group's name.</p> <p><b>We, the undersigned, are the majority representatives of the organization/group.</b></p>	
Organization or Group Members	
Authorized Representative: person(s) who has/have authority to sign legally binding documents on behalf of the organization or group (such as the contribution agreement).	
<b>Representative 1</b>	<b>Representative 2</b>
Name and Title	Name and Title
Authorized Representative <input type="radio"/> Yes <input type="radio"/> No	Authorized Representative <input type="radio"/> Yes <input type="radio"/> No
Residential Address (include city, province and postal code)	Residential Address (include city, province and postal code)
Signature	Signature
<b>Representative 3</b>	<b>Representative 4 (if applicable)</b>
Name and Title	Name and Title
Authorized Representative (required) <input type="radio"/> Yes <input type="radio"/> No	Authorized Representative (required) <input type="radio"/> Yes <input type="radio"/> No
Residential Address (include city, province and postal code)	Residential Address (include city, province and postal code)
Signature	Signature

 <b>Direct Deposit Enrollment or Change Request</b> <b>Demande d'inscription ou de changement au dépôt direct</b>			
<b>PART A / PARTIE A</b>			
<i>Please keep Canadian Heritage or Parks Canada informed of any changes to your account (Mailing address or bank account)</i> <i>Veillez informer Patrimoine canadien ou Parcs Canada de tout changement à votre compte (adresse ou information bancaire).</i>			
Department / Département		Select / Sélection	
Identification Number / Numéro d'identification		Select / Sélection	
Legal Name / Nom légal		Number # / Numéro #	
Address / Adresse			
City / Ville			
Country / Pays			
Province or / Region (Int'l)		Postal Code / Code postal	
Telephone Number / Numéro de téléphone			
Email / Courriel			
Language Preference / Préférence linguistique		Select / Sélection	
<b>PART B / PARTIE B</b>			
<i>Please attach a banking letter or a blank cheque for your bank account with "VOID" written on it. If a void cheque cannot be attached, please ensure PART C is completed /</i> <i>Veillez joindre une lettre bancaire ou un de spécimen de chèque incluant l'information bancaire et portant la mention "NUL".</i> <i>Si un chèque n'est pas disponible, veuillez vous assurer que la PARTIE C soit complétée.</i>			
<i>Please ensure that the name on the cheque is the legal name / Veuillez vous assurer que le nom sur le chèque est le nom légal.</i>			
The information provided is protected under the Privacy Act / L'information fournie est protégée en vertu de la Loi sur la protection des renseignements personnels.			
I, as the authorized representative of the above organisation, authorize the Receiver General for Canada to deposit the payment(s) directly into the above account until further notice / En tant que représentant(e) autorisé(e) de l'organisme ci-dessus, j'autorise le Receveur général du Canada à déposer tous paiement(s) directement dans le compte inscrit ci-dessus, à moins d'avis contraire de ma part.			
<input type="text"/>		Date of signature / Date de signature	
Print name / Nom en lettres moulées:			
<b>PART C / PARTIE C</b>			
<i>If you did not include a voided cheque, you must ensure to have the original bank stamp on the form confirming the banking information entered in Part C of this form /</i> <i>Si vous n'avez pas inclus un chèque original, vous devez vous assurer d'avoir l'étampe original de la banque qui confirme l'information bancaire inscrite à la Partie C du formulaire.</i>			
Branch Number / Numéro de la succursale		Financial Institution Stamp Here (for Validation) / Cachet de l'institution financière ici (pour Validation)	
Institution Number / Numéro de l'institution			
Account Number / Numéro de compte			
Name(s) of account holder(s) / Nom(s) du(des) titulaire(s) du compte			
<b>PART D / PARTIE D</b>			
<b>Wire Transfer / Virement bancaire</b> Wire Transfer is available in select countries upon receipt of Wire Transfer Information Le virement bancaire est disponible dans certains pays dès réception des Informations sur le virement bancaire			
<b>PART E / PARTIE E</b>			
<b>Need help? / Besoin d'aide?</b> For further information on direct deposit, please contact the STAR Helpdesk by email or by telephone at (819) 953-8822 Pour tout renseignement sur le dépôt direct, veuillez contacter le bureau d'aide STAR par courriel ou par téléphone au (819) 953-8822.			

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## Royal Canadian Legion Branch No. 132 (Onoway)

4808 – 50 Street  
P.O. Box 471, Onoway, Alberta T0E 1V0

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October 16, 2023

Summer Village of Sunrise Beach  
Box 1197  
Onoway AB T0E 1V0

Attention: Ms. Wendy Wildman, Chief Administrative Officer

Dear Ms. Wildman:

### Re: Remembrance Day 2023 – Onoway Community Service

On behalf of Branch 132 (Onoway) of the Royal Canadian Legion, it is my honour and privilege to invite your municipality to attend our annual community service in commemoration of Remembrance Day, organized by our Legion Branch.

The official ceremony will be held at the Alliance Activity Centre in the Onoway Heritage Centre, located at 4708 Lac Ste. Anne Trail North, in the Town of Onoway, commencing at 10:30 am on **Saturday, November 11, 2023**.

The ceremony will be followed by a reception at the Legion Hall, located at 4808 - 50th Street in Onoway.

We would be honoured if your Mayor or another representative from Council, would attend this important annual event and lay a wreath on behalf of your municipality.

Please let us know by **Monday, November 6, 2023**, if you or a representative can attend by contacting me at the coordinates below.

Yours truly,

Edward Gallagher  
President  
[president@onowaylegion132.com](mailto:president@onowaylegion132.com)  
780-297-2203

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# Summer Village of Sunrise Beach

## Report to Council

**Meeting:** October 24, 2023 - Regular Council Meeting

**Originated By:** Tony Sonnleitner, Development Officer, Summer Village of Sunrise Beach.

### Development Permits:

**23DP05-44**

**Plan 3503 KS, Block 1, Lot 3 : 6103 Willow Way**

Removal of an Existing Building (32.7 sq. m.)

Currently the building remains in place.

History:

March 9, 2023 – Application to leave building “as-site” refused by the Development Authority.

May 9, 2023 – Decision of the SDAB to uphold the refusal of Development Permit 23DP01-44.

Summer 2023 – Despite the decision of the SDAB, Council in an effort to work with the landowner, did not pursue enforcement of the decision while site conditions (wet, with soft ground; both on the site and the adjacent Municipal Roadway) were not conducive to the orderly undertaking of the works to remove the building.

Fall 2023 – The building has still not been removed. The Municipality is in a legal position to have the building removed by the Court. Administration and the Development Authority seek guidance from Council with respect to the timelines wherein additional efforts should be employed to achieve the ends of the Board decision.

### Letters of Compliance:

None

### Bylaws:

None

Regards,

Tony Sonnleitner, Development Officer

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Attention: Chief Administrative Officers, Municipal Clerks, and Census Coordinators

Re: Municipal Census Regulation and Municipal Census Manual

In 2019, the Government of Alberta announced its intention to move from municipal census counts to population estimates for the purposes of allocating provincial grants to municipalities. Over the last several months, former Minister of Municipal Affairs Ric McIver and I have both heard that municipalities strongly prefer that we revert to the recognition of municipal census counts. As a result of that feedback, and after consultation with my colleague the Honourable Travis Toews, President of Treasury Board and Minister of Finance, I am pleased to announce the approval of the Municipal Census Regulation and Municipal Census Manual.

The attached regulation and manual not only outline municipal census requirements, but also incorporate the feedback we have received since 2019, including updating the definitions of "usual residence" and "shadow population." In addition, we have extended the period for enumeration, and for how long the ministry will recognize a municipal shadow population count.

The manual was developed in partnership with Statistics Canada and addresses many of the concerns identified by you, our municipal partners. The manual, when used alongside the Municipal Census Regulation, provides municipalities with the tools necessary to conduct a municipal census that is consistent with best practices and ensures an accurate population count.

Some of the more notable enhancements over previous versions include:

- standardized methodology to enumerate persons with no usual residence;
- alignment of collection methodologies to reflect best practices and key learnings from the most recent federal census;
- updates to key census definitions including usual residence and shadow population;
- standardized approach to enumerating shadow population;
- the ability to include an estimated resident count for non-contacted dwellings and refusals recognized as part of the population total;
- a mechanism to review population submissions and verify population counts; and
- several other textual changes to the included forms, templates, and materials.

The new regulation and census manual will allow municipalities to conduct a census in 2024. Following the submission of the 2024 results, my department will be reaching out to you in an effort to capture what worked well, and what could be improved.



If you have any questions or would like additional information regarding the regulation or manual, please contact a Municipal Information Advisor by email at [ma.updates@gov.ab.ca](mailto:ma.updates@gov.ab.ca) or by telephone, toll-free by first dialing 310-0000, then 780-422-2555.

Sincerely,



Rebecca Schulz  
Minister

Attachment: Municipal Census Regulation and Manual

AS



ALBERTA  
MUNICIPAL AFFAIRS

Office of the Minister  
MLA, Calgary-Shaw

MINISTERIAL ORDER NO. MSD:001/23

I, Rebecca Schulz, Minister of Municipal Affairs, pursuant to Section 604 of the *Municipal Government Act*, make the Municipal Census Regulation as set out in the attached Appendix.

Dated at Edmonton, Alberta, this 28<sup>th</sup> day of March, 2023.

Rebecca Schulz  
Minister of Municipal Affairs

FILED UNDER  
THE REGULATIONS ACT  
88 ALBERTA REGULATION 88/2023  
ON APRIL 6 20 23  
  
DEPUTY REGISTRAR OF REGULATIONS

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(2) For the purposes of this Regulation, the "usual residence" of a person is a location within a municipal authority with a residential street address or physical address that

- (a) is the main dwelling site of the person on census day, and
- (b) is the place where the person lives and sleeps and to which, when the person is absent from it, the person intends to return.

(3) Notwithstanding subsection (2),

- (a) the "usual residence" of a person who has been in an institution, such as a correctional institution or hospital, for less than 6 months is deemed to be the place that was the person's usual residence before the person entered the institution, and
- (b) a student who
  - (i) is in attendance at an educational institution within or outside Alberta,
  - (ii) is residing in a place temporarily for the purpose of attending an educational institution, and
  - (iii) has family members who are usually resident in Alberta and with whom the student usually resides when not in attendance at an educational institutionis deemed to reside with those family members.

#### **Municipal Census Manual**

2 The Minister, by order, shall issue a Municipal Census Manual and may amend the Manual from time to time.

#### **Census rules**

3(1) A municipal authority that wishes to conduct a municipal census must

- (a) notify the Minister's department by February 28 of the year in which the census will be conducted that the municipal authority will be conducting a municipal census and whether the municipal authority will count the

shadow population of the municipal authority when conducting the census,

- (b) choose a census period and census day before beginning enumeration,
- (c) ensure that the person in charge of the census swears or affirms the oath prescribed in the Municipal Census Manual prior to the census being conducted,
- (d) ensure that all census enumerators complete the statement of a census enumerator prescribed in the Municipal Census Manual prior to undertaking work on the census,
- (e) conduct the census in accordance with this Regulation and the Municipal Census Manual, and
- (f) submit the results of the census in the form prescribed by the Municipal Census Manual before September 1 of the year in which the census was conducted.

(2) Notwithstanding subsection (1), if a municipal authority wants to conduct a census that is not in accordance with this Regulation and the Municipal Census Manual and have the results recognized by the Minister as the population of that municipal authority, the municipal authority must receive the Minister's approval prior to February 28 of the census year.

#### **Shadow population**

**4(1)** Subject to subsection (2), if the shadow population in a municipal authority is

- (a) greater than 1000 persons, or
- (b) less than 1000 persons but greater in number than 10% of the permanent population,

and the municipal authority has submitted its shadow population count to the Minister in the form prescribed by the Municipal Census Manual by no later than September 1 of the census year, a municipal authority may have the shadow population count included as part of the municipal authority's population total.

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(2) The Minister shall determine whether the shadow population count in a municipal authority will be included as part of the municipal authority's population total.

(3) A shadow population count that is included in a municipal authority's population total shall be removed from the municipal authority's population total on the release of the next federal census for the municipal authority.

**Review of census results**

5 The Minister may direct a municipal authority to provide information regarding a municipal census to the Minister, in the form and manner determined by the Minister, for the purposes of reviewing a municipal census result.

**Change in geographic area**

6 If the geographic area of a municipal authority changes after June 30 in a year in which the municipal authority has conducted a municipal census, the Minister may require the municipal authority to update the results of the census and submit the updated results to the Minister in accordance with the directions of the Minister.

**Use of census data**

7 The Minister may use the results of a municipal census and shadow population count to determine the population of a municipal authority, as published by the Minister's department from time to time.

**Expiry**

8 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on November 30, 2032.

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## EPR Registration

Wildwillow Enterprises <angela@wildwillowenterprises.com>

Thu 10/12/2023 2:18 PM

To:wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>;ddm@kronprinzconsulting.ca <ddm@kronprinzconsulting.ca>;Summer Village Office <administration@wildwillowenterprises.com>;tori wildwillowenterprises.com <tori@wildwillowenterprises.com>;swwestcove@outlook.com <swwestcove@outlook.com> Cc:svsouthview@outlook.com <svsouthview@outlook.com>

Hello all,

I want to make sure that everyone is aware of what is going on with EPR so that all our communities have an opportunity to register.

First, for anyone who is unaware, Extended Producer Responsibility (EPR) shifts the cost of residential recycling from municipalities to producers and is being implemented in 2 phases. Phase 1 will see producers become responsible for collecting recycling (paper and packaging products (PPP) and Hazardous and Special Products (HSP)) in Municipalities who currently have curbside pick up or depot service and will come into effect April 1, 2025. Phase 2 will see producers become responsible for residential collection (curbside or depot) in all municipalities as of Oct 1, 2026.

While this seems far away, municipalities must register to become a part of the EPR system and registration is now open and will remain open until Dec 31, 2023. There will be a second intake after this date, but this could mean delayed access to services, especially for any municipalities who currently have collection or depot service. Registration is a 2-part system and is being done by ARMA, as they are responsible for the EPR program.

Municipalities must pre-register, this should take 10-15 minutes, and allows ARMA to send you more information on EPR, the registration process, and the spreadsheet that needs to be completed to officially register. This can be done without direction from Council. The second step is to register for EPR and this is likely something that should go to Council, after you have the information from the pre-registration. Council also has the option to make a motion designating another entity (like a Regional Waste Commission or another municipality) as a community authority so that they can register on the community's behalf. The link to pre-register can be found at <https://www.albertarecycling.ca/epr-oversight/>.

Have a great day,

Angela

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## Fwd: Emergent resolution on LGFF Capital

svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

Wed 9/20/2023 9:24 AM

To: wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>; jon@rideriverside.com <jon@rideriverside.com>; Mike Benson <mikeforcouncil21@gmail.com>; ibs\_ab@telus.net <ibs\_ab@telus.net>

📎 1 attachments (164 KB)

ABmunis Emergent Resolution - E2 - Adequate Level of Provincial Funding for Community Infrastructure.pdf;

Get [Outlook for iOS](#)

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**From:** Cathy Heron <president@abmunis.ca>

**Sent:** Wednesday, September 20, 2023 8:47:45 AM

**To:** svsunrisebeach wildwillowenterprises.com <svsunrisebeach@wildwillowenterprises.com>

**Subject:** Emergent resolution on LGFF Capital

Dear Mayors and CAOs:

Attached is an emergent resolution that will be presented at Alberta Municipalities' Convention next week for member approval. The resolution is sponsored by ABmunis Board of Directors based on our concerns about the future of Alberta's communities if the Government of Alberta does not increase the starting amount of the Local Government Fiscal Framework (LGFF) Capital funding program before it begins in 2024.

The resolution details the rationale for our advocacy for the province to increase its investment in municipalities so we can be partners in ensuring Alberta continues to be a choice place to live and do business, but here are some highlights:

- In 2011, the Government of Alberta provided a total of \$420 per capita in provincial funding for municipal infrastructure. Since then, that amount has consistently dropped to only \$151 per capita in 2023.
- In 2011, funding for municipal infrastructure represented 3.7% of the province's spending. Today, it only accounts for 1% of provincial spending.
- If the 2011 level of provincial funding had kept pace with inflation, then municipalities would have received \$2.1 billion this year. Instead, municipalities will only receive \$712 million in community infrastructure funding in 2023.
- Since LGFF will represent the bulk of provincial funding and it will be linked to the growth of provincial revenue, and the fact that the province has set the starting amount of LGFF Capital at 36 per cent lower than the historical average of MSI, it could take about 20 years for LGFF Capital to return to the same funding level that was in place under MSI from 2010 to 2019.

Members passed a resolution at our 2022 Convention that called for an increase in LGFF Capital, but it did not quantify the amount. Building on that resolution, ABmunis' Board is now seeking member support to advocate for the starting amount of LGFF Capital to be set at \$1.75 billion. We recognize this is not a small

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ask but we are pleased that the Rural Municipalities of Alberta is also aligned in calling for a similar level of funding. The ask is also well below the \$2.5 billion that municipalities collect from local ratepayers on behalf of the province in the form of education property taxes.

While we have been working with the Minister of Municipal Affairs on the development of an LGFF allocation formula, the size of the funding pot will be the primary determinant of how much funding your community receives in 2024 or any year thereafter. Therefore, we encourage you to support this resolution when it comes up for a vote at Convention on September 28.

The attached resolution is also available in an updated version of our 2023 resolutions book available on our [resolutions webpage](#) along with detailed instructions on how to participate in the resolutions debate and voting process.

If you have any questions about the resolution, please reach out to your board member or [advocacy@abmunis.ca](mailto:advocacy@abmunis.ca).

Thank you,

**Cathy Heron | President**

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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.*

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## E2: Adequate Level of Provincial Funding for Community Infrastructure

Moved by: Alberta Municipalities Board of Directors

Seconded by: N/A

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WHEREAS Albertans rely on public infrastructure for a broad spectrum of daily uses including transportation, access to safe water, removal of wastewater, fire and emergency services, recreation facilities, public buildings, and other day-to-day public services provided by municipal governments across Alberta;

WHEREAS the Government of Alberta plans to replace the Municipal Sustainability Initiative (MSI) Capital with a new municipal infrastructure funding program in 2024 called the Local Government Fiscal Framework (LGFF) Capital program and LGFF Capital will represent the bulk of infrastructure funding that the Government of Alberta provides to municipalities;

WHEREAS the LGFF Capital program will meet ABmunis' principles for increased predictability and responsiveness; however, the program does not meet the principle of revenue adequacy because the starting amount of funding in 2024 is set to be \$722 million, which is 36 per cent lower than the historical funding average under the MSI program and does not compensate for changes in Alberta's population and inflationary changes in the cost of construction and materials;<sup>1</sup>

WHEREAS municipal governments have limited fiscal capacity to generate the revenue needed to maintain existing infrastructure as well as build new infrastructure to support community growth;

WHEREAS the Government of Alberta currently collects \$2.5 billion in property taxes, an amount that Budget 2023 signals will increase by a rate determined by combination of inflation and population, which further limits municipalities own revenue generation potential without unduly burdening Alberta homeowners and renters;<sup>2</sup>

WHEREAS Alberta's population has grown at an average of 1.8 per cent annually since 2011<sup>3</sup>, but provincial investment in community infrastructure has declined over that same period;

WHEREAS Alberta's population continues to grow with the province's "Alberta is Calling" campaign helping to contribute to a 3.5 per cent increase in Alberta's population between July 2022 and July 2023 and the Government of Alberta estimates that population growth will be up to 4.4 per cent in 2023;<sup>4</sup>

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<sup>1</sup> The historical average of the Municipal Sustainability Initiative (including the Basic Municipal Transportation Grant) was \$1.13 billion per year between 2011 to 2020 before the Government of Alberta front-loaded the 2022 and 2023 funding years in 2021.

<sup>2</sup> Government of Alberta's 2023-2026 Fiscal Plan, page 66.

<sup>3</sup> ABmunis calculations using Statistics Canada Table 17-10-0005-01 (2011-2022) and Table 17-10-0009-01 (2023)

<sup>4</sup> Statistics Canada. Table 17-10-0009-01 Population Estimates and the Government of Alberta's 2023-24 First Quarter Fiscal Update and Economic Statement.

**WHEREAS** in 2011, the Government of Alberta delivered \$420 per capita across all municipal capital funding programs, but that level of investment has trended downward since that time to only \$151 per capita in 2023-24 and will only rise to a projected amount of \$180 per capita in 2024-25;<sup>5</sup>

**WHEREAS** over the last decade, the province has placed a lower priority on funding community infrastructure with total municipal capital funding dropping from 3.7 per cent of provincial spending in 2011-12 to only 1.0 per cent of budgeted spending in 2023-24;<sup>6</sup>

**WHEREAS** the quality of community infrastructure is a critical factor in the quality of life offered in Alberta's communities and is a key element to create a competitive advantage to attract and retain people, families, workers, and business investment in Alberta;

**WHEREAS** the Government of Alberta is making great efforts to encourage people to move to Alberta but there needs to be a corresponding increase in investment in community infrastructure to support new and existing residents;

**IT IS THEREFORE RESOLVED THAT** Alberta Municipalities advocate for the Government of Alberta to restore municipal infrastructure funding to an adequate level by setting the new Local Government Fiscal Framework Capital funding program at a starting amount of \$1.75 billion when the program begins in 2024.

**BACKGROUND:**

Since ABmunis' initial work to design an infrastructure funding program to replace MSI, ABmunis has been consistent in our principles that LGFF:

1. deliver an adequate level of funding,
2. be responsive to changes in Alberta's economy and community needs,
3. provide increased predictability for municipalities to plan for their financial future, and
4. be embedded in legislation for improved stability of the program.

The Government of Alberta has delivered all of the principles, with the exception of funding adequacy.

ABmunis appreciates that the Government of Alberta acted on the calls from municipalities to remove the 50 per cent cap on the revenue growth index factor calculation. However, the starting

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<sup>5</sup> Figures are based on ABmunis calculations using the total of capital funding programs delivered by the Government of Alberta, excluding funding from the Government of Canada that flows through the Government of Alberta. Figures are sourced from the Government of Alberta's annual fiscal plans and consist of the Municipal Sustainability Initiative Capital, Basic Municipal Transportation Grant, Water for Life, Municipal Water and Wastewater Partnership, Strategic Transportation Infrastructure Program, First Nations Water Tie-In Program, GreenTRIP, Alberta Community Resiliency Program, and the Municipal Stimulus Program. Population is based on Statistics Canada Table 17-10-0005-01, Population Estimates on July 1<sup>st</sup>. The projection for 2024-25 is based on targets presented in the Government of Alberta's 2023 Fiscal Plan and estimated population based on the average annual change from 2011 to 2023.

<sup>6</sup> ABmunis calculations using total provincial expenditures reported in the Government of Alberta's 2023-2026 Fiscal Plan, page 164. Infrastructure spending is based on total municipal capital funding programs delivered by the Government of Alberta, excluding funding from the Government of Canada that flows through the Government of Alberta (same funding programs listed in footnote 5).

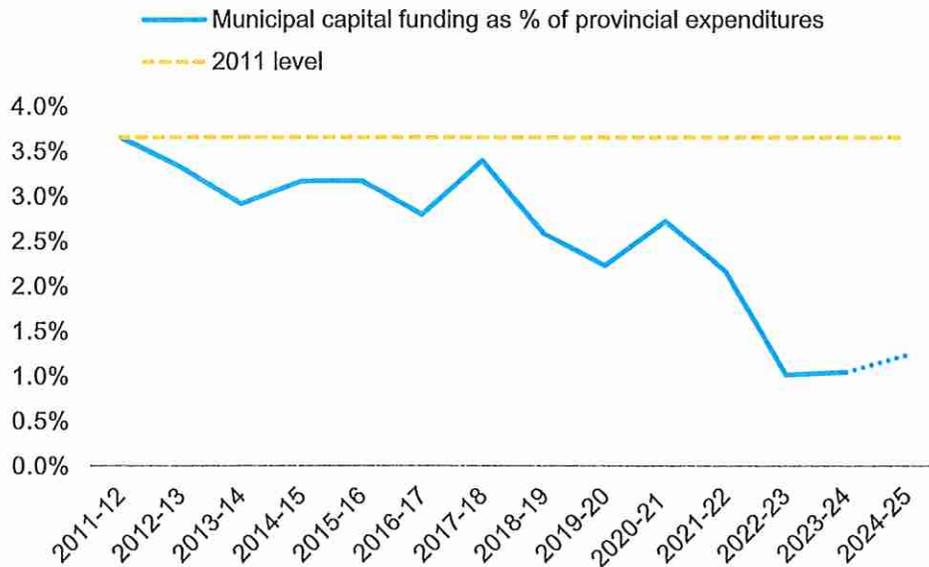
amount of the LGFF funding pot is the primary determinant of what level of funding municipalities will receive into the future.

For example, if the Government of Alberta's revenue grows at the rate seen between 2008 and 2020, then it will take about 20 years for LGFF Capital to return to the same funding level that was already in place under MSI from 2010 to 2019.<sup>7</sup> This doesn't consider the significant shortfall municipalities will face to address inflationary increases in the cost of infrastructure and new growth needs associated with a rising population over the upcoming decades.

ABmunis' members have called for an increase in LGFF since the *Local Government Fiscal Framework Act* was passed in fall 2022. The purpose of this resolution is to define what funding increase is necessary for LGFF Capital to address community needs and that will be considered acceptable by municipalities. The request for the LGFF Capital funding pot to be increased from \$722 million to \$1.75 billion is based on three metrics:

**1. Capital Funding as a Percentage of Provincial Expenditures**

In 2011-12, provincial capital funding for municipalities represented 3.7 per cent of provincial expenditures. In 2023-24, that figure has dropped to about 1 per cent and is forecasted to be 1.2 per cent in 2024 when LGFF is implemented. If the province committed to reinstate municipal capital funding to 3.7 per cent of provincial expenditures, then LGFF should be \$2.4 billion.<sup>8</sup>



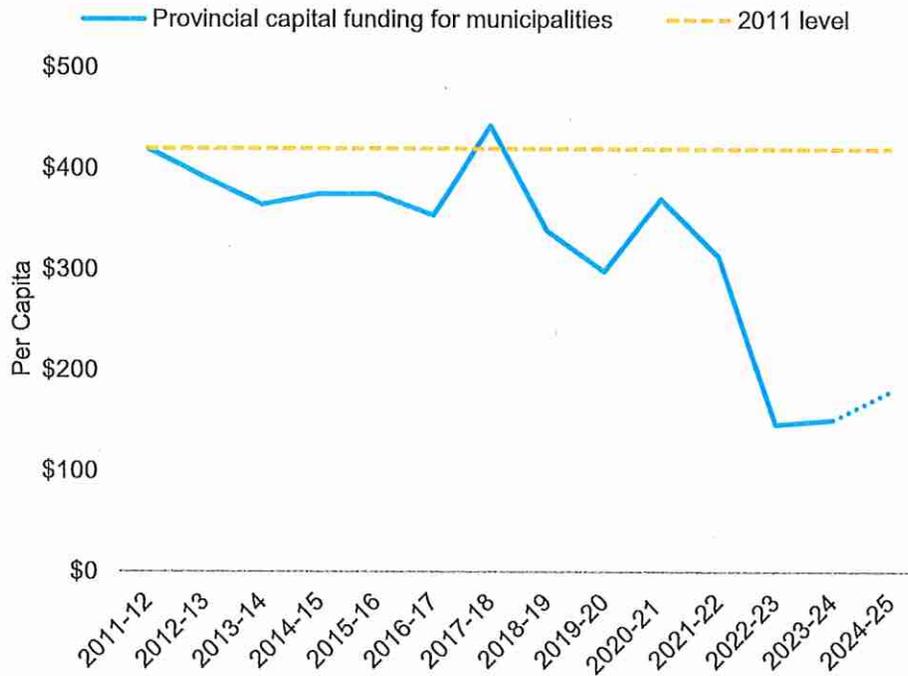
<sup>7</sup> Between 2008 and 2020, the Government of Alberta's revenue grew at an average annual rate of 1.1%. If the same growth rate is projected against an LGFF funding pot of \$722 million, it would take until the year 2043 until LGFF reaches a funding amount of \$1.1 billion, which was the average of MSI between 2010-2019. The 2021 and 2022 years were excluded from the calculation of annual average changes in provincial revenue due to the unique increase in resource revenues in those years.

<sup>8</sup> Refer to footnotes 5 and 6.

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**2. Capital Funding per Capita**

In 2011, provincial capital funding for municipalities amounted to \$420 per capita. In 2024, the total provincial capital funding for municipalities is forecasted to be only \$180 per capita. If the province committed to reinstate funding per capita to the 2011 level, then LGFF should be \$1.9 billion.<sup>9</sup>



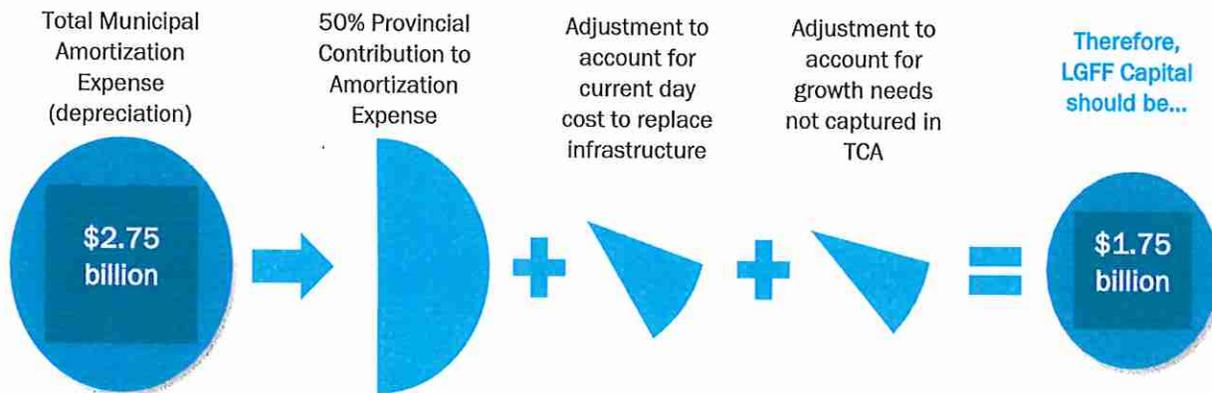
<sup>9</sup> Figures are based on ABmunis calculations using the total of capital funding programs delivered by the Government of Alberta, excluding federal funding that flows through the Government of Alberta. Funding figures are sourced from the Government of Alberta’s annual fiscal plans and consist of the Municipal Sustainability Initiative Capital, Basic Municipal Transportation Grant, Water for Life, Municipal Water and Wastewater Partnership, Strategic Transportation Infrastructure Program, First Nations Water Tie-In Program, GreenTRIP, Alberta Community Resiliency Program, and the Municipal Stimulus Program. Population from 2011-2023 is sourced from Statistics Canada Table 17-10-0005-01 and Table 17-10-0009-01 and 2024 is estimated based on the average annual change from 2011 to 2023.

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### 3. Funding Depreciation Cost of Community Infrastructure Plus Growth Needs

Municipal governments manage 53 per cent of Alberta’s public infrastructure but collect significantly less taxes from Albertans compared to the Government of Alberta and the Government of Canada.<sup>10</sup> With the inadequacies of the municipal property tax system and the revenue generating capacity of the provincial government, there is a strong argument that the province should be responsible for at least 50 per cent of community infrastructure costs.<sup>11</sup>

In 2021, amortization expense from all municipalities totaled \$2.75 billion. This is a fair indicator of how much needs to be spent annually to maintain community infrastructure. But those figures must be adjusted upwards to reflect the current day cost to replace that existing infrastructure plus add the cost to build new infrastructure to support the growth in Alberta’s population. When rolled together, the figures support ABmunis’ request for LGFF to be \$1.75 billion.



Alberta Municipalities acknowledges that asking the Government of Alberta to increase investment in community infrastructure by \$1 billion is a significant request. However, the figures demonstrate how provincial support for community infrastructure has declined over time, Alberta continues to be a place of growth, and there will be significant long-term consequences in terms of future costs to Albertans and challenges to retain people if the construction of infrastructure continues to be deferred.

#### Replacement of Provincial Property Taxes

In addition to these three metrics, municipalities are increasingly concerned with the amount of provincial property taxes that are extracted from municipalities with lower levels of grant funding being returned. When MSI was created in 2007, the program was intended to return all provincial property taxes to municipalities in the form of funding for local infrastructure. At the time, the Government of Alberta was collecting \$1.4 billion in provincial education property taxes and

<sup>10</sup> Ownership of public infrastructure is measured by the reported the historical cost of tangible capital assets excluding land. Figures are based on ABmunis’ calculations using Alberta Municipal Affairs’ 2021 Financial Information Returns – Schedule G(4) with the total of all municipalities and the Government of Alberta’s 2021-22 Annual Financial Report, Schedule E14.

<sup>11</sup> The Government of Alberta’s 2023 Fiscal Plan (page 121) states that Alberta has a tax advantage of \$19.7 billion compared to other provinces.

planned to deliver \$1.4 billion in MSI to municipalities starting in 2010. On top of that, the province was delivering hundreds of millions of dollars of other capital funding programs to municipalities.

Since then, provincial education property taxes have grown to \$2.5 billion and the total of all provincial capital funding to municipalities in 2023 was significantly less at only \$712 million. This is concerning because increases in provincial property taxes constrain a municipality's flexibility to increase property tax to fund municipal services and at the same time, there is less infrastructure funding coming back from the Government of Alberta.

The Government of Alberta recognizes that changes are needed. Premier Smith's August 2023 mandate letter to the Honourable Ric McIver, Minister of Municipal Affairs directs the Minister to review "the feasibility of amending the education property tax to assist municipalities with retaining more funding for local priorities". The scope and outcome of that review is unknown and is likely many years away and therefore, an increase in the LGFF Capital program is the best solution to fund community infrastructure in Alberta until there are any meaningful changes in provincial education property taxes.

**ALBERTA MUNICIPALITIES COMMENTS:**

ABmunis members approved a 2022 resolution on [Provincial-Municipal Revenue Sharing](#) that calls for the Government of Alberta to increase LGFF funding but it does not quantify the amount that would be acceptable to support current and future community needs.

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Royal Canadian Mounted Police

Commanding Officer  
Alberta



Gendarmerie royale du Canada

Commandant  
de l'Alberta

September 22, 2023

Summer Village of Sunrise Beach  
Mayor John Ethier  
PO Box 1197  
Onoway, Alberta  
T0E 1V0

Dear Mayor Ethier:

**Re: Alberta Police Funding Model Resource Allocation**

As you are aware, the Police Funding Model is in its fourth year of implementation. Funding provided to us from the Police Funding Model has allowed your provincial police service to grow, enabling us to deploy additional resources and implement new initiatives and technology focused on enhancing community safety.

I am pleased to advise you that as a result of the funding received in the fourth year of the Police Funding Model, we have been able to increase the resource strength in the Morinville detachment by adding one regular member position. Through the first three years of implementation, we also added one regular member position at the Morinville detachment. This will not only increase the number of resources serving your summer village, but also enhances frontline services within the detachment.

Alongside the resources added to your detachment, the additional funding has also enabled us to supplement specialized units and services that support your summer village. This includes additional positions for intelligence analysts, specialized investigative and support teams, Police Dog teams, and the Emergency Response Teams, among others. Although resources allocated to these areas are not always visible within your summer village, by providing ongoing support to detachments, taking on complex and sensitive files, and supplying specialized skills in serious or dangerous incidents, their work helps to keep your summer village safe and enables detachment members to focus on frontline policing. We have also invested in a number of resources to support your detachment's efforts to address the root causes of crime, increasing resources in programs and partnerships focused on mental health and addictions.

I want to assure you that filling frontline positions is a top priority for the Alberta RCMP.

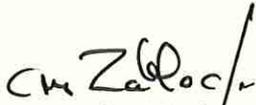
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Canada

Should you have any questions, please feel free to contact me, or Nina Sahasrabuddhe,  
Executive Director of Strategy, Business and Innovation, at 780-412-5382.

Thank you for the ongoing support you provide to your detachment.

Yours truly,



C.M. (Curtis) Zablocki, M.O.M.  
Deputy Commissioner  
Commanding Officer, Alberta RCMP

11140 – 109 Street  
Edmonton, AB T5G 2T4

Telephone: 780-412-5444  
Fax: 780-412-5445

C.C.: S/Sgt. Chris Palfy, Morinville Detachment Commander  
C/Supt. Mike Good, Central Alberta District Officer

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# 2024 Budget Overview



## Introduction

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Integrated planning is the process that links mission, vision, values and priorities to coordinate and drive all planning and resource allocation operations.

Determining the cost of YRL's routine expenses (organizational commitments and operations) while balancing strategic planning efforts (Plan of Service initiatives) is a part of the annual budget process.

Not all components of the strategy will need more direct funding. Some tasks might need new processes or procedures, as well as a reallocation of resources (staff time).

## Budget Process

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- o Accounting assessed organizational commitments, projected interest rates and inflationary increases based on the current situation and average actual expenses over past four years.
- o Managers confirmed organizational commitments (license agreements, professional consultation), projected staffing requirements and assessed projects based on operational commitments and strategic priorities.
- o Administration reviewed requests and rationale, adjusted budget amounts, and evaluated plans with consideration of the ad-hoc Finance Committee recommendations.
- o Budget line items are reviewed as either 'routine' (operational or organizational commitments) and 'strategic' (directly related to the Plan of Service – initiatives, new directions, innovation or strategic direction to move the organization forward).

As an outcome of funding these initiatives, we expect results in quality, improvement, growth and gains towards the strategic plan.



## Strategic Initiatives 2024, Funded from Revenues

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### 1. Membership support

*Goal 1. Hub for learning and connection – manage and protect systems and IT.*

#### Direction for 2024

An area of assessed risk to the YRL network is now the public computers. Increased budget allocation permits inclusion of one additional Technology Services (TS) staff. Responsibilities for this position include but are not limited to; ensuring regular updates; and installing software to protect the integrity of public computers and reduce risk related to phishing and malware threats. At particular risk are those libraries without in-house or contracted IT services. Additional staff position would provide needed backup for existing staff.

### 2. Employee benefits/salaries

*Goal 4. Excellent place to work – attract and retain quality staff.*

#### Direction for 2024

Salary line item reflects the compensation philosophy of the Board and includes additional staff for two departments: Collections and Resource Sharing (part time) and Technology Services (see 1. Membership Support). The application for the additional staff from these managers will support activities under:

*Goal 1. Hub for learning – actively engage member library staff; member library staff will build skills; manage and protect systems and IT.*

*Goal 2. Quality information and resources – implement collection development policy; enable patrons to access digital collections; YRL services easy to access.*

Additional staff will either support direct library service or free up staff time so they can focus on more complex work.

### 3. Professional services

*Goal 1. Hub for learning – develop skills to advance strategic priorities.*

*Goal 3. Share knowledge and skills – have advocacy strategy in place.*

*Goal 4. Excellent place to work – involve board in advocacy; develop a DEI strategy.*

#### Direction for 2024

In addition to organizational requirements for services and support. Includes continuing to work with Focus Communications on advocacy, marketing, and communication strategies to support YRL and libraries in building relevant advocacy and communications resources along with expertise in crafting advocacy messages. Development of a DEI strategy was unfunded in 2023 and the informational process on this initiative has started with the executive and staff. Administration feels that outsourcing some work to those familiar with councils, library trustees and governance would be the next step.

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## Strategic Initiatives 2024, Funded from Revenues (continued)

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### 4. Trustee expenses

*Goal 4. Excellent place to work – board demonstrates excellence in governance.*

Direction for 2024

Increasing participation in face-to-face meetings results in increased travel and meeting costs. Face-to-face meetings assist in building relationships and camaraderie amongst board and staff. Increasing the number of opportunities for board members to participate in either YRL ad hoc committees or provincial activities (advocacy). Resumption of in-person conferences geared to, and appropriate for, regional library system trustees. Possibility of additional trustee educational opportunities, as per the Alberta Libraries Act and Regulations.

### 5. Staff professional development

*Goal 1. Hub for learning – actively engage member library staff.*

*Goal 2. Quality information and resources – YRL services will be easy for member library staff to access.*

*Goal 3. Share knowledge and skills – be innovative.*

*Goal 4. Excellent place to work.*

Direction for 2024

Increased outreach to member library staff and an increased physical presence for YRL and library staff. YRL has a policy with regards to professional development and continuing education. Budget line item is reasonable to support staff development and corresponds to pre-pandemic levels.

## Strategic Initiatives 2024, Funded from Reserves

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### 1. Cybersecurity risk

*Goal 1. Hub for learning – manage and protect systems and IT.*

*Goal 3. Share knowledge and skills – be innovative.*

Direction for 2024

Significant work has been done in 2023 to address network vulnerabilities. The current risk area is public access computers. YRL has not been involved in upgrading, monitoring or maintaining public access computers for some years. Funding from reserves (special projects) for the acquisition of system restore software that would protect the integrity of computer workstations, reducing or eliminating issues related to malware attacks. MAC address authenticator would identify resources added or attached to the YRL network and control access rights.

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## Strategic Initiatives 2024, Funded from Reserves (continued)

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### 2. Replacement of IT infrastructure and resources for collaboration

*Goal 1. Hub for learning – stabilize and strengthen its existing services.*

*Goal 3. Share knowledge and skills – be innovative.*

#### Direction for 2024

With increased use of technology for meetings (executive, board; library managers, remote delivery of training), meeting infrastructure is starting to fail. Replacement of the meeting screen in board room and the inclusion of resources into the YRL Learning Lab will provide stability and offer increased options for innovation and learning. Replacement of wireless access points is a known expenditure (capital) and was identified in the technology plan.

## Unfunded Strategic Initiatives 2024

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### 1. Leadership development

*Goal 3. Share knowledge and skills – be innovative.*

*Goal 4: Excellent place to work – fearless learning organization, psychological safety*

#### Resources

Staff time.

#### Direction for 2024

Managers work together to learn and practice skills needed in knowledge-driven environments. Includes, but not limited to, learnings on emotional intelligence, innovation adoption, leadership styles and how these impact on organizational culture.

### 2. Problem solving techniques

*Goal 3. Shares knowledge and skills - innovation.*

#### Resources

Staff time

## YRL Master Membership Agreement (MMA)

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The MMA outlines the services YRL provides. The cost of the services is offset by the levy. For 2023, the services cost YRL 117% of the levy income – the difference comes from the operating grant from the Public Library Services Branch and reserve funds.

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# Alberta Beach

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September 20, 2023

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 Bi-Election Results**

Further to the above, please be advised that Alberta Beach held their nomination day on August 28, 2023. One nomination for the position of Councillor was received by the Returning Officer. As no further nominations were received, Mr. Bill Love was elected to Council by acclamation. Mr. Love was officially sworn in as Councillor for Alberta Beach at the regular Council meeting held on September 19, 2023.

Alberta Beach Council members are as follows;

Mayor.....Tara Elwood  
Deputy Mayor..... Debbie Durocher  
Councillor..... Bill Love  
Councillor..... Kelly Muir  
Councillor..... Daryl Weber

Please do not hesitate to contact the undersigned if you require any further information.

Sincerely,

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

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