



## SUMMER VILLAGE OF SILVER BEACH

RR #1 South, Site 1, Box 29

Thorsby, Alberta, Canada T0C 2P0

Phone 780-389-4409

Email: [info@silverbeach.ca](mailto:info@silverbeach.ca) Web: [www.silverbeach.ca](http://www.silverbeach.ca)

September 25, 2023

Land and Property Rights Tribunal  
1229 – 91st Street SW  
Edmonton, AB T6X 1E9

Attention: Richard Duncan

Dear Sir:

### **RE: Proposed Annexation by the Summer Village of Silver Beach**

Pursuant to s. 119 of the *Municipal Government Act* (the "Act"), on behalf of the Summer Village of Silver Beach (the "Summer Village"), please find the attached Summer Village of Silver Beach Annexation Application – Report to the Land and Property Rights Tribunal. The package contains one (1) hard copy of the Report to the Land and Property Rights Tribunal (including appendices), plus a digital copy of the report. Funds from the Summer Village of Silver Beach for \$300, payable to the Minister of Finance, representing the application fee is also enclosed.

We confirm that the Summer Village wishes to proceed with the annexation and request that the enclosed Report to the Land and Property Rights Tribunal (the "Report") be considered as the Summer Village's application for annexation.

Summer Village of Silver Beach Council has directed Administration to submit the Report to the Land and Property Rights Tribunal. The Summer Village provided a copy of the Report to the County of Wetaskiwin (the "County"); the Report was reviewed by County Council at the June 14, 2022, regular meeting of Council.

Through 2022 and 2023, the landowner, the Summer Village and the County negotiated conditions for the proposed annexation. Conditions were presented to the County by the Summer Village and County's Intermunicipal Development Plan/Intermunicipal Collaboration Framework Committee in April 2023.

The County of Wetaskiwin provided support for the Summer Village of Silver Beach annexation via County Resolution CG20230425.026 on April 28, 2023. A copy of this resolution is included on the following page.

With respect to other matters to be addressed as part of the Summer Village's application:

1. The proposed effective date of the annexation is January 1, 2024, pursuant to s. 125 of the *Act*.
2. The proposed conditions related to assessment, taxation, and development are agreed to by the Summer Village, County, and the landowner and are addressed in this report.
3. The landowner within the Annexation Area has indicated they support the annexation.
4. The County of Wetaskiwin has indicated they support the annexation.

If you require any additional documentation or information, please contact the Summer Village Office at any time.

Sincerely,



**June Boyda, CLGM**  
Chief Administrative Officer  
Summer Village of Silver Beach

**David Rolf**  
Mayor  
Summer Village of Silver Beach

A handwritten signature in blue ink, appearing to be 'DR', located to the right of the printed name 'David Rolf'.

cc: County of Wetaskiwin – Rod Hawken, CAO

## Summer Village Motion

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**Resolution 2023-085:** Moved by Councillor Gibbs that Council support the Annexation Report by Administration, and direct Administration to submit the Report to the Land and Property Rights Tribunal.

**Motion Carried Unanimously**

## County of Wetaskiwin Motion

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**Resolution #CG20230425.026:** Moved by Councillor L. Carwell that Council support the recommendation by the IDP/ICF Intermunicipal Committee and approve the revision to the County's support for the annexation as follows:

1. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, upon approval of the annexation, the Summer Village will for the subject lands amend:
  - a. the Summer Village of Silver Beach Municipal Development Plan to require a minimum width of 20.16 m (66.14 ft.) of environmental reserve (ER) on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
  - b. the Summer Village of Silver Beach Land Use Bylaw to require a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:
    - i. 30.0 m (98.4 ft); or
    - ii. as determined by the Development Authority, following their consideration of:
      1. Recommendations from a qualified professional provided by the development proponent;
      2. Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and
      3. ESRD Recommended Guidelines for Setbacks chart;

However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.); and,

Further, Council authorized the Reeve of the County to provide their signature for the annexation report as requested by the Summer Village.

**Motion Carried Unanimously**





# **SUMMER VILLAGE OF SILVER BEACH ANNEXATION APPLICATION**

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**Report to the Land and Property Rights Tribunal | September 2023**



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## 1. EXECUTIVE SUMMARY

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The Summer Village of Silver Beach Annexation Application Report is intended to provide the Land and Property Rights Tribunal with the information required to make an informed decision on the Summer Village of Silver Beach' proposed annexation application.

The Summer Village of Silver Beach has made application to the Land and Property Rights Tribunal to annex a 3.23 ha (8.0 ac.) parcel from the County of Wetaskiwin. The annexation area is legally described as all that portion of NW 2-47-28-W4, as shown on filed plan 1005JY excepting Plan 4655HW from the County of Wetaskiwin (hereafter referred to as '1005JY; OT', or 'proposed annexation area' (see Maps 2 and 3 in Section 3 – Annexation Area Location).

This annexation application has been proposed by the Council of the Summer Village of Silver Beach to provide the Summer Village with jurisdictional control over the proposed annexation area, which is accessed through the Summer Village, via Silver Beach Road. Silver Beach Road is located entirely within and is maintained by the Summer Village of Silver Beach. Silver Beach Road is the only developed road access available to the Parcel. The Parcel is the only property fronting the road that is not already within the Summer Village. All public services that might be required for the Parcel (electricity, gas and sewer) run through the Summer Village either adjacent to or under Silver Beach Road.

The Parcel consists mostly of wooded wetlands and a steep promontory overlooking the Lake. An adjacent landowner has indicated that the lands were historically used for farming however, the site is currently treed and is not cultivated or used for pasture. The parcel is in its natural state except for a private driveway opening onto Silver Beach Road.

The future land use concept for the proposed annexation area is to provide for:

- the development of one single-detached dwelling and accessory uses; and
- a large conservation and publicly accessible low-impact recreational area.

The Council of the Summer Village of Silver Beach believes the proposed future use of the annexation area (residential and conservation) to be a reasonable, effective, and efficient extension of the Summer Village's municipal boundaries.

Annexation would not infringe upon the autonomy of the County and is consistent with the Pigeon Lake North Intermunicipal Development Plan recently enacted by both the Summer Village and the County: Summer Village By-Law 2021-01, section 7.10.

The annexation will be conducted in accordance with the Pigeon Lake North Intermunicipal Development Plan, and also in accordance with any relevant Area Structure Plans.

This report has been structured according to the Land and Property Rights Tribunal's Annexation Checklist and addresses the Annexation Principles contained in Land and Property Rights Tribunal Order 123/06.



## 2. APPLICATION FEE

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Funds in the amount of \$300 (payable to the Minister of Finance) has been provided to the Land and Property Rights Tribunal in support of this annexation application.

Application Fee + First Quarter Section (1005JY; OT)	\$300.00
<b>TOTAL APPLICATION FEE</b>	<b>\$300.00</b>

### **3. ANNEXATION AREA LOCATION**

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The proposed annexation area is located in the County of Wetaskiwin, along the northeast shoreline of Pigeon Lake. It is immediately east and south of the Summer Village of Silver Beach, adjacent to Silver Beach Road.

The proposed annexation area is bound by privately owned lands in the County of Wetaskiwin to the north and east, by Pigeon Lake to the south, and by Silver Beach Road in the Summer Village to the west.

Access to the annexation area is provided through the Summer Village, via Silver Beach Road (which is maintained by the Summer Village). There is currently no direct access to the proposed annexation area from a developed County road.

A June 2023 search of the area indicated that there are no active or abandoned wells and pipelines within the proposed annexation area.

The following maps illustrate the Summer Village's current municipal boundary and the location of the proposed annexation area.

# Summer Village of Silver Beach PROPOSED ANNEXATION

## Map 1. Current Municipal Boundary

### LEGEND

 Current Summer Village of Silver Beach Boundary



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# Summer Village of Silver Beach PROPOSED ANNEXATION

## Map 2. Proposed Annexation Area

MERIDIAN 4 RANGE 28 TOWNSHIP 47 SECTION 2


ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

A) PLAN 4655HW - SUBDIVISION 4.10 (ha) 10.13 (acres) MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

### LEGEND

-  Current Summer Village of Silver Beach Boundary
-  Proposed Annexation Area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# Summer Village of Silver Beach PROPOSED ANNEXATION

## Map 3. Proposed Annexation Area

MERIDIAN 4 RANGE 28 TOWNSHIP 47 SECTION 2



ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
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EXCEPTING THEREOUT ALL MINES AND MINERALS

### LEGEND

-  Current Summer Village of Silver Beach Boundary
-  Proposed Annexation Area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## 4. EXCERPTS FROM STATUTORY PLANS AND LAND USE BYLAWS

### 4.1 North Pigeon Lake Intermunicipal Development Plan

The North Pigeon Lake Intermunicipal Development Plan (IDP) was adopted by the County of Wetaskiwin and the Summer Villages of Argentia Beach, Golden Days, and Silver Beach in 2021.

The IDP identifies the proposed annexation area as within the Agriculture & Rural Development Area, as illustrated in Map 2 – Future Land Use. The IDP’s goal for the Agriculture & Rural Development Area is to “protect existing agricultural areas for low intensity agricultural operations and rural developments until such time the land is required for planned recreational and residential development that is compatible with adjacent land uses, development, and significant ecological features within the Watershed.” The proposed use of the annexation lands (residential and conservation) is consistent with this goal.

IDP Policy 4.2.5 states “subdivision and development for uses other than agricultural uses shall be designed to minimize the fragmentation of agricultural lands.” The proposed annexation area was previously farmed; however, it is currently treed and not used for agricultural purposes. Further, the subdivision and development of the proposed annexation area would not fragment existing or planned future agricultural land in the County of Wetaskiwin.

Section 7.10 of the IDP addresses annexation of County lands to Summer Villages. Policy 7.10.1 states “where a new subdivision or development in the County of Wetaskiwin is proposed that would utilize infrastructure from or through an adjacent municipality the proposal should not be approved unless the land is annexed to the municipality providing the service and/or road access, unless the municipality indicates in writing that they have no objections to the proposed subdivision or development.”

As the proposed annexation area is accessed via the Summer Village, this application is consistent with the requirements of Policy 7.10.1.

Relevant excerpts from the Pigeon Lake North IDP are included in **Appendix A – Pigeon Lake North Intermunicipal Development Plan Excerpts.**

### 4.2 Summer Village of Silver Beach Municipal Development Plan

In 2020, the Summer Village of Silver Beach adopted a Municipal Development Plan (MDP), Bylaw 2020-11. The proposed annexation area is not currently addressed in the MDP.

If the proposed annexation is approved, the Summer Village’s MDP will be reviewed and updated to include the proposed annexation area within the Residential Area and the Environment and Recreation Area, as shown on Map 9.2 – Future Land Use.

Policy 5.2.3 in the MDP states “No further subdivision that would increase the number of residential lots will be permitted within the Summer Village.” The future land use concept does not propose an increase in parcel density or subdivision of the proposed annexation area. The application is consistent with Policy 5.2.3 in the MDP.

### 4.3 Summer Village of Silver Beach Land Use Bylaw

The Summer Village of Silver Beach Land Use Bylaw (LUB), Bylaw 208-2010, does not specifically address the proposed annexation area. Lands within the Summer Village immediately adjacent to the proposed annexation area are currently districted R – Residential in the Summer Village’s LUB. The purpose of this district is to provide an area for low density residential development in the form of detached, single-family dwellings and associated uses.

If the proposed annexation is approved, the LUB will be reviewed and updated to include the proposed annexation area in a Direct Control District that conforms to the intent of the annexation.



#### 4.4 County of Wetaskiwin Municipal Development Plan

The County of Wetaskiwin MDP, Bylaw 2023/05, identifies the proposed annexation area as within the Intermunicipal Development Plan Overlay on Map 1 – County Future Land Use Concept (Figure 9 in the County’s MDP). The MDP includes policies that intend to promote the long term viability of agriculture on subdivided parcels on land located away from urban municipalities and hamlets. The proposed annexation area is entirely treed and is not used for agricultural purposes. The proposed annexation will not impact the viability of the agriculture on the adjacent lands in the County.

County MDP Policy 17.2.2 addresses the annexation of lands from the County, in the event that the proposed annexation area is not included in an IDP. As the proposed annexation area is included in the Pigeon Lake North IDP, the policies of the IDP guides the County’s decision making process.

Relevant excerpts from the County’s MDP are included in **Appendix B – County of Wetaskiwin Municipal Development Plan Excerpts**.

#### 4.5 Tizzard/Schwindt Area Structure Plan

The proposed annexation area is located immediately adjacent to the Tizzard/Schwindt Area Structure Plan (ASP), County Bylaw 2015-49. The proposed annexation area is not within the boundaries of this ASP; the ASP’s policies do not apply to the proposed annexation area.

The ASP includes reference to a road dedication that is provided along the entire north boundary and north half of the west boundary of the ASP area, within the ASP’s boundaries. This road dedication abuts the north half of the east boundary of the proposed annexation area. The road has been dedicated but has not been developed by the County.

#### 4.6 County of Wetaskiwin Land Use Bylaw

The County of Wetaskiwin LUB (Bylaw 2017-48) identifies the proposed annexation area as within the Agricultural (AG) District. The purpose of the AG District is to maintain and preserve land for productive agricultural uses and to allow for limited subdivision and development for residential use compatible in the farming community.

Relevant excerpts from the County’s LUB are included in **Appendix D – County of Wetaskiwin Land Use Bylaw Excerpts**.

## **5. FUTURE LAND USE AND DEVELOPMENT**

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### **5.1 Intended Uses**

The intended future land use for the proposed annexation area is a combination of a single residential development (one additional dwelling on one lot), public recreational trails, and environmental conservation. The landowner (in collaboration with the Summer Village) is exploring the feasibility of a Conservation Easement Agreement for a portion of the proposed annexation area.

The Summer Village supports the intent to conserve the non-residential portion of the annexation area through the use of a Conservation Easement Agreement (or an alternate conservation mechanism) for environmental conservation and to provide public access for passive recreational purposes.

### **5.2 Transportation and Access**

Access to the proposed annexation area shall be via Silver Beach Road. The future construction of driveways and approaches that may need to be developed/updated to access the proposed annexation area shall be in accordance with the Summer Village's construction standards.

### **5.3 Municipal Servicing**

Municipal services provided by the Summer Village of Silver Beach to local residents include road maintenance, snow clearing, waste collection, and emergency services. Individual landowners are responsible for supplying water to their lots (i.e. wells). Wastewater services are provided by the North East Pigeon Lake Regional Services Commission.

The proposed annexation is not anticipated to have an impact on the current level of service provided to Summer Village residents or result in increased municipal servicing costs. The proposed annexation will increase density within the Summer Village by only one lot; the proposed uses are not anticipated to have a noticeable impact on the local road network, the local aquifer, or the regional wastewater system.

## 6. LANDOWNER CONSENT

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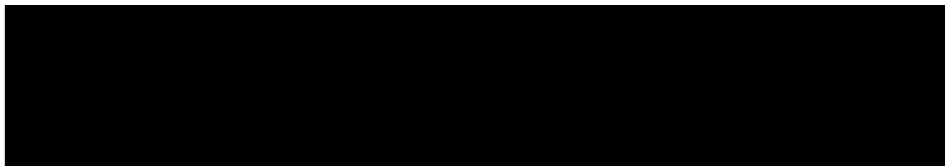
A letter was sent to the landowner of the proposed annexation area in December 2021. In the letter, the Summer Village requested that the landowner provide a letter of support in favour of the proposed annexation.

The landowner responded to the letter indicating that they are in support of the annexation, they have reviewed the proposed conditions and they have no concerns or objections. This signed letter (dated December 9, 2021) is included as the following three pages of this report.

Throughout the annexation process the Summer Village, landowner, and the County have been communicating transparently regarding the proposed conditions of annexation (See Section 12 – Identification of Special Conditions).

### SUMMER VILLAGE OF SILVER BEACH ANNEXATION LANDOWNER CONSENT LETTER

I \_\_\_\_\_ Blaine  
Hill \_\_\_\_\_



**Are registered owners of the lands legally described as:**

MERIDIAN 4 RANGE 28 TOWNSHIP 47 SECTION 2

ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

A) PLAN 4655HW - SUBDIVISION 4.10 (ha) 10.13 (acres) MORE OR  
LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

As shown on ‘Schedule A – Proposed Annexation Area’ to this Letter.

**I understand** that the Summer Village of Silver Beach (the “Summer Village”) wishes to annex the above described lands currently located in the County of Wetaskiwin (the “County”).

**I hereby consent** the Summer Village of Silver Beach’s proposed annexation of the above described lands.

**I have read and carefully considered** the content of this **Landowner**

**Consent Letter**, understand and support the provisions of the proposed annexation, and are in support of the statements made herein.



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Signature(s) of Registered Owner(s)

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Dec 9 2021  
Date of Signature(s)

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Schedule A – Proposed Annexation Area

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## 7. NOTIFICATION & PUBLIC ENGAGEMENT

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The following is a summary of key milestones in the public engagement programme for the Summer Village of Silver Beach's proposed annexation application, concerns raised by public and private interests, and the Summer Village's response to these concerns.

### 7.1 Initial Notification and Notice of Annexation Intent

In June 2021, the Council of the Summer Village of Silver Beach authorized Summer Village Administration to proceed with a Notice of Annexation. A formal Notice of Intent was sent by June Boyda (CAO for the Summer Village of Silver Beach) to the:

1. County of Wetaskiwin;
2. Municipal Government Board;
3. The Minister of Municipal Affairs; and
4. The Northeast Pigeon Lake Regional Services Commission (via the County of Wetaskiwin).

The notice included a description of the lands to be annexed, reasons for the proposed annexation, information about an online public engagement session, and contact information for Summer Village Administration.

This notice was posted on the Summer Village's website, emailed to Summer Village residents (for whom Summer Village Administration had email addresses), and letter mailed to all other residents of the Summer Village. The notice was mailed to all adjacent County of Wetaskiwin residents by Rod Hawken, CAO for the County of Wetaskiwin.

A copy of the notice was published in the September 16, 2021 edition of the Pipestone Flyer.

A copy of the notice is included as **Appendix E – Notice of Annexation** to this report.

### 7.2 Online Public Engagement Session

An online public engagement session was held on October 4, 2021. Notification for the session is described in Section 7.1 of this report. An online format was utilized for this event due to local and provincial gathering restrictions, and to enable all Summer Village and County residents the opportunity to attend regardless of their local of their current/principal residence.

The session was hosted by Jane Dauphinee and Brad MacDonald of Municipal Planning Services (MPS), the planning services provider for the Summer Village of Silver Beach. The session was presented via Zoom. A recording of the session was posted on MPS' YouTube channel the following day, and a link to the video was posted on the Summer Village's annexation webpage (see Section 7.5). A link to the recording of the online engagement session can be found at:

[https://www.youtube.com/watch?v=Jdr\\_KiLlBSA](https://www.youtube.com/watch?v=Jdr_KiLlBSA).

The online engagement session provided attendees with an overview of:

- What annexation is (and is not);
- The process for a municipality to annex land from another municipality in Alberta;
- Information about the proposed annexation area;
- The purpose of the proposed annexation;
- A summary of the discussions and works that have been completed by the Summer Village to date;
- Answers to frequently asked questions (adapted from preliminary feedback from an adjacent landowner and MPS' experiences facilitating annexation applications for other Summer Villages in Alberta); and
- The next steps in the annexation process.

The session was attended by approximately 14 persons, excluding MPS staff. Attendees included members of Summer Village Council and Administration. The County of Wetaskiwin was represented by CAO Rod Hawken.

Attendees were provided an opportunity to submit questions to the MPS team members via the chat function. Questions received included the following (a summary of MPS' responses are included below each question):

**1. Since information has been received from a county resident in opposition, would this now be considered a contested annexation?**

MPS: There is an opportunity for the municipality to work with any persons that object/oppose a proposed annexation in order to alleviate their concerns through the sharing of information or developing conditions for the annexation. If the municipality can demonstrate that a prior objection/opposition has been successfully addressed to the satisfaction of objector, the LPRT may determine that the proposed annexation is no longer contested.

**2. Will there be any opportunity for a viewpoint?**

At this time, the municipality is still working with the landowner and the conservancy agency regarding the details of the conservation agreement. It was included in the original concept for the proposed annexation area, but will be dependent on the results of the conservation agreement.

**3. Is the annexation conditional to the conservation reserve?**

The municipality may require this to be a condition of the annexation, but this has not been determined at this time.

As of September 18 2023, the YouTube recording has been viewed 17 times. No additional comments or questions were received by MPS or Summer Village Administration.

### **7.3 Landowner Notification**

The sole landowner of the proposed annexation area initiated discussions with the Summer Village of Silver Beach about the potential annexation of the land in 2020/2021. Through 2021, the Summer Village was in communication with the landowner to discuss potential conditions of annexation and details of a possible Conservation Easement Agreement for a portion of the proposed annexation area.

A signed letter in support of the proposed annexation was provided by the landowner in December 2021. A copy is included as part of Section 6 of this report.

### **7.4 Adjacent Landowner Notification**

Landowners located immediately adjacent to the proposed annexation area in the Summer Village were provided e-mail notification (or mail notification, if no email address was registered by the landowner in the Summer Village's notification system) of the proposed annexation as noted in Section 7.1 of this report, along with all other residents of the Summer Village of Silver Beach.

Adjacent landowners in the County of Wetaskiwin were initially informed of the proposed annexation (and the October 2021 online public engagement session) by County Administration. Adjacent landowners in the County were further mail notified by the Summer Village during pre-submission engagement in August 2023 (See Section 7.7 of this report).

### **7.5 Annexation Website Information**

In September 2021, the Summer Village created a webpage for information about the proposed annexation application ([www.silverbeach.ca/annexation](http://www.silverbeach.ca/annexation)). A link to the webpage was include on the header of the Summer Village's website.

The webpage was created to provide Summer Village and County residents with information about the proposed annexation application. It included answers to frequently asked questions (about the annexation process and the intent of this proposed application) and a link to a recording of the October 4, 2021, online engagement session.

A copy of the website’s content (exported on November 22, 2021) is included as **Appendix F – Annexation Website**.

## 7.6 Public Feedback and Follow-Up

The following is a summary of responses provided to Summer Village Administration and MPS by adjacent landowners, residents of the Summer Village of Silver Beach, and residents of the County of Wetaskiwin. As of September 15, 2023, only two submissions were received by the Summer Village; both submissions were provided by one non-adjacent County of Wetaskiwin resident.

Responses (and attempts to respond) provided by Summer Village Administration and MPS to the submission provider via email are also included below:

SUBMISSION	RESPONSE
<p><b>Submission Provider: Resident of the County of Wetaskiwin (anonymous)</b> The proposed annexation area was previously farmed.</p>	<p>1. Report updated to reflect this information.</p>
<p><b>Submission Provider: Resident of the County of Wetaskiwin (G. Schwint)</b></p> <p>Thank you Rod for forwarding the proposed annexation letter received by the County of Wetaskiwin from the Summer Village of Silver Beach (not dated) regarding the 10.13 acre parcel.</p> <p>We have some concerns in regards to the information provided in the letter from the Summer Village of Silver Beach (SVSB) that we wish to address;</p> <ol style="list-style-type: none"> <li>1. Since 1965 the abutting property to the east has been owned by the Schwindt Family. George William Schwindt Sr., Mary Lou Schwindt (Nee Tizzard), George William Schwindt Jr., and Patti Ann Schwindt (Nee Ullett).</li> <li>2. The property has been farmed up until several years ago by Emery Bodor, George Schwindt Sr. and Sid Tizzard. Cattle and horses grazed the fenced area to the east of SVSB road. The land on the S.E. parcel had been cultivated and cereal grains were grown.</li> </ol> <p>We disagree with the proposed annexation for the following reasons;</p> <ol style="list-style-type: none"> <li>3. In all 10.8 acres was given to the county of Wetaskiwin to access the property through the Area Structure Plan process in May 2016 plan (1055-JY). A 25 meter road allowance including a Public Utility Corridor and a Public Utility Lot was provided. The new road allowance runs from RR#281 in the East then West to the N.E. corner of the proposed land to be annexed then south ending east of lot 7A in the SVSB. Access is available to this parcel of land through the county. See attachments; Notice of Public Hearing County of Wetaskiwin and #10 and County Of Wetaskiwin Area Structure Plan Map.</li> <li>4. The County of Wetaskiwin has adopted the Pigeon Lake Area Concept Plan that encompasses; Wet Land use, Environmental Reserves within the shores of Pigeon Lake,</li> </ol>	<ol style="list-style-type: none"> <li>2. Summer Village Administration and MPS thanked the County resident for providing this historical information about adjacent property ownership.</li> <li>3. The notification provided to Summer Village and County residents in September 2021 indicated that the property “consists of wooded wetland and a steep promontory overlooking the lake. It is in its natural state except for a private driveway opening onto Silver Beach Road. The information provided by the County resident is consistent with this description.</li> <li>4. The road allowance described was included as part of the County of Wetaskiwin Tizzard/Schwindt Area Structure Plan to provide legal road access to the proposed annexation area, which is (and was at the time) part of the County of Wetaskiwin. This road allowance (at the time of this report’s writing) has not been developed.</li> <li>5. The Pigeon Lake Area Concept Plan was approved by resolution of County of Wetaskiwin Council in February 2014. It includes policies for the development of lands within 800 metres of Pigeon Lake. In the preparation of the Pigeon Lake North Intermunicipal Development Plan (adopted in 2021), policies from the Pigeon Lake Area Concept Plan were carried forward in the IDP. The future development of the proposed annexation area will need to be consistent with the environmental and development policies of the IDP and the Summer Village of Silver Beach Municipal Development Plan.</li> <li>6. The Summer Village of Silver Beach has not requested that an Area Structure Plan be</li> </ol>

<p>impact studies and guidelines to protect areas within their jurisdiction for our next generation.</p> <p>5. There has been no Area Structure Plan provided by the SVSB to show what the intent of the proposed property to be annexed would be used for.</p> <p>6. This may be a question for Ric McIver Minister of Municipal Affairs regarding growth of Summer Villages. In 1995 the government of Alberta stopped creating Summer Villages. What is the reason why Summer Villages are allowed to apply to the Ministry to increase their land base through the annexation process?</p> <p>Thank you for your understanding and consideration regarding this matter.</p>	<p>prepared for the proposed annexation area (or be required as a condition of annexation) due to the small area of land and that a single residence is being processed for future development. Future development will be guided by the Summer Village’s Municipal Development Plan.</p> <p>7. Section 89.1 of the <i>Municipal Government Act</i> states: “The fact that a summer village may not be formed under this Act does not affect any existing summer village, and this Act continues to apply to summer villages.” Summer Villages (like all other municipalities in Alberta) are eligible to apply for annexation.</p>
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Note: Points in this submission have been numbered to aid readers of this report in identifying corresponding responses provided by the Summer Village. An unedited copy of this submission is included in Appendix D – Response Feedback.

Upon receipt of the letter, Summer Village Administration (on September 29, 2021) sent an email to the County resident to schedule a meeting to discuss their concerns.

On September 30, the County resident responded via email that they were on vacation but would phone to schedule a meeting upon their return.

A copy of the online public engagement session materials and recording link were sent by Summer Village Administration to the CAO of the County of Wetaskiwin to send to the County resident on October 8, 2021.

On October 28, 2021, Summer Village Administration emailed the County resident to request a meeting and to confirm their receipt of the online engagement information.

## 7.7 Additional Pre-Submission Engagement

As part of pre-Annexation Application Report submission engagement to the Land and Property Rights Tribunal, adjacent landowners in the County of Wetaskiwin (and the County resident noted in Section 7.6) were mailed a letter that contained information about the Summer Village’s proposed annexation and were asked if they had objections or concerns regarding the proposed annexation. Addresses for each landowner were provided by the County Wetaskiwin; the letter was mailed to each landowner on August 22, 2023 (A copy of the letter sent to adjacent County landowners (and the one response received) is included in Appendix D). The only response received by the Summer Village was from the same landowner (G. Schwint) noted in Section 7.6, who identified the following in their response:

*“We are the previous owners of the property requesting annexation by the Summer Village of Silver Beach. As neighbours there are some concerns:*

- *There are no subdivision plans to provide the complete intent of the property to be annexed.*
- *Lake shore environmental reserve is not addressed on the maps.*
- *Proposed single lot and conservation easement not illustrated in proposal.*
- *Concerns regarding parking to access proposed public recreational trails including lake access through public streets 5, 6, and 7.*
- *Wildlife corridors to access lake.*
- *Access for emergency vehicles.”*

In response to this letter, MPS (on behalf of the Summer Village) called (and spoke with) Mr. Schwindt on September 20 and 22, 2023. An email was sent to Mr. Schwindt on September 24, 2023, that summarized these conversations and provided information in response to his concerns. The content of the email from MPS is as follows:

Mr. Schwindt,

Thank you for taking the time to talk with me on Wednesday, September 20 and Friday, September 22. As mentioned during our conversation on Friday, I am sending you this email to provide a summary of our discussion (and to provide additional information about the proposed annexation and the annexation process).

The future land use concept for the proposed annexation area is to provide for the development of one single-detached dwelling and accessory uses and a large conservation and publicly accessible low-impact recreational area. No subdivision of these lands is proposed; the Summer Village has policies in its Municipal Development Plan that restrict subdivision of lands in the Summer Village.

On September 14, 2023, our office (MPS) received your response letter noting concerns about the proposed annexation. Below is information in response to your noted concerns (**shown in bold**):

**1. There are no subdivision plans to provide the complete intent of the property to be annexed.**

The future land use concept for the proposed annexation area is to provide for the development of one single-detached dwelling and accessory uses and a large conservation and publicly accessible low-impact recreational area. No subdivision of these lands is proposed. The Summer Village Municipal Development Plan includes a policy that restricts the subdivision of lands in the Summer Village.

**2. Lake shore environmental reserve is not addressed on the maps.**

Environmental reserve is acquired by a municipality at the time of subdivision; as there is no subdivision proposed for the annexation area, it is not anticipated that Environmental Reserves will be dedicated as a result of the annexation. However, the Summer Village and the County have mutually agreed that should the annexation be approved, the Summer Village will amend their Municipal Development Plan to include a policy that will require the registration of an Environment Reserve parcel with a minimum width of 20.16 m (66.14 ft.) as a condition of any subdivision approval. This policy will ensure that, if the development plan for the annexation lands changes in the future and a subdivision is proposed, that Environmental Reserves will be required. The Summer Village and the County have also agreed that future development on this property will be subject to a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:

- 30.0 m (98.4 ft); or
- as determined by the Development Authority, following their consideration of:
  - Recommendations from a qualified professional provided by the development proponent;
  - Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and
  - ESRD Recommended Guidelines for Setbacks chart;

However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.).

This development setback is consistent with the County's current development setback from waterbodies for properties within its jurisdiction.

These agreed upon items form part of the Summer Village's annexation submission and, should the annexation be approved, will be acted upon by the Summer Village.

**3. Proposed single lot and conservation easement not illustrated in proposal.**

Negotiations between the Summer Village, landowner, and the Nature Conservancy of Canada (NCC) are ongoing; it is our understanding that the landowner and the NCC have paused these discussions until the annexation process is complete. Should the annexation be approved, discussions regarding the development of a conservation area and the identification of the building pocket for a future single detached dwelling will resume.



#### **4. Concerns regarding parking to access proposed public recreational trails including lake access through public streets 5, 6, and 7.**

At this time, no plans have been prepared to address public access to the proposed annexation area. If the annexation is approved, future access to the site for public recreation purposes would need to conform to policies in the Summer Village's Municipal Development Plan and regulations in the Land Use Bylaw.

#### **5. Wildlife corridors to access lake.**

A review of available environmental mapping information maintained/updated by the Province (e.g., Environmentally Significant Areas, Key Wildlife and Biodiversity Zones, etc.) did not reveal the presence of important wildlife corridors. However, we note that all lands around the lake provide important habitat/migratory corridors for local species. As the land is not proposed to be subdivided, impacts on wildlife corridors are anticipated to be minimal. Future coordination with the NCC may provide the landowner and Summer Village with guidance on site management/development for preserving important habitat/corridor areas.

#### **6. Access for emergency vehicles.**

Access to the proposed annexation area is (and will be) via Silver Beach Road. The Summer Village does not anticipate any future concerns with emergency vehicle access to the proposed annexation area.

#### **7. (During our Friday, September 22 discussion, you noted the following additional concern): The undeveloped road right-of-way in the County that abuts the proposed annexation to the east should be closed.**

The undeveloped road right-of-way is within the County of Wetaskiwin and is not included as part of the proposed annexation. The future development or closure of this undeveloped road right-of-way is currently and will continue to be within the jurisdiction of the County of Wetaskiwin rather than the Summer Village. The Summer Village does not have the jurisdiction to initiate a road closure bylaw to close a road within another municipality. Should you wish to further explore the closure of a road in the County we recommend that you reach out to the County directly to determine if they are willing to make application to close and dispose of the all or part of the road plan. The road is undeveloped and does not impact the annexation lands. Therefore, in our opinion, this item is entirely independent of the present annexation application and should be contemplated as a separate discussion and application through the County of Wetaskiwin.

#### **Closure**

As mentioned during our discussion on Friday, the Summer Village intends to formally submit their annexation application to the Land and Property Rights Tribunal this week. I will be including a copy of this email in the report, along with copies of all other correspondences that you have provided the Summer Village in the past for the Land and Property Rights Tribunal's information. If the Land and Property Rights Tribunal determines that a public hearing will be held, it is our understanding that they may reach out to you to inform you of the public hearing and/or inquire if you intend to participate. If a public hearing is to be held by the Land and Property Rights Tribunal, the Summer Village will be in touch with you to share this information. We anticipate that the Land and Property Rights Tribunal will provide you with an update on the annexation application in a few weeks, following the Summer Village's formal report submission.

The Summer Village has asked me to share with you that the landowner of the proposed annexation area would be interested in meeting with you to discuss the history of the area and to tour the property. If you are interested, I can share his contact information with you in a follow up email.

If you have any questions or would like to discuss the annexation process further, please contact me at any time.

Thank you,

BRAD MACDONALD RPP MCIP

## **8. BOUNDARY ROADS**

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The proposed annexation application affects one government road allowance.

All that portion of government road allowance (Silver Beach Road) lying immediately west of all that portion of NW 2-47-28-W4, as shown on filed plan 1005JY (Short Legal: 1005JY; OT) would remain in the Summer Village of Silver Beach and would cease to form a portion of the new eastern boundary of the Summer Village of Silver Beach.

All that portion of government road allowance (unnamed/undeveloped road allowance) within NE 2-47-28-W4 lying immediately east of all that portion of NW 2-47-28-W4, as shown on filed plan 1005JY (Short Legal: 1005JY; OT) would remain in the County of Wetaskiwin and would form a portion of the new eastern boundary of the Summer Village of Silver Beach.

The affected areas of this road allowance is illustrated on the map provided on the following page of this report.



# Summer Village of Silver Beach PROPOSED ANNEXATION

## Map 4. Boundary Roads

### LEGEND

-  Current Summer Village of Silver Beach Boundary
-  Proposed Summer Village Boundary
-  Proposed Annexation Area
-  Boundary Road



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

All that portion of the road registered on Plan 1723495 lying immediately east of NW 2-47-28-W4 as shown outlined in orange on filed plan 1005JY.

## 9. LAND TITLE CERTIFICATE

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A Land title certificate has been provided for the single parcel of land included within the proposed annexation area. The certificate was issued within six months prior to the submission of this report (see the following page).

A search of mineral rights for lands within the proposed annexation area returned no results.

<b>SURFACE TITLE</b>		
<b>LINC</b>	<b>SHORT LEGAL</b>	<b>TITLE NUMBER</b>
0038 349 361	1005JY; OT	202 216 041





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0038 349 361            1005JY;OT                      202 216 041

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 28 TOWNSHIP 47  
SECTION 2  
ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:                      HECTARES    (ACRES) MORE OR LESS  
A) PLAN 4655HW    -    SUBDIVISION                      4.10            10.13  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;28;47;2;NW  
ESTATE: FEE SIMPLE

MUNICIPALITY: COUNTY OF WETASKIWIN NO. 10

REFERENCE NUMBER: 192 126 560

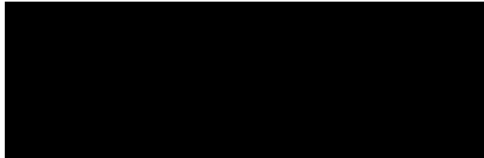
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REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
202 216 041	06/10/2020	TRANSFER OF LAND	\$1,100,000	\$1,100,000

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OWNERS

BLAINE CHRISTIAN HILL



---

ENCUMBRANCES, LIENS & INTERESTS

---

REGISTRATION	DATE (D/M/Y)	PARTICULARS
5315LH	27/02/1959	CAVEAT RE : EASEMENT CAVEATOR - FORTISALBERTA INC. 320-17 AVE SW

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( CONTINUED )

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 202 216 041

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

-----

CALGARY

ALBERTA T2S2V1

(DATA UPDATED BY: TRANSFER OF CAVEAT  
002328697)

(DATA UPDATED BY: CHANGE OF NAME 042522222)

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 28 DAY OF JUNE,  
2023 AT 11:23 A.M.

ORDER NUMBER: 47647062

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

## 10. LANDOWNER LIST

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One landowner is identified on the title for the proposed annexation area. The landowner information is listed below:

NAME	ADDRESS	TYPE OF LANDOWNER
Blaine Christian Hill		Surface

## **11. PROPOSED EFFECTIVE DATE**

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The Summer Village of Silver Beach proposes that this annexation come into effect January 1, 2024, or at the earliest date that may be proposed by the Land and Property Rights Tribunal and the Minister of Municipal Affairs.

## 12. IDENTIFICATION OF SPECIAL CONDITIONS

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### 12.1 Conditions

The Summer Village has proposed the following conditions of annexation:

- For taxation purposes in 2023 and subsequent years, the annexed land and the assembled improvements to it must be assessed and taxed by the Summer Village of Silver Beach for the purpose of property taxes in the same manner as other properties of the same assessment class in the Summer Village of Silver Beach.
- For taxation purposes, if a Conservation Easement Agreement is registered on a portion of the proposed annexation area, consideration will be given to development restrictions/limitations.
- Upon approval of the annexation, the Summer Village will for the subject lands amend:
  - the Summer Village of Silver Beach Municipal Development Plan to require a minimum width of 20.16 m (66.14 ft.) of environmental reserve (ER) on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
  - the Summer Village of Silver Beach Land Use Bylaw to require a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:
    - 30.0 m (98.4 ft); or
    - as determined by the Development Authority, following their consideration of:
      - Recommendations from a qualified professional provided by the development proponent;
      - Government of Alberta’s Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta’s Settled Region; and
      - ESRD Recommended Guidelines for Setbacks chart;

However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.);

### 12.2 Taxation and Assessment

For taxation purposes in 2023 and subsequent years, the annexed land and the assembled improvements to it must be assessed and taxed by the Summer Village of Silver Beach for the purpose of property taxes in the same manner as other properties of the same assessment class in the Summer Village of Silver Beach.

For taxation purposes, if a Conservation Easement Agreement is registered on a portion of the proposed annexation area, consideration will be given to development restrictions/limitations.

### 12.3 Compensation

The Summer Village of Silver Beach does not propose to provide compensation to the County of Wetaskiwin for the proposed annexation, as the affected area is currently undeveloped, and does not represent a significant loss in the County’s population, total land area, or taxation base.

There will be no stranded County assets within the proposed annexation area.

### 12.4 Subject to Removal Clause

No ‘Subject to Removal Clause’ (or triggering event) effecting the proposed annexation application has been identified by the Summer Village of Silver Beach.



### 13. OTHER RELEVANT MATTERS

#### 13.1 Agreed Upon Issues

1. The Summer Village of Silver Beach and the County of Wetaskiwin agree to the annexation of the lands described as that portion of NW 2-47-28-W4, as shown on filed plan 1005JY (Short Legal: 1005JY; OT)
2. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that the proposed annexation is consistent with the Land and Property Rights Tribunal's annexation principles.
3. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that the Summer Village will not pay the County any compensation for lost revenue for the annexation given that:
  - a. the proposed annexation does not compete with the County's growth aspirations, and is small in size.
4. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, subject to any mutually agreed upon servicing agreements, upon the effective date of the annexation, the Summer Village should be responsible for:
  - a. the direction, control, and management of future land use and development; and
  - b. providing municipal services within the annexed land.
5. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, upon approval of the annexation, the Summer Village will for the subject lands amend:
  - a. the Summer Village of Silver Beach Municipal Development Plan to require a minimum width of 20.16 m (66.14 ft.) of environmental reserve (ER) on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
  - b. the Summer Village of Silver Beach Land Use Bylaw to require a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:
    - i. 30.0 m (98.4 ft); or
    - ii. as determined by the Development Authority, following their consideration of:
      1. Recommendations from a qualified professional provided by the development proponent;
      2. Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and
      3. ESRD Recommended Guidelines for Setbacks chart;

However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.).
6. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, as of the effective date of the annexation, the proposed annexed area should be governed by the County's Municipal Development Plan and Land Use Bylaw until the Summer Village amends their respective Municipal Development Plan and Land Use Bylaw to include the proposed annexation area.
7. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that all communications are to be confidential and without prejudice.

Mayor, Summer Village of Silver Beach

SEPTEMBER 25, 2023 Date

Reeve, County of Wetaskiwin

July 6, 2023 Date

## **13.2 Public Engagement Summary**

See Section 7 of this report for a summary of public engagement activities and feedback.

## **13.3 Non-Agreement Issues**

No non-agreement issues were identified by the Summer Village of Silver Beach, the County of Wetaskiwin, or the landowner of the proposed annexation area for the purpose of this annexation application.

## **13.4 Mediation**

Mediation was not necessary for the purpose of this annexation application.

## **14. ADDITIONAL INFORMATION – ANNEXATION PRINCIPLES**

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### **14.1 Intermunicipal Cooperation**

The Summer Village of Silver Beach and the County of Wetaskiwin have cooperated and worked together to reach an agreement on the terms of the proposed annexation.

### **14.2 Accommodating Growth**

The proposed annexation area will not have a negative effect on the County's residential, commercial, or industrial development prospects. There are no County Hamlets, country residential subdivisions, or growth nodes within the proposed annexation area. The annexation area will permit efficient and effective residential development and land conservation in the Summer Village.

### **14.3 Recognition of Local Autonomy**

The proposed annexation recognizes the local autonomy of both the Summer Village of Silver Beach and the County of Wetaskiwin. The proposed annexation area (approximately 3.23 hectares, 8.00 acres) represents less than 0.00001% of County's total area. The proposed annexation will not create a significant financial impact for the County of Wetaskiwin.

There are no other proposed conditions of this annexation that would infringe on local autonomy. No conditions infringe on any individual rights under the Municipal Government Act.

### **14.4 Land Requirement and Growth Project Considerations**

This proposed annexation will increase the number of residential lots in the Summer Village by one.

### **14.5 Logical Extension of Growth Patterns, Transportation, and Servicing**

The proposed annexation area is immediately adjacent to the current Summer Village of Silver Beach municipal boundaries. The proposed annexation areas is currently accessed through the Summer Village via Silver Beach Road.

The proposed annexation will not alter the Summer Village of Silver Beach's current levels of services to local residents and landowners. Onsite water, sanitary, and stormwater management services maintained by individual landowners will not be affected by the proposed annexation.

### **14.6 Administration of Services**

The Summer Village of Silver Beach will provide existing municipal services to the annexation area as future development occurs.

### **14.7 Environmental and Natural Features**

Future development in the annexation area will proceed in accordance with environmental policies and regulations set out in the Pigeon Lake North Intermunicipal Development Plan, the Summer Village of Silver Beach Municipal Development Plan, the Summer Village of Silver Beach Land Use Bylaw, and all provincial Acts and regulations respecting significant environmental and natural features.

### **14.8 Alignment with Plans**

If the annexation application is successful, the Summer Village will proceed with the preparation of an amendment to the Summer Village of Silver Beach Municipal Development Plan to ensure the proposed annexation area is included, and will review (and if necessary, update by amendment) the MDP's policies to ensure future development within the annexation

area is enabled according to the purpose of this annexation. The Summer Village will also amend the Summer Village of Silver Beach Land Use Bylaw to ensure that the annexation lands are included in a Direct Control District.

#### **14.9 Financial Impact**

The annexation area (approximately 3.23 hectares, 8.00 acres) represents less than 0.00001% of the County of Wetaskiwin's current land area. The potential financial impact on the County's ability to collect tax assessment would be extremely minimal.

#### **14.10 Referral Agency Engagement**

The Summer Village of Silver Beach has notified affected local authorities and agencies of the proposed annexation application. The proposed notice of annexation was sent to local agencies with interests in the area (See Section 15 of this report for the complete list of referral agencies). These notification letters are included with this report.

#### **14.11 Reasonable Solutions to Impacts on Owners/Citizens**

There are no anticipated negative impacts resulting from the proposed annexation on area residents or landowners.

#### **14.12 Public/Landowner Engagement Process**

See Section 7 of this report for a summary of public engagement activities and feedback.

#### **14.13 Intermunicipal Revenue Sharing/Compensation**

The annexation area is currently undeveloped and does not contain any significant revenue generating opportunities that would create the need for revenue sharing. As a result no revenue sharing or compensation provisions are included with the annexation agreement between the Summer Village of Silver Beach and the County of Wetaskiwin.

#### **14.14 Rationale for Annexation**

The annexation area (3.23 hectares, 8.00 acres) represents less than 0.00001% of the County of Wetaskiwin's current land area.

The financial impact to the County is minimal. The land is not a significant revenue generator for the County; it is undeveloped and of marginal agricultural land.

This annexation application has been proposed by the Council of the Summer Village of Silver Beach to provide the Summer Village with jurisdictional control over the future development of an environmentally significant part of the Pigeon Lake Shoreline adjacent to the Summer Village. The proposed annexation area is currently accessed via Silver Beach Road in the Summer Village of Silver Beach.

The future land use concept for the proposed annexation area is for one single detached dwelling and a possible conservation easement, which would be addressed through a future Conservation Easement Agreement (or similar conservation mechanism).

The Council of the Summer Village of Silver Beach believes the proposed future use of the annexation area (residential and conservation) to be a reasonable, effective, and efficient extension of the Summer Village's municipal boundaries.

#### **14.15 Conditions of Annexation**

The Summer Village of Silver Beach submits that the proposed annexation meets the condition that the annexation "must be certain, unambiguous, enforceable, and be time specific."

The boundary of the annexation area follows legal lot lines, providing a sufficiently clear boundary for the municipal boundary description.

Conditions related to taxation, assessment, and future development are identified in Section 12 of this report.



## 15. INVOLVEMENT OF PUBLIC INTERESTS

### 15.1 Agencies and Service Providers

Copies of letters to public interests in the Summer Village of Silver Beach' annexation application and responses received by the Summer Village are included with this report as **Appendix D – Response Letters**.

A complete list of public interests (not including landowners and adjacent landowners) notified and consulted as a part of this annexation application is as follows:

<b>PUBLIC INTEREST</b>	<b>RESPONSE</b>
Alberta Environment	No response
Alberta Health Services	No response
Alberta Transportation	<b>No objections</b>
Atco Gas	<b>No objections</b>
Canada Post	<b>Requested to be updated if there is an address change</b>
Canadian Pacific Railway	No response
Fortis Alberta	No response
North East Pigeon Lake Regional Services Commission	No response
St. Thomas Aquinas Roman Catholic Separate Regional Division No. 38	No response
Telus Communications	No response
Wetaskiwin Regional Public Schools	No response

These agencies were contacted via email at addresses uses by Municipal Planning Services for subdivision and statutory plan notification. The agencies identified above were provided with information about the proposed annexation (including a link to the Summer Village's annexation website) and were given a deadline to provide response (which was extended to May 3, 2022, due to a low response rate).

### 15.2 County of Wetaskiwin

The County of Wetaskiwin has been engaged by the Summer Village throughout the annexation application process. The County was provided a copy of the original Notice of Intent, dated June 9, 2021. At its July 6, 2021 Council meeting, the Council of the County of Wetaskiwin passed a resolution (Resolution - CG20210706.008) to support the proposed annexation as presented by the Summer Village of Silver Beach (see the letter on the next page).

The County was provided an invitation to the October 2021 online engagement open house. The open house was attended by County CAO Rod Hawken. CAO Hawken was emailed information to share with a County resident that had questions about information that was presented at the open house (including a video link to a recording).

Addresses for adjacent landowners in the County of Wetaskiwin were provided by the County, which were used by the Summer Village to provide notice of the annexation and to notify of the open house.

A pre-submission copy of this report was provided to the County's CAO for their information in May 2022.

At their meeting of June 14, 2022, County Council reviewed the Report and passed resolution CG20220614.004 to require the items identified in Section 13.1 - Agreed Upon Issues in the Summer Village of Silver Beach's Annexation Application Report on Pt. NW 2-47-28-W4M (I00SJY; OT) be amended to include:

1. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, the Summer Village will amend their:

- a. Municipal Development Plan to require a minimum width of 20.16 m of ER on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
- b. Land Use Bylaw to require a minimum development setback of 30 m from the shoreline on the annexed lands; prior to accepting a subdivision or development permit application for the lands.

Further, Council authorized the Reeve of the County to provide their signature for the annexation report as requested by the Summer Village.

The conditions proposed by the County (as identified above) were adapted from regulations and policies in the County's current MDP and LUB as they apply to the proposed annexation area.

On February 15, 2023, Mayor Rolf of the Summer Village of Silver Beach sent a letter to Reeve Josh Bishop that requested an amendment to County Resolution CG20220614.004 and invited the County to meet to discuss the proposed annexation application.

On April 14, 2023, the Summer Village and County's Intermunicipal Collaboration Committee (as established in the municipalities' Intermunicipal Collaboration Framework and Intermunicipal Development Plan) met to discuss the proposed annexation application and County Resolution CG20220614.004. Following a discussion of the proposed annexation and County resolution, the committee resolved by consensus to direct Municipal Planning Services to draft a revised annexation condition for County Council's consideration. On April 28, 2023, County Council unanimously passed the following resolution:

**Resolution #CG20230425.026:** Moved by Councillor L. Carwell that Council support the recommendation by the IDP/ICF Intermunicipal Committee and approve the revision to the County's support for the annexation as follows:

1. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, upon approval of the annexation, the Summer Village will for the subject lands amend:
  - a. the Summer Village of Silver Beach Municipal Development Plan to require a minimum width of 20.16 m (66.14 ft.) of environmental reserve (ER) on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
  - b. the Summer Village of Silver Beach Land Use Bylaw to require a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:
    - i. 30.0 m (98.4 ft); or
    - ii. as determined by the Development Authority, following their consideration of:
      1. Recommendations from a qualified professional provided by the development proponent;
      2. Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and
      3. ESRD Recommended Guidelines for Setbacks chart;

However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.); and

Further, Council authorized the Reeve of the County to provide their signature for the annexation report as requested by the Summer Village.



# County of Wetaskiwin No. 10

P.O. Box 6960, Wetaskiwin, AB T9A 2G5  
Phone: 780-352-3321  
Fax: 780-352-3486  
www.county.wetaskiwin.ab.ca

**Strong Proactive Leadership • Safe Progressive Communities**

July 6, 2021

**RECEIVED**

**JUL 12 2021**

**REYNOLDS, MIRTH  
RICHARDS & FARMER**

Reynolds Mirth Richards & Farmer  
3200 Manulife Place  
10180 101 Street  
Edmonton, AB T5J 3W8

Attention: Lauren N. Chalaturnyk

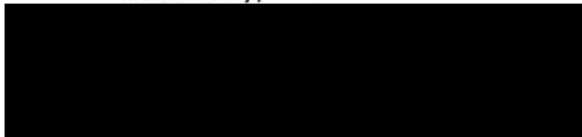
Dear Ms. Chalaturnyk:

**RE: ANNEXATION BY SUMMER VILLAGE OF SILVER BEACH  
YOUR FILE 81176-221-LNC**

Please be advised that the above annexation was reviewed by County Council at their regular meeting of July 6, 2021. At that time, Council passed a resolution to support the proposed annexation as presented by the Summer Village of Silver Beach for all that portion of NW 2-47-28-W4M as shown outlined in orange on filed plan 1005JY containing 7.33 hectares (18.13 acres) more or less.

Should you require anything further please contact the undersigned directly at 780-361-6225 or by email [rhawken@county10.ca](mailto:rhawken@county10.ca).

Yours truly,



ROD HAWKEN  
CAO

:bew

cc Summer Village of Silver Beach  
Assessment Department

**16. APPENDIX A – PIGEON LAKE NORTH INTERMUNICIPAL DEVELOPMENT PLAN EXCERPTS**

**7.10 ANNEXATION**

For the purposes of the following policies, “infrastructure” shall refer to stormwater servicing, water servicing, wastewater servicing, and/or transportation infrastructure (roads, culverts, etc.).

7.10.1	Where a new subdivision or development in the County of Wetaskiwin is proposed that would utilize infrastructure from or through an adjacent municipality the proposal should not be approved unless the land is annexed to the municipality providing the service and/or road access, unless the municipality indicates in writing that they have no objections to the proposed subdivision or development.	
7.10.2	An application for the annexation of County land by a Summer Village shall generally be supported if the purpose of the annexation is to correct a municipal boundary error.	
7.10.3	Should an annexation be proposed to facilitate growth and development then the application may be required to be accompanied by a Growth Study and will only be considered if: <ul style="list-style-type: none"> <li>a. Road access is provided to the site through the Summer Village; and</li> <li>b. all potential impacts of County infrastructure have been addressed to the satisfaction of the County.</li> </ul>	
7.10.4	Where a Growth Study is provided in support of an annexation application, the Growth Study shall address the following questions: <ul style="list-style-type: none"> <li>a. Does the annexation proposal encompass lower capability agricultural land? If not, is the expansion onto high capability agricultural land justified in light of existing growth direction options?</li> <li>b. Has the Summer Village planned for the future land use and development of the annexation area through a statutory plan?</li> <li>c. Is the annexation required or does the Summer Village have sufficient land within its boundaries to accommodate anticipated growth and development?</li> </ul>	

**17.1 LAND USE COORDINATION AND REFERRAL**

<b>OBJECTIVE</b>	Coordinate development in areas of shared interest with adjacent municipalities and First Nations.
<b>17.1.1</b>	The Fringe area is established as 1.6 km (1 mile) from the municipal boundary, the established hamlet boundary, or the First Nation Reserve boundary.
<b>17.1.2</b>	Refer all Area Structure Plan, zoning bylaw amendment, subdivision, and discretionary development applications to the adjacent municipalities and First Nations within the fringe area for their comment, unless an approved IDP provides more specific referral policies.
<b>17.1.3</b>	Ensure that all other statutory plans are consistent with approved IDPs.
<b>17.1.4</b>	As new Intermunicipal Development Plans are adopted or existing Intermunicipal Development Plans are amended, the County shall update the boundaries of the IDP Overlay Area accordingly on <b>Map 1. County Future Land Use Concept</b> .
<b>17.1.5</b>	Subdivision and development on lands within an approved Intermunicipal Development Plan shall be guided by the Intermunicipal Development Plan's policies and future land use map.
<b>17.1.6</b>	Cooperate with surrounding municipalities for any statutory or non-statutory plan preparation concerning the lakes in the County that border on other municipalities.

**17.2 FUTURE URBAN EXPANSION**

<b>OBJECTIVE</b>	Preserve the lands adjacent to urban centres for long-term conversion to urban uses.
------------------	--

**17.2.1** Development adjacent to the Town of Millet, City of Wetaskiwin and Summer Villages at Pigeon Lake, and adjacent Counties shall be consistent with the respective Intermunicipal Development Plans.

**17.2.2** In the absence of an Intermunicipal Development Plan, a development proposal in a fringe area of urban municipalities should be designed to enable the eventual conversion of the subject lands to urban uses if the land is annexed.

**17.2.3** For the subdivision in urban fringe areas, which are likely to be built with a higher density, the municipal reserve dedication should be made by land, not by cash in lieu payment. If the location of reserves cannot be determined, they will be deferred to the remainder of the land.

**17.3 OTHER REGIONAL PARTNERS AND SERVICE PROVIDERS**

<b>OBJECTIVE</b>	Cooperate with regional partners and local service providers to ensure that County residents are provided a high level of community services where possible.
------------------	--

**17.3.1** Collaborate with regional service commissions, including the North East Pigeon Lake Regional Services Commission and the South Pigeon Lake Regional Wastewater Commission, to provide services in appropriate locations and where cost-effective.

**17.3.2** Collaborate with adjacent municipalities and First Nations to provide services where cooperation is appropriate.

**17.3.3** Collaborate with regional solid waste authorities to maintain and expand services for County residents as appropriate.

**17.3.4** Collaborate with regional partners to explore opportunities for potable water service expansion.

**17.3.5** Collaborate with regional partners on matters of emergency preparedness and resilient infrastructure service provision.

**10.1 Agricultural District (AG)**

**10.1.1 Purpose**

The purpose of the Agricultural District (AG) is to maintain and preserve land for productive agricultural uses and to allow for limited subdivision and development for residential use compatible in the farming community.

**10.1.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Mobile – New
- d) Dwelling, Modular – New
- e) Intensive Livestock Operation - situated at least 400.0 meters (1312 feet) away from any land not districted as Agricultural or Severed Agricultural
- f) Dwelling, Moved-in-New (*amended by Bylaw 2019/44*)
- g) Buildings and uses accessory to the above

**10.1.3 Discretionary Uses**

- a) Dwelling, Communal
- b) Dwelling, Moved-in- Used (*amended by Bylaw 2019/44*)
- c) Dwelling, Mobile – Used
- d) Dwelling, Modular – Used
- e) Dwelling, Secondary Suite
- f) Agricultural, Intensive
- g) Intensive Livestock Operation - within 400.0 meters (1312 feet) of any land not classified as Agricultural or Severed Agricultural under this Bylaw
- h) Tree Farm
- i) Bed and Breakfast
- j) Industry Work Camp
- k) Kennel
- l) Public Utility
- m) Public or Quasi-Public Use



- n) Resource Extraction Operation Type A
- o) Resource Extraction Operation Type B
- p) Resource Processing Operation
- q) Recreational, Extensive
- r) Abattoir
- s) Greenhouse
- t) Veterinary Clinic
- u) Equestrian Center
- v) Recreational Units Use (greater than 32.0 hectares (80 acres), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- w) Apiary (*amended by Bylaw 2019/44*)
- x) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- y) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- z) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- aa) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- bb) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- cc) Market Garden (*amended by Bylaw 2019/55*)
- dd) Buildings and uses accessory to the above

#### 10.1.4 Parcel size

The minimum size for a parcel intended to be used for extensive agriculture is 32.0 hectares (80 acres), but this minimum size may be relaxed:

- a) to allow a parcel to follow natural boundaries;
- b) to allow for existing or proposed subdivisions for public or quasi-public purposes; or
- c) proportionally where the original quarter section title was less than 64.7 hectares (160 acres).

The minimum size for a parcel intended to be used for an intensive agricultural operation shall be at the discretion of the Subdivision Authority, who may consult with

appropriate specialists from the Province or consult with the Director or Agricultural Services for the County.

#### **10.1.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

#### **10.1.6 Number of Lots**

A quarter section may be subdivided to create one of the following:

- a) an existing farm yard site;
- b) a new yard site;
- c) two approximately equal parts; or
- d) a natural or severed split.

**10.1.7** Regulations for the creation of a yard site subdivision shall be as in the Rural Residential district, and, after subdivision, the regulations for Rural Residential apply, even though the land retains its Agricultural zoning. **Note:** Small parcels of land on which the primary use is residential are deemed under this Bylaw to be a Rural Residential use and the standards of that district apply.

#### **10.1.8 Rezoning Requirements**

- a) Any subdivisions creating in excess of two parcels per quarter section will require rezoning from Agricultural to another district.
- b) Subdivisions for public purposes may be allowed without rezoning in addition to those allowed under Section 10.1.6.

#### **10.1.9 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.1.10 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12(g), Recreational Units.

#### **10.1.11 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.1.12 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## 19. APPENDIX D – PUBLIC AND AGENCY FEEDBACK

---

September 27,2021

WITHOUT PREJUDICE

C/O Mr. Rod Hawken, C.A.O County of Wetaskiwin No.10,  
Email : rhawken@county10.ca

Re: Annexation Proposal from the Summer Village of Silver Beach

Thank you Rod for forwarding the proposed annexation letter received by the County of Wetaskiwin from the Summer Village of Silver Beach (not dated) regarding the 10.13 acre parcel.

Land Site Description :

N.W. 1/4 section 2-47-28-W.4M Plan 1005JY

We have some concerns in regards to the information provided in the letter from the Summer Village of Silver Beach (SVSB) that we wish to address;

- Since 1965 the abutting property to the east has been owned by the Schwindt Family. George William Schwindt Sr. ,Mary Lou Schwindt (Nee Tizzard) George William Schwindt Jr. and Patti Ann Schwindt (Nee Ullett).
- The property has been farmed up until several years ago by Emery Bodor, George Schwindt Sr. and Sid Tizzard . Cattle and horses grazed the fenced area to the east of SVSB road. The land on the S.E. parcel had been cultivated and cereal grains were grown.

**We disagree with the proposed annexation for the following reasons;**

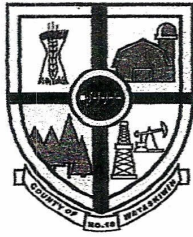
- In all 10.8 acres was given to the county of Wetaskiwin to access the property through the Area Structure Plan process in May 2016 plan (1055-JY). A 25 meter road allowance including a Public Utility Corridor and a Public Utility Lot was provided. The new road allowance runs from RR#281 in the East then West to the N.E. corner of the proposed land to be annexed then south ending east of lot 7A in the SVSB. Access is available to this parcel of land through the county. See attachments; Notice of Public Hearing County of Wetaskiwin and #10 and County of Wetaskiwin Area Structure Plan Map.

- The County of Wetaskiwn has adopted the Pigeon Lake Area Concept Plan that encompasses; Wet Land use, Environmental Reserves within the shores of Pigeon lake, impact studies and guidelines to protect areas within their jurisdiction for our next generation.
- There has been no Area Structure Plan provided by the SVSB to show what the intent of the proposed property to be annexed would be used for.
- This may be a question for Ric McIver Minister of Municipal Affairs regarding growth of Summer Villages. In 1995 the government of Alberta stopped creating Summer Villages. What is the reason why Summer Villages are allowed to apply to the Ministry to increase their land base through the annexation process?

Thank you for your understanding and consideration regarding this matter.

George and Gail Schwindt





# County of Wetaskiwin No. 10

P.O. Box 6960, Wetaskiwin, AB T9A 2G5

Phone: 780-352-3321

Fax: 780-352-3486

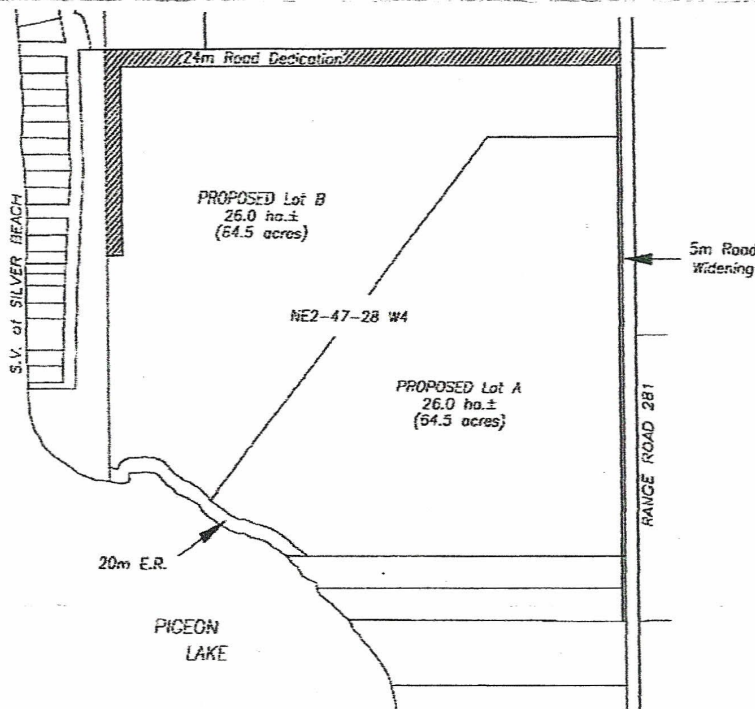
www.county.wetaskiwin.ab.ca

**Strong Proactive Leadership • Safe Progressive Communities**

File #271700 S

## NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Council of the County of Wetaskiwin No. 10 has been asked to adopt an Area Structure Plan for the subdivision and development of two (2) Rural Conservation lots on the following land which is located west of Range Road 281 shown on the accompanying map.



### NE 02-47-28-W4M

Before considering the adoption of the Area Structure Plan, Council will hold a public hearing at which any person claiming to be affected by the proposed Area Structure Plan may ask questions or make their views known.

The hearing will be held in the Council Chambers, County Office, 1.6 kilometres west of Wetaskiwin on Highway 13, at 1:30 p.m., Thursday, September 17, 2015

Written submissions will be accepted up to the time of the hearing and should be addressed to the undersigned at the County Office.

A copy of the proposed Plan may be picked up at the County of Wetaskiwin Administration Building or by contacting the Planning and Economic Development Department at (780) 352-3321.

DAVID BLADES, A. Sc. T., LGA  
Director of Planning & Economic Development  
County of Wetaskiwin No. 10

DATES TO BE ADVERTISED:  
CONTACT PERSON:  
COSTING PROJECT #:  
G/L CODE (Only if no Project #):

September 3<sup>rd</sup> and 10<sup>th</sup> 2015  
Lindsay/Amber  
ACTIVITY: ADV  
PD00502







**From:** SV of Silver Beach Administrator cao@silverbeach.ca  
**Subject:** Re: Recording  
**Date:** October 8, 2021 at 1:32 PM  
**To:** Rod Hawken rhawken@county10.ca



---

Hi Rod,

He can visit our website:  
<https://www.silverbeach.ca/annexation>

Or go directly to this link:  
[https://www.youtube.com/watch?v=Jdr\\_KiLIbSA](https://www.youtube.com/watch?v=Jdr_KiLIbSA)

Sincerely,

June Boyda, CLGM  
Chief Administrative Officer  
**Summer Village of Silver Beach**  
Phone: (780) 389-4409  
RR1 South, Site 1, Box 29  
Thorsby, AB T0C 2P0  
[www.silverbeach.ca](http://www.silverbeach.ca)

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you are not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect if required), and return the original message to us by email or, alternatively destroy this message. Thank-you.

On Oct 7, 2021, at 11:54 AM, Rod Hawken <[rhawken@county10.ca](mailto:rhawken@county10.ca)> wrote:

June:  
How would Mr. Schwindt go about getting a copy of or a link to the meeting video?

Thanks,  
Rod

**From:** SV of Silver Beach Administrator cao@silverbeach.ca  
**Subject:** Re: Summer Village of Silver Beach Annexation Proposal  
**Date:** October 28, 2021 at 12:34 PM  
**To:** Bill Schwindt [REDACTED]



Dear Bill,

I understand that Rod Hawken from the County of Wetaskiwin was able to share a link to the Open House. Did you have any further concerns? If so, we could schedule a meeting to discuss them with you. Please let me know.

Sincerely,

June Boyda, CLGM  
Chief Administrative Officer  
**Summer Village of Silver Beach**  
Phone: (780) 389-4409  
RR1 South, Site 1, Box 29  
Thorsby, AB T0C 2P0  
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On Sep 30, 2021, at 10:15 AM, Bill Schwindt [REDACTED] wrote:

Good morning June. Gail and I can meet with you in person toward the end of next week. I will give you a call after our return from vacation.

Bill and Gail Schwindt

Sent from my iPhone

On Sep 29, 2021, at 3:46 PM, SV of Silver Beach Administrator <cao@silverbeach.ca> wrote:

Dear George and Gail,

Your letter regarding the proposed annexation has been received. We would like to set up a meeting with you to have a conversation about your concerns to make sure they are understood, and see if they can be resolved or addressed.

Would you be available for a meeting? We could do a phone call (it can also be done over zoom if you are able to use that so that we can see each other).

What about Friday October 1st at 10am, or Monday October 4 at 11am?

Sincerely,

June Boyda, CLGM  
Chief Administrative Officer  
**Summer Village of Silver Beach**  
Phone: (780) 389-4409  
RR1 South, Site 1, Box 29  
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## Fwd: Summer Village of Silver Beach Annexation Proposal

SV of Silver Beach Administrator <cao@silverbeach.ca>

Thu 12/2/2021 12:50 PM

To: Brad Macdonald <b.macdonald@munplan.ab.ca>

Cc: Jane Dauphinee <j.dauphinee@munplan.ab.ca>

 1 attachments (40 KB)

Responses to Feedback - SV of Silver Beach Annexation Application.pdf;

Hi Brad,

Thank you for sending that document. I have forwarded the information to the Schwindt's by email today. If they do respond, I will let you know.

Sincerely,

June Boyda, CLGM

Chief Administrative Officer

**Summer Village of Silver Beach**

Phone: (780) 389-4409

RR1 South, Site 1, Box 29

Thorsby, AB T0C 2P0

[www.silverbeach.ca](http://www.silverbeach.ca)

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Begin forwarded message:

**From:** SV of Silver Beach Administrator <[cao@silverbeach.ca](mailto:cao@silverbeach.ca)>

**Subject: Re: Summer Village of Silver Beach Annexation Proposal**

**Date:** December 2, 2021 at 12:49:52 PM MST

**To:** Bill Schwindt [REDACTED]

Good-afternoon Bill and Gail,

We have prepared a response to the letter submitted regarding the proposed annexation, as attached. Do you have any further comments, concerns, or would you want to get together to have a meeting to discuss any of the items?

Sincerely,

June Boyda, CLGM  
Chief Administrative Officer  
**Summer Village of Silver Beach**  
Phone: (780) 389-4409  
RR1 South, Site 1, Box 29  
Thorsby, AB T0C 2P0  
[www.silverbeach.ca](http://www.silverbeach.ca)

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This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you are not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect if required), and return the original message to us by email or, alternatively destroy this message. Thank-you.

SUBMISSION	RESPONSE
<p>Thank you Rod for forwarding the proposed annexation letter received by the County of Wetaskiwin from the Summer Village of Silver Beach (not dated) regarding the 10.13 acre parcel. Land Site Description: N.W. 114section 2-47-28-WAM Plan 1005JY</p> <p>We have some concerns in regards to the information provided in the letter from the Summer Village of Silver Beach (SVSB) that we wish to address;</p> <ol style="list-style-type: none"> <li>1. Since 1965 the abutting property to the east has been owned by the Schwindt Family. George William Schwindt Sr., Mary Lou Schwindt (Nee Tizzard), George William Schwindt Jr., and Patti Ann Schwindt (Nee Ullett).</li> <li>2. The property has been farmed up until several years ago by Emery Bodor, George Schwindt Sr. and Sid Tizzard. Cattle and horses grazed the fenced area to the east of SVSB road. The land on the S.E. parcel had been cultivated and cereal grains were grown.</li> </ol> <p>We disagree with the proposed annexation for the following reasons;</p> <ol style="list-style-type: none"> <li>3. In all 10.8 acres was given to the county of Wetaskiwin to access the property through the Area Structure Plan process in May 2016 plan (1055-JY). A 25 meter road allowance including a Public Utility Corridor and a Public Utility Lot was provided. The new road allowance runs from RR#281 in the East then West to the N.E. corner of the proposed land to be annexed then south ending east of lot 7A in the SVSB. Access is available to this parcel of land through the county. See attachments; Notice of Public Hearing County of Wetaskiwin and #10 and County Of Wetaskiwin Area Structure Plan Map.</li> <li>4. The County of Wetaskiwin has adopted the Pigeon Lake Area Concept Plan that encompasses; Wet Land use, Environmental Reserves within the shores of Pigeon lake, impact studies and guidelines to protect areas within their jurisdiction for our next generation.</li> <li>5. There has been no Area Structure Plan provided by the SVSB to show what the intent of the proposed property to be annexed would be used for.</li> <li>6. This may be a question for Ric Mclver Minister of Municipal Affairs regarding growth of Summer Villages. In 1995 the government of Alberta stopped creating Summer Villages. What is the reason why Summer Villages are allowed to apply</li> </ol>	<ol style="list-style-type: none"> <li>1. Summer Village Administration and MPS thank the community member for providing this historical information about adjacent property ownership.</li> <li>2. The notification provided to community members in September 2021 indicated that the property “consists of wooded wetland and a steep promontory overlooking the lake. It is in its natural state except for a private driveway opening onto Silver Beach Road. The information provided by the community member is consistent with this description.</li> <li>3. The road allowance described was included as part of the County of Wetaskiwin Tizzard/Schwindt Area Structure Plan to provide legal road access to the proposed annexation area, which is (and was at the time) part of the County of Wetaskiwin. This road allowance (at the time of this report’s writing) has not been developed.</li> <li>4. The Pigeon Lake Area Concept Plan was approved by resolution of County of Wetaskiwin Council in February 2014. It includes policies for the development of lands within 800 metres of Pigeon Lake. In the preparation of the Pigeon Lake North Intermunicipal Development Plan (adopted in 2021), policies from the Pigeon Lake Area Concept Plan were carried forward in the IDP. The future development of the proposed annexation area will need to be consistent with the environmental and development policies of the IDP and the Summer Village of Silver Beach Municipal Development Plan.</li> <li>5. The Summer Village of Silver Beach has not requested that an Area Structure Plan be prepared for the proposed annexation area (or be required as a condition of annexation) due to the small area of land and that a single residence is being processed for future development. Future development will be guided by the Summer Village’s Municipal Development Plan.</li> <li>6. Section 89.1 of the Municipal Government Act states: “The fact that a summer village may not be formed under this Act does not affect any existing summer village, and this Act continues to apply to summer villages.” Summer Villages (like all other municipalities in Alberta) are eligible to apply for annexation.</li> </ol>



to the Ministry to increase their land base through the annexation process?

Thank you for your understanding and consideration regarding this matter.

NOTE: points in this submission have been numbered to aid readers of this report in identifying corresponding responses.

**RE: Proposed Summer Village of Silver Beach Annexation -**

LIVADARU, Roseanna <Roseanna.Livadaru@canadapost.postescanada.ca>

Wed 4/20/2022 11:42 AM

To: Brad Macdonald <b.macdonald@munplan.ab.ca>

Hi there,

Thank you for advising on those changes to come, within the Count of Wetaskiwin. Please keep Canada Post informed of progress and if finalized, to provide any new addresses or addresses that will be affected by Annexation.

Best,

**Roseanna Livadaru**

Delivery Service Officer

511-9925 109st | Edmonton, AB | T5K 2J8

587-341-1856 (mobile)

780-944-3333 ex.43058

Canada Post | Postes Canada

**22-1502 Response - Proposed Summer Village of Silver Beach Annexation -**

Circulations, HP <HP.Circulations@atco.com>

Fri 4/29/2022 4:23 PM

To: Brad Macdonald <b.macdonald@munplan.ab.ca>

ATCO Transmission high pressure pipelines has no objections.

Questions or concerns related to ATCO high pressure pipelines can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

Thank you,

**Isabel Solis-Jarek**

Sr. Administrative Coordinator | Operations Engineering | Gas Transmission

ATCO Pipelines & Liquids Global Business Unit

A: 7210 42 Street, Edmonton, AB T6B 3H1

E: [Isabel.Solis@atco.com](mailto:Isabel.Solis@atco.com)

[ATCO.com](https://www.atco.com) [Facebook](#) [Twitter](#) [LinkedIn](#)



2022-04-29

**Subject: Municipal Referral**

Description	General Location
<p>Proposed annexation area is legally described as: All that portion of NW2-47-28-W4, as shown on filed plan 1005JY containing 7.33 ha (18.13 acres) more or less excepting thereout: PLAN 4655HW – Subdivision 4.10 (ha) 10.13 (acres) more or less – in to the County of Wetaskiwin</p>	

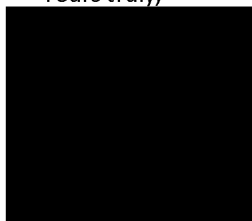
This will acknowledge receipt of the above-referenced document. Alberta Transportation’s primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in the vicinity of the plan area.

We expect that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connection to the highway system pursuant to the Provincial Land Use Policies and/or Regional Land Use plan that may be in effect.

The department expects minimal impact to the provincial highway network from any traffic generated by the proposed annexation. Alberta Transportation offers no objections to the proposed annexation of the single lot in to the County of Wetaskiwin.

Thank you for the opportunity to provide comment on the proposed annexation. If you have any questions or require additional information, please contact the undersigned.

Yours truly,



Digitally signed by  
 Charlene Johnson  
 Date: 2022.04.29  
 13:04:09 -06'00'

Charlene Johnson  
 Charlene.Johnson@gov.ab.ca

Mailed: 22 August 2023



**Proposed Summer Village of Silver Beach Annexation – Questionnaire**

Further to the enclosed Summer Village of Silver Beach’s letter regarding the proposed annexation of all that portion of NW 2-47-28-W4, as shown on filed plan 1005JY excepting Plan 4655HW from the County of Wetaskiwin, the Summer Village requests that you complete the questionnaire below.

All responses will be included in the Summer Village’s Annexation Application Report that will be submitted to the Land and Property Rights Tribunal.

No personal information will be included with the public report submitted by the Summer Village of Silver Beach; however, persons or organizations that provide objections to the proposed annexation may be contacted by the Land and Property Rights Tribunal in their assessment as to whether a hearing is required.

**Legal Description of Lands:**

SHORT LEGAL 1723495;1;1

**Name(s):**

George William Schwandt Jr. + Gail Sandra Klassen Schwandt

**Email Address:**

[Redacted]

**Phone Number:**

[Redacted]

1. Do you object to the Summer Village of Silver Beach’s proposed Annexation (all that portion of NW 2-47-28-W4, as shown on filed plan 1005JY excepting Plan 4655HW from the County of Wetaskiwin)?

- YES
- NO

2. Do you have any concerns, questions, or comments regarding the Summer Village’s annexation proposal?

- YES
- NO

If so, please identify your concerns, questions, or comments with this letter or send a separate email to the undersigned by September 15, 2023. PLEASE SEE ATTACHMENT

**Brad MacDonald, RPP, MCIP**  
 Senior Planner, Municipal Planning Services  
 Phone: 780.486.1991  
 Email: [b.macdonald@munplan.ab.ca](mailto:b.macdonald@munplan.ab.ca)  
 #206, 17511 – 107 Avenue NW  
 Edmonton, AB T5S 1E5

**James Haney, RPP, MCIP**  
 Senior Planner, Municipal Planning Services  
 Phone: 780.486.1991  
 Email: [j.haney@munplan.ab.ca](mailto:j.haney@munplan.ab.ca)  
 #206, 17511 – 107 Avenue NW  
 Edmonton, AB T5S 1E5



Mailed: 22 August 2023



## Re: Proposed Summer Village of Silver Beach Annexation

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This letter is being sent to the following landowners in the County of Wetaskiwin that:

- Are adjacent to the proposed annexation area described below; and/or
- Have previously provided comments to the Summer Village of Silver Beach regarding the proposed annexation.

In June 2021, the Summer Village of Silver Beach filed a Notice of Intent to annex a single property, described below, with the Land and Property Rights Tribunal (formerly the Municipal Government Board) and the County of Wetaskiwin.

The annexation area is legally described as: that portion of NW 2-47-28-W4, as shown on filed plan 1005JY excepting Plan 4655HW from the County of Wetaskiwin. Location maps have been included with this letter for your convenience (indicated as Maps 1 and 2, from the Summer Village's draft Annexation Report).

The proposed annexation area is located adjacent to the south and southeastern boundary of the Summer Village. The proposed annexation is supported by the Summer Village, the County of Wetaskiwin, and the landowner of the proposed annexation area.


The intended future land use for the proposed annexation area is a combination of a single residential development (one additional dwelling on one lot), public recreational trails, and environmental conservation. No subdivision of the annexation area is being proposed. The landowner (in collaboration with the Summer Village) is exploring the feasibility of a Conservation Easement Agreement for a portion of the proposed annexation area.

With this letter, the Summer Village of Silver Beach is formally requesting if you have any objections to the proposed annexation. The Summer Village has taken several steps to ensure that all members of the public have been informed of the process and have been provide opportunities to share comments, including holding a public information meeting in October 2021 and maintaining a dedicated space on the Summer Village's website for information about the proposed annexation ([www.silverbeach.ca/annexation](http://www.silverbeach.ca/annexation)).

It is the intent of the Summer Village to submit an Annexation Application Report to the Land and Property Rights Tribunal in Fall 2023.

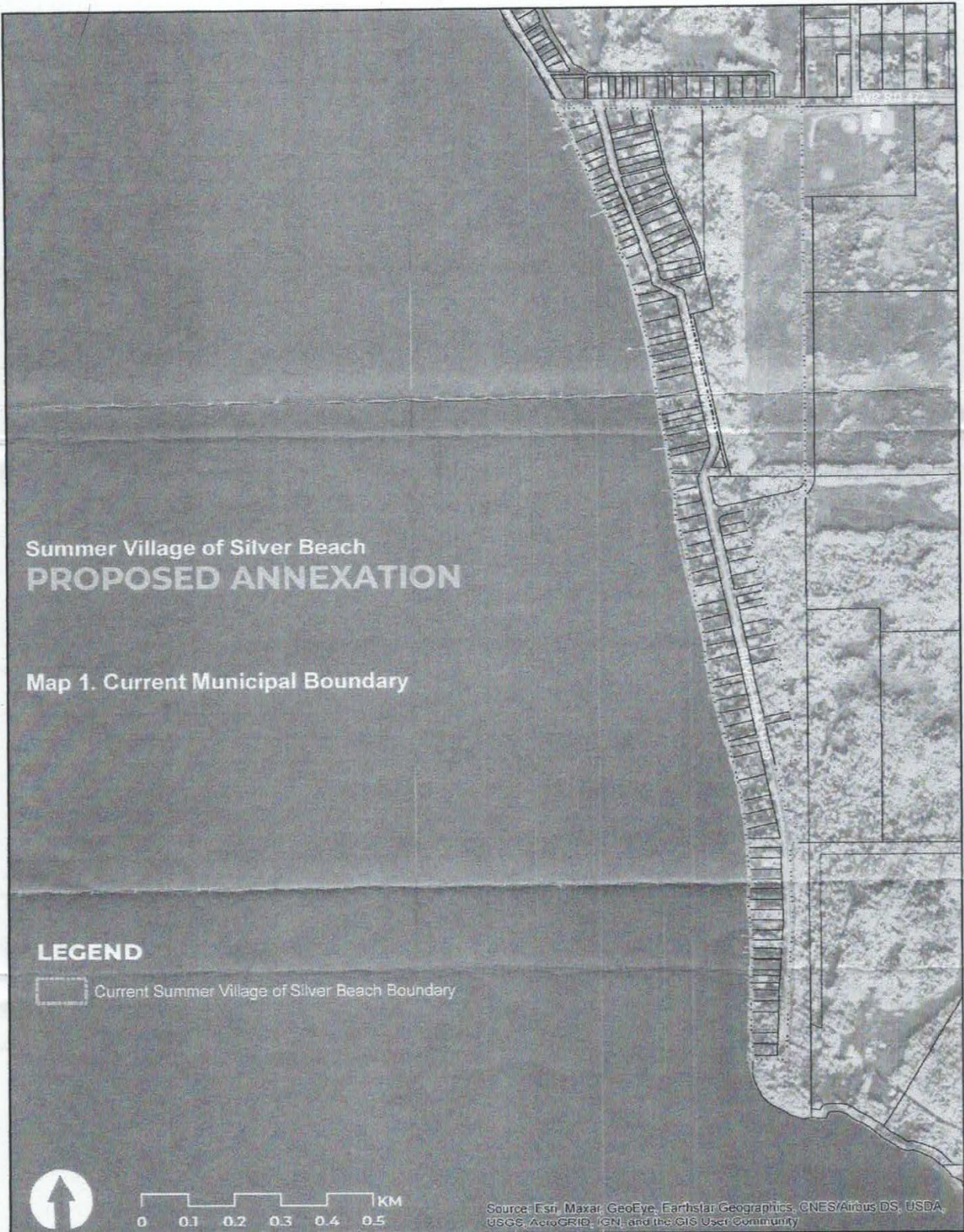
The Summer Village asks that you read and complete the questionnaire included with this letter; responses will be included in the Annexation Report submitted to the Land and Property Rights Tribunal. Two copies are provided so that you may keep one for your records. Please feel free to send a signed and completed copy to the undersigned or send an email indicating your position. If you have any further questions or wish to provide comments in addition to, please do not hesitate to contact the undersigned.

Sincerely,

  
Brad MacDonald, RPP, MCIP  
Senior Planner, Municipal Planning Services  
Phone: 780.486.1991  
Email: [b.macdonald@munplan.ab.ca](mailto:b.macdonald@munplan.ab.ca)  
#206, 17511 – 107 Avenue NW  
Edmonton, AB T5S 1E5

James Haney, RPP, MCIP  
Senior Planner, Municipal Planning Services  
Phone: 780.486.1991  
Email: [j.haney@munplan.ab.ca](mailto:j.haney@munplan.ab.ca)  
#206, 17511 – 107 Avenue NW  
Edmonton, AB T5S 1E5





Summer Village of Silver Beach  
**PROPOSED ANNEXATION**

Map 1. Current Municipal Boundary

**LEGEND**

 Current Summer Village of Silver Beach Boundary



0 0.1 0.2 0.3 0.4 0.5 KM

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



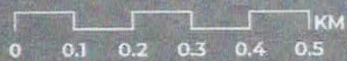
# Summer Village of Silver Beach PROPOSED ANNEXATION

## Map 2. Proposed Annexation Area

MERIDIAN 4 RANGE 28 TOWNSHIP 47 SECTION 2  
ALL THAT PORTION OF THE NORTH-WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:  
A) PLAN 4655HW - SUBDIVISION 4.10 (ha) 10.13 (acres) MORE OR LESS  
EXCEPTING THEREOUT ALL MINES AND MINERALS

### LEGEND

-  Current Summer Village of Silver Beach Boundary
-  Proposed Annexation Area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## ANNEXATION CONCERNS

We are previous owners of the property requesting annexation by the Summer Village of Silver Beach. As neighbors there are some concerns:

- There are no subdivision plans to provide the complete intent of the property to be annexed.
- Lake shore environmental reserve is not addressed on the maps
- Proposed single lot and conservation easement not illustrated in proposal
- Concerns regarding parking to access proposed public recreational trails including lake access through public streets 5,6 and 7
- Wildlife corridors to access lake
- Access for emergency vehicles



**20. APPENDIX E – INITIAL NOTICE OF ANNEXATION AND NOTICE OF OPEN HOUSE**

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**IN THE MATTER OF:**

**PART 4, DIVISION 6 OF THE MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, c.M-26,  
as amended**

**AND IN THE MATTER OF:**

**AN APPLICATION BY THE SUMMER VILLAGE OF SILVER BEACH TO ANNEX  
CERTAIN LANDS IMMEDIATELY ADJACENT THERETO AND THEREBY  
SEPARATE SUCH LANDS FROM THE COUNTY OF WETASKIWIN**

**TO:** The County of Wetaskiwin  
**AND TO:** The Municipal Government Board  
**AND TO:** The Minister of Municipal Affairs  
**AND TO:** The Northeast Pigeon Lake Regional Services Commission

The Summer Village of Silver Beach hereby notifies the County of Wetaskiwin that the Summer Village of Silver Beach proposes to annex the lands described in Appendix 1 from the County of Wetaskiwin. The said lands are shown on the Map attached as Appendix 2.

The reasons for the proposed annexation are set out in detail in Appendix 3.

The process by which the Summer Village of Silver Beach will consult with the public about the proposed annexation and the proposals of the Summer Village of Silver Beach for meeting with the owners of the land to be annexed and methods for keeping the land owners informed about the progress of the annexation, including negotiations between the Summer Village of Silver Beach and the County of Wetaskiwin are set out in detail in Appendix 4.

Signed at the Summer Villager of Silver Beach, Alberta, June 9, 2021, 2021.

  
Mayor, Summer Village of Silver Beach

Appendices:

1. Written Description of Lands to be annexed from the County of Wetaskiwin to the Summer Village of Silver Beach.
2. Map showing lands to be separated from the County of Wetaskiwin and annexed to the Summer Village of Silver Beach.
3. Reasons for the proposed annexation by the Summer Village of Silver Beach.
4. Public Consultation Process.

**APPENDIX 1**

**Legal Description of Lands to be Annexed from the County of Wetaskiwin to the Summer Village of Silver Beach**

MERIDIAN 4 RANGE 28 TOWNSHIP 47

SECTION 2

ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS

EXCEPTING THEREOUT:	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 4655HW - SUBDIVISION	4.10	10.13	

EXCEPTING THEREOUT ALL MINES AND MINERALS

**APPENDIX 2**

**Summer Village of Silver Beach Annexation Map Identifying Annexation Area**





### APPENDIX 3

#### Reasons for Annexation

Section 116(2)(b) of the *Municipal Government Act* requires that the notice for an annexation contain reasons for the annexation.

The parcel of land outlined in Appendix 2 (the “Parcel”) has historically been owned by the same person that owns the adjacent NE Quarter of Township 47, Range 28, West of the Fourth Meridian (the “NE Quarter”), which is zoned and has been operated as farmland in the County of Wetaskiwin. The NE Quarter fronts on Range Road 281 in the County. The Parcel, however, has no frontage or access to Range Road 281. The Parcel is the portion of the NW Quarter that is not already part of the Summer Village of Silver Beach (the “Summer Village”) or covered by the waters of Pigeon Lake (the “Lake”). The Parcel mostly consists of wooded wet lands and a steep promontory overlooking the Lake. It has never been used for farming. It is in its natural state except for a private driveway opening onto Silver Beach Road. Silver Beach Road is located within and is maintained by the Summer Village of Silver Beach

Silver Beach Road is the only road access available to the Parcel. The Parcel is the only property fronting the road that is not already within the Summer Village.

Just as the only road access available to the Parcel is the Silver Beach Road, all public services that might be required for the Parcel (electricity, gas and sewer) run through the Summer Village either adjacent to or under the Silver Beach Road.

The new owner of the parcel wishes to build a single-family residence and outbuildings on part of the parcel while dedicating the rest of the parcel as a nature conservancy area. The Summer Village requires the parcel be annexed so that it may prudently and effectively preserve the wet lands and promontory as a nature conservancy area while also ensuring the residential development is consistent with the other residential properties within the Summer Village.

Annexation would achieve and complete the Summer Village’s rational and logical growth while enabling the most cost effective use of public resources for transportation and infrastructure servicing.

Annexation would not infringe upon the autonomy of the County and is consistent with the *Pigeon Lake North Intermunicipal Development Plan* recently enacted by both the Summer Village and the County: Summer Village By-Law 2021-01, section 7.10.

The annexation will be conducted in accordance with the *Pigeon Lake North Intermunicipal Development Plan*, and also in accordance with any relevant Area Structure Plans.

## APPENDIX 4

### Summer Village of Silver Beach Land Annexation Public Consultation Process

#### Introduction

The *Municipal Government Act* requires any annexation application to include a public consultation process. The purpose of the public consultation process is to ensure affected stakeholders are aware of the annexation application and have an opportunity to provide input before the application is considered by the Municipal Government Board.

In addition to meeting the legal requirement, public consultation offers the Summer Village of Silver Beach an opportunity to develop a broad base of understanding of the concerns of the affected stakeholders and gives the affected stakeholders the opportunity to learn about the annexation process and the conservation goals of the Summer Village of Silver Beach.

#### Process

The consultation process will be open and transparent. It will ensure stakeholders are aware of consultation opportunities, are kept informed of the annexation applications' progress and have a common foundation of facts and knowledge upon which to provide comment and input.

All reasonable measures will be taken to ensure those with an interest in the annexation application will be able to access information and have their views and opinions heard. The consultation team is aware of the need to communicate with and enable input from the following stakeholders:

- Property owners in and adjacent to the land proposed for annexation;
- Developers, builders, community groups and others with economic or quality of life interest in the land proposed for annexation.
- Residents of the Summer Village of Silver Beach and the County of Wetaskiwin.

Those most directly affected by the annexation will be the primary focus for consultation. This group will include those individuals and organizations with direct personal or business interests in the land proposed for annexation.

Different avenues for input will be provided to stakeholders and participants will receive feedback on consultation and annexation application outcomes. A final report summarizing the activities and results of the public consultation process will be prepared for the Councils of both the Summer Village of Silver Beach and the County of Wetaskiwin, as well as the Municipal Government Board and the Minister of Municipal Affairs. The report will include documentation of stakeholder input and feedback, and will note common concerns and areas of support.

## Consultation Elements

A mix of consultation methods will be used to facilitate stakeholder information and input needs.

### 1. Consultation Information Package

This package will include information materials that provide facts and details of the annexation application, explains the process, outlines the benefits and impacts and provides direction to stakeholders on participating in the public consultation. This information will be available to the media and at all public consultation sessions. It will also be accessible via the Summer Village's public website and by direct mail.

### 2. Consultation Sessions

These sessions will enable individuals and groups to obtain more information, ask questions and provide input. At least three sessions will be held as follows:

- a. A meeting with property owners of land within the area proposed for annexation.
- b. One open house at a location near the annexation areas. This will be open to all interested individuals and groups.
- c. At least one open house in order to communicate progress on negotiations to stakeholders.

Subsequent sessions will be held with stakeholder groups to provide an update on the annexation application. Direct mail and telephone (where appropriate), paid advertising, media coverage, and on-line notices will be used to publicize the sessions.

### 3. Media

Media kits, news releases, briefings, and interviews will be used to educate and keep media (and the public through the media) in the Summer Village of Silver Beach and the County of Wetaskiwin apprised of the consultation process, the opportunities for involvement, and the progress of the annexation application. Paid advertising will be used as appropriate to further publicize information of interest and importance to local residents.

### 4. Web Site

In addition to information session notices, consultation information materials and application updates will be posted to the Summer Village of Silver Beach's web site. Members of the public will be directed there to find out application details, download/review documents and information on how they can provide input via the consultation process.

### 5. Written Input

In addition to verbal input at information sessions, stakeholders will have an opportunity to provide written feedback or comment – either in paper form or on-line.



## SUMMER VILLAGE OF SILVER BEACH

RR #1 South, Site 1, Box 29  
Thorsby, Alberta, Canada T0C 2P0  
Phone 780-389-4409

Email: [info@silverbach.ca](mailto:info@silverbach.ca) Web: [www.silverbeach.ca](http://www.silverbeach.ca)

Please be advised that the Summer Village of Silver Beach (the “Summer Village”) has filed a Notice of Annexation in relation to lands currently located within the County of Wetaskiwin (the “County”). The lands proposed to be annexed are legally described as:

MERIDIAN 4 RANGE 28 TOWNSHIP 47

SECTION 2

ALL THAT PORTION OF THE NORTH WEST QUARTER  
AS SHOWN OUTLINED IN ORANGE ON FILED PLAN 1005JY  
CONTAINING 7.33 HECTARES (18.13 ACRES) MORE OR LESS

EXCEPTING THEREOUT:	HECTARES (ACRES) MORE OR LESS
A) PLAN 4655HW - SUBDIVISION	4.10 10.13

EXCEPTING THEREOUT ALL MINES AND MINERALS  
(the “Parcel”)

The Parcel has historically been owned by the same person that owns the adjacent NE Quarter of Section 2, Township 47, Range 28, West of the Fourth Meridian (the “NE Quarter”), which is zoned and has been operated as farmland in the County of Wetaskiwin. The NE Quarter fronts on Range Road 281 in the County. The Parcel, however, has no frontage or access to Range Road 281. The Parcel is the portion of the NW Quarter of Section 2, Township 47, Range 28, West of the Fourth Meridian (the “NW Quarter”), that is not already part of the Summer Village or covered by the waters of Pigeon Lake (the “Lake”). The Parcel mostly consists of wooded wet lands and a steep promontory overlooking the Lake. It is in its natural state except for a private driveway opening onto Silver Beach Road. Silver Beach Road is located within and is maintained by the Summer Village.

Silver Beach Road is the only road access available to the Parcel.

Just as the only road access available to the Parcel is the Silver Beach Road, all public services that might be required for the Parcel (electricity, gas and sewer) run through the Summer Village either adjacent to or under the Silver Beach Road.

The new owner of the Parcel wishes to build a single-family residence and outbuildings on part of the parcel while dedicating the rest of the parcel as a nature conservancy area. The Summer Village requires the parcel be annexed so that it may prudently and effectively preserve the wet lands and promontory as a nature conservancy area while also ensuring the residential development is consistent with the other residential properties within the Summer Village.

Annexation would achieve and complete the Summer Village’s rational and logical growth while enabling the most cost-effective use of public resources for transportation and infrastructure servicing.

The County of Wetaskiwin No. 10 has not opposed the annexation.

The Summer Village will be holding an Open House on October 4, 2021 at 6:00 p.m. to hear comments, questions, or concerns from the public regarding the proposed annexation of the Parcel. The Open House will be held on Zoom:

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83726604749>

Meeting ID: 837 2660 4749

One tap mobile

+14388097799,,83726604749# Canada

+15873281099,,83726604749# Canada

Dial by your location

+1 438 809 7799 Canada

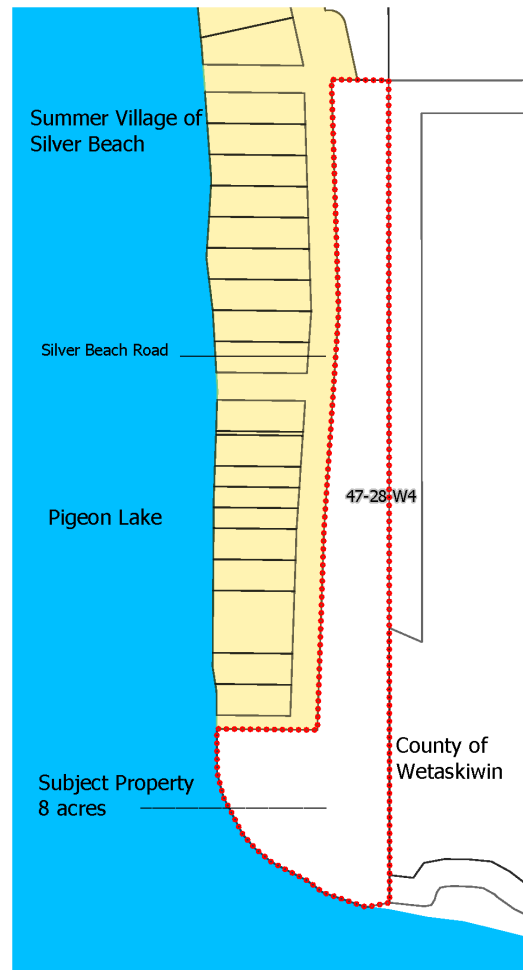
+1 587 328 1099 Canada

Meeting ID: 837 2660 4749

Find your local number: <https://us02web.zoom.us/u/kb0c8DScaT>

Comments, questions, or concerns from the public will be incorporated into a report that will be provided to the Province of Alberta by the Summer Village. Once the report is provided, the Province will determine whether the annexation should proceed or not.

Should you have any questions or comments prior to the Open House, please contact the Chief Administrative Officer, June Boyda, at [cao@silverbeach.ca](mailto:cao@silverbeach.ca) or 780-389-4409.



The following are images of content posted on the Summer Village’s annexation website, [silverbeach.ca/annexation](http://silverbeach.ca/annexation).



## Annexation

# Summer Village of Silver Beach – Proposed Annexation Application

In June 2021, the Summer Village of Silver Beach filed a notice intent to annex a 3.2 hectares (8.0 acres) parcel of land adjacent to the Summer Village currently within the County of Wetaskiwin.

The proposed annexation area is legally described as:

*All that portion of NW2-47-28-W4, as shown on filed plan 1005JY containing 7.33 ha (18.13 acres) more or less excepting thereout:*

*PLAN 4655HW – Subdivision 4.10 (ha) 10.13 (acres) more or less*

*Excepting thereout all mines and minerals*

The Notice of Intent was sent to the County of Wetaskiwin, Municipal Affairs, and the Northeast Pigeon Lake Regional Services Commission. A copy of the Notice of Intent can be **[found here](#)**.

### **What is Annexation?**

Annexation within Alberta is a provincially legislated process where a municipality changes or expands its jurisdictional boundaries. Annexations may occur to accommodate growth, correct boundary errors, or to provide a municipality with jurisdictional control over the future development of an area of interest.

Annexation is not a decision of the municipalities or landowners involved; applications for annexation are sent to the Land and Property Rights Tribunal, an independent and impartial quasi-judicial board established under the Municipal Government Act by the Province of Alberta. The Land and Property Rights Tribunal reviews annexation proposals, conducts hearings, and prepares recommendations to the Minister of Municipal Affairs. The process and rules for annexation are outlined in the Municipal Government Act and on the Province of Alberta’s website **<https://www.alberta.ca/annexation-board-orders.aspx>**.



## **Why is this Annexation Being Proposed?**

This annexation is being proposed to facilitate the future development of a single lot that is currently accessed through the Summer Village (via Silver Beach Road). The proposed future use of a portion of the lot is a single detached dwelling (and associated accessory buildings), with the remainder of the lot to be preserved as a natural conservancy area. The Summer Village is

currently in negotiations with the landowner and nature conservancy representatives to develop conditions for the property's future private and public use. These conditions may be incorporated into the conditions of annexation to ensure the agreed upon future land use concept is implemented if the annexation is approved by the Province of Alberta.

## **What Community Engagement Has Occurred?**

The **Notice of the Open House** was:

- posted on the website as a blog on the main page ([www.silverbeach.ca](http://www.silverbeach.ca));
- created an event for it with the date and zoom link included ([www.silverbeach.ca](http://www.silverbeach.ca));
- sent to all Summer Village owners: emailed if possible, and mailed to those Summer Village residents that don't have email;
- emailed a copy to the County of Wetaskiwin (Rod Hawken), who mailed out notices to County of Wetaskiwin residents.

Notice was placed in Pipestone Flyer in their September 16, 2021 edition.

On October 4, 2021 an online public engagement meeting was held virtually via Zoom. This meeting was hosted by the Summer Village and a presentation was given by Jane Dauphinee and Brad MacDonald of Municipal Planning Services (MPS). MPS is the Summer Village's planning services provider. At this meeting, MPS provided an overview of what annexation is, the process used by the Province to review and decide upon annexation applications, and why the Summer Village has proposed this annexation. Attendees were given the opportunity to ask questions and provide comments during (and after) the presentation. A recording of the online public engagement meeting was made to provide community members who were unable to attend the meeting (or who missed portions of the meeting) with the opportunity to view and listen to the information discussed. This recording can be found here: [https://www.youtube.com/watch?v=Jdr\\_KiLlbSA](https://www.youtube.com/watch?v=Jdr_KiLlbSA)

Community members are asked to provide their questions and comments regarding the proposed annexation application by **November 4, 2021** so that it may be included in a 'What We Heard' Report to Summer Village Council. Feedback can be sent to June Boyda, CAO for the Summer Village of Silver Beach ([cao@silverbeach.ca](mailto:cao@silverbeach.ca)), or to Brad MacDonald, Planner with MPS ([b.macdonald@munplan.ab.ca](mailto:b.macdonald@munplan.ab.ca)).

## Maps

## Summer Village of Silver Beach – Proposed Annexation Application

### **\*\*February 2022 Update for Summer Village and County Residents\*\***

In the Fall/Winter of 2021, Summer Village of Silver Beach provided Summer Village and County residents the opportunity to provide feedback on the Summer Village's proposed annexation of a single 3.23 hectare (8.0 acre) lot in the County of Wetaskiwin immediately east of Silver Beach Road. To date, the Summer Village has received one submission from a County resident. This feedback has been provided to Council and will be included in the Summer Village's report to the Land and Property Rights Tribunal when the Annexation Report is submitted for their consideration.

The next step in this process is to collect feedback from agencies and service providers in the area with an interest in the future growth and development of the Summer Village. Feedback provided to the Summer Village will also be included in the Annexation Report.

**It is the Summer Village's intent to submit the Annexation Report to the Land and Property Rights Tribunal in March 2022.**

The Summer Village would like to provide an additional opportunity for Summer Village and County landowners and residents to submit any comments or questions regarding the proposed annexation for inclusion in the Annexation Report. **The deadline for submissions is February 25, 2022.**

Details about the proposed annexation can be found on this website, or by contacting the Summer Village Office. Persons wishing to provide comments or questions can do so by contacting the following:

June Boyda, CAO for the Summer Village of Silver Beach ([cao@silverbeach.ca](mailto:cao@silverbeach.ca))

Brad MacDonald, Planner with MPS ([b.macdonald@munplan.ab.ca](mailto:b.macdonald@munplan.ab.ca))

## APPENDIX G – COUNTY AND SUMMER VILLAGE NEGOTIATIONS

The following are relevant copies of letters and resolutions in the County and Summer Village's annexation negotiations.



County of Wetaskiwin No. 10

P.O. Box 6960, Wetaskiwin, AB T9A 2G5  
Phone: 780-352-3321  
Fax: 780-352-3486  
www.county.wetaskiwin.ab.ca

Strong Proactive Leadership • Safe Progressive Communities

July 6, 2021

Reynolds Mirth Richards & Farmer  
3200 Manulife Place  
10180 101 Street  
Edmonton, AB T5J 3W8

Attention: Lauren N. Chalaturnyk

Dear Ms. Chalaturnyk:

**RE: ANNEXATION BY SUMMER VILLAGE OF SILVER BEACH  
YOUR FILE 81176-221-LNC**

Please be advised that the above annexation was reviewed by County Council at their regular meeting of July 6, 2021. At that time, Council passed a resolution to support the proposed annexation as presented by the Summer Village of Silver Beach for all that portion of NW 2-47-28-W4M as shown outlined in orange on filed plan 1005JY containing 7.33 hectares (18.13 acres) more or less.

Should you require anything further please contact the undersigned directly at 780-361-6225 or by email [rhawken@county10.ca](mailto:rhawken@county10.ca).

Yours truly,

ROD HAWKEN  
CAO

:bew

cc Summer Village of Silver Beach  
Assessment Department

**RECEIVED**

JUL 12 2021

REYNOLDS, MIRTH  
RICHARDS & FARMER



# County of Wetaskiwin No. 10

P.O. Box 6960, Wetaskiwin, AB T9A 2G5  
Phone: 780-352-3321  
Fax: 780-352-3486  
www.county.wetaskiwin.ab.ca

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**Strong Proactive Leadership • Safe Progressive Communities**

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June 20, 2022

Sent via email [cao@silverbeach.ca](mailto:cao@silverbeach.ca)

Summer Village of Silver Beach  
RR 1 South Site 1 Box 29  
Thorsby, AB T0C 2P0

Attention: June Boyda, CAO

**RE: SUMMER VILLAGE OF SILVER BEACH  
ANNEXATION APPLICATION**

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At their meeting of June 14, 2022, Council reviewed the Pre-Submission Annexation Application Report on Pt. NW 2-47-28-W4M, Plan 1005JY Block OT.

At that time, Council passed resolution CG20220614.004 to require the items identified in Section 13.1 – Agreed Upon Issues in the Summer Village of Silver Beach's Annexation Application Report on Pt. NW 2-47-28-W4M (1005JY; OT) be amended to include:

1. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, the Summer Village will amend their:
  - a. Municipal Development Plan to require a minimum width of 20.16 m of ER on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and,
  - b. Land Use Bylaw to require a minimum development setback of 30 m from the shoreline on the annexed lands; prior to accepting a subdivision or development permit application for the lands; and,

Further, Council authorized the Reeve of the County to provide their signature for the annexation report as requested by the Summer Village.

Yours truly, ✓

  
ROD HAWKEN  
CAO

:bew



## SUMMER VILLAGE OF SILVER BEACH

RR #1 South, Site 1, Box 29

Thorsby, Alberta, Canada T0C 2P0

Phone 780-389-4409

Email: [info@silverbach.ca](mailto:info@silverbach.ca) Web: [www.silverbeach.ca](http://www.silverbeach.ca)

February 15, 2023

County of Wetaskiwin No. 10

P.O. Box 6960

Wetaskiwin, AB. T9A 2G5

Delivered Via Email: [jbishop@county10.ca](mailto:jbishop@county10.ca)

ATTENTION: Josh Bishop, Reeve  
COPIES: Rod Hawken, County CAO  
June Boyda, SVSB CAO  
Blaine and Joyce Hill (Owners, Ratepayers)  
Jane Dauphanee, Municipal Planning Services (annexation consultant)

Dear Reeve Josh Bishop,

Re: Letter of Support  
*Annexation of Silver Beach Point Parcel*  
*Plan 1005JY, Block OT, NW 2-47-28-W4M, approx. 8 acres*

---

As you know, the above noted property is the subject of an annexation proceeding that is well advanced. Initially we received an indication of support from the County based on the policies already in place within the Pigeon Lake North Intermunicipal Development Plan ("IDP") – a Statutory Plan approved by both our municipalities. Subsequently, your Council approved resolution (CG20220614.004) which made County support for the annexation contingent on specific setbacks for environmental reserves and development -- not previously set out in agreed IDP policies. This was communicated to the Summer Village in a letter dated June 20, 2022 (see attached).

Unfortunately progress on annexation has stalled as the owner needed additional time to review the specified 30-meter development setback relative to the County's overall planning and development standards, given that subdivision was not anticipated. Also the owner is investigating alternatives to the specified setback using the policy tools already set out in the IDP plus alternative environmental protection measures such as an environmental conservation easement.

With respect, the Summer Village is requesting that the County Council revisit their resolution and entertain an amendment that protects the original intent but also provides policy guidance for a single residential property based on IDP Policy 5.2.8 -- an option that is tailored to the constraints and complexity of the site and is consistent with both the planning intent of the Summer Village council and the owner's vision for the property.

The subject property is highly constrained for development due to steep slopes (see Figures 1 and 2) and due to the limited capacity of the NEPL wastewater system. Our Council preference is to maintain a



single residential lot, leaving much of the site in a natural state. The Owner's vision goes an additional step by protecting much of the sensitive wildlife habitat, forest cover, wetlands and lake banks in an Environmental Conservation Easement, working through the Nature Conservancy of Canada. Part of the site will be allocated to a lake cottage for the family including a residence and out-buildings for a garage/shop and boat/water equipment storage. The Hill family's proposal enjoys huge support from Summer Village residents and our Council. We view the environmental conservation features of this proposal as a win for Pigeon Lake and our two municipalities.

Because subdivision is not contemplated, lakeshore Environmental Reserve (ER) provisions will not apply. With respect to development setbacks, the Hill family is intent on engaging Professional Specialist(s) to undertake a lake setback and slope stability analysis as outlined on IDP Policy 5.2.8. In our view, this is a preferred approach that responds to the unusual variation of the approximately 210-meters of shoreline (Figure 1). Furthermore, the owner has engaged your planning department to ascertain the development requirements and submissions necessary to obtain a Development Permit for the property -- if it were to remain in the County. Both the owner and the Summer Village intend to follow a similar set of requirements, once annexed into the Summer Village.

Based on the forgoing, our Summer Village Council requests that the County Council entertain an amendment to part 2 of Resolution CG20220614.004 as follows:

2. *Land Use Bylaw to require a minimum development setback of 30 m from the shoreline on the annexed lands; prior to accepting a subdivision or development permit application for the lands; or in the case of a single parcel (no subdivision), determination of building setback based on Pigeon Lake North IDP Policy 5.2.8, including an environmental site assessment, any 1:100-year flood level, and geotechnical investigation looking into the near surface water table and the subsurface soil textures -- in accordance with the Government of Alberta's *Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region*.*

#### **Justification**

1. The amendment complies with the jointly approved Pigeon Lake North IDP and specifically Policy 5.2.8.
2. For the contemplated single parcel development, protection of the shore by a site-specific setback method will provide protection of the Pigeon Lake shore.
3. Post annexation, the Council for the Summer Village of Silver Beach commits to amending its Municipal Development Plan and Land Use Bylaw to agree with the amended County policy on setbacks for the annexation parcel.
4. The original policy wording and intent will remain in effect should the parcel be sold and future owners undertake a multi-lot subdivision.
5. Any Development Permits issued on the parcel will be open to review by the County as per the notice and information sharing provisions of our mutual IDP.

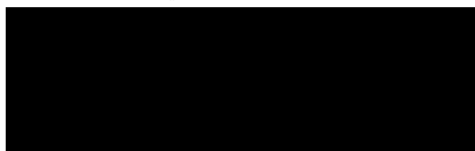
**Comments and Conclusion**

The Summer Village Council believes the proposed annexation of the 8-acre parcel is a good outcome for both municipalities, for Pigeon Lake and for the current owner. The current status of the parcel within the County represents a challenge for the parcel owner, due to its physical separation from County roads and services and conversely the parcel's adjacency to Silver Beach roads and services. Developing the parcel within the County would mean that the owner would be forced to build a costly road of approximately 1.3 kilometers in a forested alignment, the clearing of which would rival the size of the parcel. We know that maintaining forest cover is important to the health of the lake. The owner would be forced to build the road because it would be an unfair burden on the Summer Village to maintain a road to provide access to the property during development build-out and occupation-without offsetting property tax. Under the policies of the IDP, the Summer Village would object if a Development Permit was issued by the County for a parcel that was accessed from the Summer Village. Adjacent services in Silver Beach includes a possible tie in to the NEPL wastewater line. We anticipate that one additional property at the end of our road will be tied into the sewer.

We collectively need a path forward and County Council agreement to the proposed amendment is an important next step. The Summer Village Council is very committed to the project and the protection of Pigeon Lake and its shores. The conservation proposal for this parcel is a very strong option for lake, its shorelands and for our communities.

Finally, maintaining a positive relationship with the County is important for the Summer Village of Silver Beach Council. Our mutual IDP is a particularly useful tool for land and development on our common borders. If further discussion or clarification is required, myself or members of my Council and/or our CAO June Boyda would be pleased to meet with County representatives.

Sincerely,



David Rolf, KC  
Mayor, Summer Village of Silver Beach

**Attachments:**

- a) Letter of June 20, 2022 from Rod Hawken, CAO
- b) Figure 1 Eagle Hill Point (South Portion) Topographic Map
- c) Figure 2 Eagle Hill Point, Slope Classes
- d) Excerpt from Pigeon Lake North Intermunicipal Development Plan, p26

Council General Meeting, Tuesday, April 28, 2023

**Resolution CG20230425.022**

MOVED: by Councillor K. Rooyakkers

that the Guidelines for Recreation Funding Policy 72.0.1 be presented directly to Policy Committee for review and discussion.

Mr. Lynch left the meeting at 2:41 p.m.

**Resolution CG20230425.023**

MOVED: by Councillor K. Rooyakkers

that pursuant to Section 17 of the Procedural Bylaw, the meeting be extended to 3:30 p.m.

**Carried Unanimously**

**11. DELEGATION - 2:00 P.M. - Neal Sarnecki, Director of Planning and Development**

Mr. Neal Sarnecki, Director of Planning & Economic Development, Mr. Jarvis Grant, Development Officer and Mrs. Lindsay Jacobsen, Development Planner, entered the meeting at 2:42 p.m.

**11.1 Proposed Area Structure Plan – First Reading – Wasserman – Lot 4, Plan 3489TR, NE 4-47-24-W4M, Roll #1228.03 – Request for Decision**

Mrs. Jacobsen advised Council that an Area Structure Plan (ASP) application was received from Israel Wasserman. The ASP is located within the Bigstone Subdivision on Lot 4, Plan 3489TR within NE 4-47-24-W4M and would support the subdivision of the current 21.59 acre parcel into two (2) additional lots, one being 4.37 hectares (10.8 acres) and the other being 4.36 hectares (10.79 acres) respectively.

Mrs. Jacobsen advised Council that if First Reading is provided, Administration will proceed with advertising and notifying adjacent landowners of the Public Hearing as legislated.

Bylaw 2023/23 is a Bylaw of the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of authorizing the adoption of an Area Structure Plan for the purpose of providing a framework for subsequent subdivision of two lots, one being 4.37 hectares (10.80 acres) and the other 4.36 hectares (10.79 acres), located on NE 4-47-24-W4M Plan 3489TR, Lot 4.

**Resolution CG20230425.024**

MOVED: by Councillor D. Woitt

that Bylaw 2023/23 be given First Reading.

**Carried Unanimously**

Mrs. Jacobsen left the meeting at 2:51 p.m.

**11.2 Notice of Motion – NRCB RA05042 Intended Permit Cancellation – Request for Decision**

**Resolution CG20230425.025**

MOVED: by Councillor K. Rooyakkers

that Council accept the NRCB advising that the Board intends to cancel Registration RA05042 due to abandonment of hog confined feeding operation (CFO) on NE 14-47-23-W4M, currently held by Darcor Holsteins, as information.

**Carried Unanimously**

**11.3 Summer Village of Silver Beach Annexation Conditions Revision – Request for Decision**

**Resolution CG20230425.026**

MOVED: by Councillor L. Carwell

Council General Meeting, Tuesday, April 28, 2023

that Council support the recommendation by the IDP/ICF Intermunicipal Committee and approve the revision to the County's support for the annexation as follows:

1. The Summer Village of Silver Beach and the County of Wetaskiwin are in agreement that, upon approval of the annexation, the Summer Village will for the subject lands amend:
    - a. the Summer Village of Silver Beach Municipal Development Plan to require a minimum width of 20.16 m (66.14 ft.) of environmental reserve (ER) on the subject land adjacent to Pigeon Lake at the time of any future subdivision; and
    - b. the Summer Village of Silver Beach Land Use Bylaw to require a minimum development setback from the legal bank of Pigeon Lake, water bodies, watercourses, and wetlands. The minimum development setback shall be:
      - i. 30.0 m (98.4 ft); or
      - ii. as determined by the Development Authority, following their consideration of:
        1. Recommendations from a qualified professional provided by the development proponent;
        2. Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and
        3. ESRD Recommended Guidelines for Setbacks chart;
- However, in no instance shall the minimum development setback be less than 20.16 m (66.14 ft.); and,

Further, Council authorized the Reeve of the County to provide their signature for the annexation report as requested by the Summer Village.

**Carried Unanimously**

Mr. Sarnecki & Mr. Grant left the meeting at 2:58 p.m.

### **13. NEW BUSINESS**

#### **13.1 Appointment of Weed Inspectors for 2023 – Request for Decision**

##### **Resolution CG20230425.027**

MOVED: by Councillor L. Carwell

that Council appoint Shanese Fryer-Thomas, Caden Maplethorpe, Hazel Edwards, Janine Tatlow, and Arianna Van Geerenstein as inspectors under the Weed Control Act and as inspectors under the Agricultural Pest Act effective May 1st, 2023 to September 30th, 2023.

**Carried Unanimously**

#### **13.2 Wetaskiwin Agricultural Society 2023 Rawhide Rodeo – Request for Decision**

##### **Resolution CG20230425.028**

MOVED: by Councillor B. Krahn

that that, subject to availability, Council approve the request from the Wetaskiwin Agricultural Society, Rawhide Rodeo Committee as follows:

1. Use of a County water truck for the purpose of watering the arena during the Rawhide Rodeo on June 9-11, 2023 with a County of Wetaskiwin employee being the sole operator of the truck; and
2. Delivery and use of a roll off bin throughout the weekend of the rodeo

**Carried Unanimously**