

**REGULAR MEETING AGENDA  
SUMMER VILLAGE OF BIRCHCLIFF  
MARCH 16, 2023 @ 9:00 A.M.**

**A. CALL TO ORDER**

**B. AGENDA**     - additions/deletions  
                      - adoption

**C. ADOPTION OF MINUTES**   - Regular Meeting Minutes, February 16, 2023

**D. DELEGATION**

- 1) Metrix Group

**E. INFORMATION ITEMS**

- 1) Accounts Payable Update
- 2) Public Works Report
- 3) Development Update
- 4) CAO Report

**F. REQUESTS FOR DECISION**

**1) Council & Legislation**

- a) Bylaw Enforcement Officer Bylaw
- b) Dog Control Bylaw
- c) Community Standards Bylaw
- d) Fiber Optics Request for Support
- e) Municipal Development Plan

**2) Public Works**

- a) Shoreline Restoration Project Budget Amendment

## **G. COUNCIL REPORT**

### **1) Council Reports**

- a) Roger Dufresne
- b) Ann Zacharias
- c) Frank Tirpak

### **2) Committee Reports**

- a) Julie Maplethorpe, Summer Village of Jarvis Bay
  - Town of Sylvan Lake Library Board
  - Parkland Regional Library Board

### **3) Upcoming Meetings**

- a) Next Council Meeting – April 20, 2023

## **H. ADJOURNMENT**

Summer Village of Birchcliff  
Regular Meeting Minutes  
February 16, 2023

C-1

Minutes of a Regular Council Meeting of the Summer Village of Birchcliff, Province of Alberta, held February 16, 2023, in the Summer Villages on Sylvan Lake Administration Office at Sylvan Lake, Alberta.

**IN ATTENDANCE** Mayor: Roger Dufresne  
Deputy Mayor: Ann Zacharias  
Administrative Services Manager: Teri Musseau  
Development Officer: Kara Kashuba  
Finance Manager: Tina Leer  
Recording Secretary: Carolyn Widmer

**CALL TO ORDER** The Meeting was called to order at 9:00 a.m. by Mayor Dufresne.

**AGENDA**

**BCC-23-013** MOVED by Deputy Mayor Zacharias that the agenda be adopted as presented.  
CARRIED

**CONFIRMATION OF MINUTES**

**BCC-23-014** MOVED by Deputy Mayor Zacharias that the minutes of the regular meeting of Council held on January 19, 2023, be approved as presented.  
CARRIED

**INFORMATION ITEMS**

- 1) Accounts Payable
- 2) Yearend Report

Frank Tirpak joined the meeting at 9:08 a.m.

- 3) Development Update
- 4) CAO Report

**BCC-23-015** MOVED by Deputy Mayor Zacharias that Council accept the information items as presented.  
CARRIED

Council break at 9:17 a.m.

Council reconvened at 9:22 a.m.

**REQUEST FOR DECISION**

**FINANCE**

**BCC-23-016** Capital Budget  
MOVED by Mayor Dufresne that Administration move forward with the Land Use Bylaw amendment to change the designation of RA5 from Environmental Open Space District (EOS) to Lakeshore Residential District (R1), and further to amend the Open Space Plan to remove RA5 from the open space inventory, and to schedule a public hearing for March 16, 2023.  
CARRIED

**BCC-23-017**            MOVED by Deputy Mayor Zacharias that Council approve the 2023 Capital Budget as amended removing the RA8 Path Extension from the capital projects below:

PROJECT	AMOUNT	REVENUE
Road Analysis (46.6k total)	\$11,184.00	CCBF
OS8 Viewpoint/Bridge/Path	\$63,347.81	CCBF
West Wastewater Valve Repair	\$18,000.00	Wastewater Reserve
Shoreline Restoration	\$ 7,500.00	MSI Funding
Shoreline Survey	\$18,500.00	MSI Funding
Community Dock DLO Subbing	\$25,000.00	CCBF
GIS Implementation	\$ 2,400.00	CCBF
Admin Building Improvements	\$15,402.00	MSI Funding
	CARRIED	

**BCC-23-018**            MOVED by Mayor Dufresne that Administration provide a Reserves Policy to help maintain and manage reserves funds and work with Council to establish minimum levels for designated funds to ensure stable service delivery, meet future needs, and protect against financial instability.  
CARRIED

**COUNCIL & LEGISLATION**

**BCC-23-019**            Municipal Leaders’ Caucus  
MOVED by Deputy Mayor Zacharias that Mayor Dufresne attend the 2023 President’s Summit being held at the Westin Edmonton March 29<sup>th</sup> & 30<sup>th</sup>, 2023.  
CARRIED

**BCC-23-020**            Communication Policy  
MOVED by Councillor Tirpak that Council approve the Communication Policy as amended.  
CARRIED

**PUBLIC WORKS**

**Bylaw #240-23**            Waste Management Bylaw  
**BCC-23- 021**            MOVED by Deputy Mayor Zacharias that Council give 2<sup>nd</sup> reading to the Waste Management Bylaw #240-23.  
CARRIED

**BCC-23-022**            MOVED by Councillor Tirpak that Council give 3<sup>rd</sup> and final reading to the Waste Management Bylaw #240-23.  
CARRIED

**COUNCIL REPORTS**

- Mayor Dufresne
- Climate Caucus
  - JSC Program Review Board



- JSC HR Sub Committee

Deputy Mayor Zacharias

- Sylvan Lake Regional Water and Wastewater Commission

Councillor Tirpak

- No reports

COMMITTEE REPORTS

Julie Maplethorpe, Summer Village of Jarvis Bay

- Town of Sylvan Lake Library Board
- Parkland Regional Library Board

CORRESPONDENCE

- National Police Federation

**BCC-23- 023**            MOVED by Deputy Mayor Zacharias that Council accept the Council, Committee, and Correspondence items as information.  
CARRIED

NEXT MEETING

**BCC-23-024**            MOVED by Mayor Dufresne that the next meeting of Council be held March 16, 2023, at 9:00 a.m.  
CARRIED

ADJOURNMENT

**BCC-23-025**            MOVED by Mayor Dufresne that being the agenda matters have been concluded, the meeting adjourned at 11:18 a.m.

\_\_\_\_\_  
ROGER DUFRESNE, MAYOR

\_\_\_\_\_  
TANNER EVANS, CAO

**Summer Village of Birchcliff****Finance & Administration****Request for Decision****Agenda Item:** *Delegation – Metrix Group***Background:**

The 2022 audit has now been completed. Phil Dirks from the Metrix Group will be zooming in to present the 2022 audited financial statements and answer any questions you may have.

The Draft Financial Statement and Audit finding Report is included for your review.

**Options for Consideration:**

Council accept the 2022 audited financial statements as presented and authorize the Mayor to sign the financial return.

**Administrative Recommendations:**

Council accept the 2022 audited financial statements as presented and authorize the Mayor to sign the financial return.

**Authorities:**

MGA Section 281(1)

The auditor for the municipality must report to the council on the annual financial statements and financial information return of the municipality.



March 16, 2023

Summer Village of Birchcliff  
2 Erickson Drive  
Sylvan Lake, AB T4S 1P5

**Attention: Council Members**

Dear Council Members:

**RE: 2022 AUDIT FINDINGS REPORT**

The purpose of this communication is to summarize certain matters arising from the audit that we believe would be of interest to Council. Additionally, during the course of our audit we identified matters that may be of interest to management.

The objective of our audit was to obtain reasonable assurance about whether the financial statements as a whole are free of material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Our audit was not designed for the sole purpose of identifying matters to communicate. Accordingly, our audit would not necessarily identify all such matters that may be of interest to Council and management and it is inappropriate to conclude that no such matters exist.

This communication should be read in conjunction with the financial statements and our report thereon, and it is intended solely for the use of Council and should not be distributed to external parties without our prior consent. Metrix Group LLP accepts no responsibility to a third party who uses this communication.

**SIGNIFICANT FINDINGS FROM THE AUDIT**

Our objective is to communicate appropriately to Council deficiencies in internal control that we have identified during the audit and that, in our professional judgment, are of sufficient importance to merit being reported to Council.

The audit findings contained in this letter did not have a material effect on the Summer Village's financial statements, and as such, our audit report is without reservation with respect to these matters.



### **Significant Qualitative Aspects of Accounting Practices**

Management is responsible for determining the significant accounting policies. The choice of different accounting policy alternatives can have a significant effect on the financial position and results of the Summer Village. The application of those policies often involves significant estimates and judgments by management.

The Summer Village has made the following significant accounting estimates in preparing its financial statements.

*Amortization of Tangible Capital Assets* - \$98,480 (2021 - \$100,949)

The number of years the Summer Village's tangible capital assets are being amortized are estimates.

We are of the opinion that the significant accounting policies, estimates and judgments made by management do not materially misstate the financial statements taken as a whole.

### **Corrected and Uncorrected Misstatements**

#### *Corrected Misstatements*

During the course of the audit, we identified twelve (12) adjustments that were communicated to management and subsequently corrected in the financial statements. This type of assistance is common with our smaller local government clients.

#### *Uncorrected Misstatements*

There were no material uncorrected misstatements aggregated by our Firm for the year ended December 31, 2022.

After considering both quantitative and qualitative factors with respect to the uncorrected misstatements above, we agree with management that the financial statements are not materially misstated.

### **Significant Difficulties Encountered During the Audit**

We encountered no significant difficulties during our audit that should be brought to the attention of Council. We had the full co-operation of the Summer Village management and staff throughout our work and we received full access to all necessary records and documentation.

### **Management Representations**

Management's representations are integral to the audit evidence we will gather. Prior to the release of our report, we will require management's representations in writing to support the content of our report.

## **OTHER MATTERS**

### **Bank Reconciliations**

We had previously noted three deposits in transit that were also included as outstanding payments on the December 31, 2022 bank reconciliation. While this had no impact on the cash balance, we recommended these items be cleared from both deposits in transit and outstanding payments.

We are pleased to report this was corrected during 2022.

## **AUDITOR INDEPENDENCE**

We believe it is important to communicate, at least annually, with Council regarding all relationships between the Summer Village and our Firm that, in our professional judgment, may reasonably be thought to bear on our independence

In determining which relationships to report, these standards require us to consider relevant rules and related interpretations prescribed by CPA Alberta and applicable legislation, covering such matters as:

- (a) holding a financial interest, either directly or indirectly, in a client;
- (b) holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
- (c) personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
- (d) economic dependence on a client; and
- (e) provision of services in addition to the audit engagement.

We are not aware of any relationships between the Summer Village and ourselves that, in our professional judgment, may reasonably be thought to bear on our independence that have occurred from January 1, 2022 – March 16, 2023.

Summer Village of Birchcliff  
March 16, 2023  
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We appreciated the assistance of Tina Leer, Tanner Evans, and the other staff during the audit. We appreciate the opportunity to provide audit services to the Summer Village.

Yours truly,

**METRIX GROUP LLP**



Philip J. Dirks, CA  
Partner

cc: Tanner Evans, Chief Administrative Officer

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**SUMMER VILLAGE OF BIRCHCLIFF**  
**Financial Statements**  
**For The Year Ended December 31, 2022**

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## INDEPENDENT AUDITORS' REPORT

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To the Mayor and Council of Summer Village of Birchcliff

### *Opinion*

We have audited the financial statements of Summer Village of Birchcliff (the Summer Village), which comprise the statement of financial position as at December 31, 2022, and the statements of annual surplus and accumulated surplus, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Summer Village as at December 31, 2022, and the results of its operations, changes in net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### *Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Summer Village in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with those requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### *Responsibilities of Management and Those Charged with Governance for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Summer Village's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Summer Village or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Summer Village's financial reporting process.

(continues)



## Independent Auditors' Report to the Mayor and Council of Summer Village of Birchcliff (continued)

*Auditors' Responsibilities for the Audit of the Financial Statements*

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Summer Village's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Summer Village's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Summer Village to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

**METRIX GROUP LLP**

Chartered Professional Accountants

Edmonton, Alberta

March 16, 2023

### **MANAGEMENT'S RESPONSIBILITY FOR FINANCIAL REPORTING**

To His Worship the Mayor and Members of Council of the Summer Village of Birchcliff

The integrity, relevance and comparability of the data in the accompanying financial statements are the responsibility of management.

The financial statements are prepared by management in accordance with Canadian public sector accounting standards. They necessarily include some amounts that are based on the best estimates and judgements of management.

To assist in its responsibility, management maintains accounting, budget and other controls to provide reasonable assurance that transactions are appropriately authorized, that assets are properly accounted for and safeguarded, and that financial records are reliable for preparation of financial statements.

Metrix Group LLP, Chartered Professional Accountants, have been appointed by the Summer Village Council to express an opinion on the Summer Village's financial statements.

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Mr. Tanner Evans  
Chief Administrative Officer

**SUMMER VILLAGE OF BIRCHCLIFF****D-1****Statement of Financial Position****As At December 31, 2022**

	2022	2021
<b>FINANCIAL ASSETS</b>		
Cash and cash equivalents	\$ 696,034	\$ 662,726
Receivables (Note 2)	85,803	29,178
	<u>781,837</u>	<u>691,904</u>
<b>LIABILITIES</b>		
Accounts payable and accrued liabilities	27,204	78,285
Deposit liabilities	92,179	80,229
Deferred revenue (Note 3)	121,867	51,087
Due to other Sylvan Summer Villages (Note 4)	219,713	290,524
	<u>460,963</u>	<u>500,125</u>
<b>NET FINANCIAL ASSETS</b>	<u>320,874</u>	<u>191,779</u>
<b>NON-FINANCIAL ASSETS</b>		
Tangible capital assets (Note 5)	3,048,631	3,194,984
Prepaid expenses		114
	<u>3,048,631</u>	<u>3,195,098</u>
<b>ACCUMULATED SURPLUS (Note 6)</b>	<u>\$ 3,369,505</u>	<u>\$ 3,386,877</u>
Contingent liabilities (Note 8)		

The accompanying notes are an integral part of these financial statements.

## Statement of Annual Surplus and Accumulated Surplus

For the Year Ended December 31, 2022

	2022 (Budget) (Note 14)	2022 (Actual)	2021 (Actual)
<b>REVENUE</b>			
Net municipal taxes (Schedule 2)	\$ 349,890	\$ 348,917	\$ 322,817
Sales and user charges (Schedule 4)	83,839	83,217	82,264
Government transfers for operating (Schedule 3)	69,920	20,649	20,572
Interest	9,360	17,114	3,556
Licenses and permits	6,895	11,658	13,540
Penalties and costs on taxes	5,072	3,076	13,232
Other	1,040	1,117	3,939
Fines	718	329	693
	<u>526,734</u>	<u>486,077</u>	<u>460,613</u>
<b>EXPENSES</b>			
Administration	169,169	189,426	194,607
Wastewater treatment and disposal	100,397	115,814	153,230
Roads, streets, walks and lighting	78,967	78,157	41,665
Parks and recreation	52,160	52,381	50,435
Protective services	29,378	29,892	38,322
Waste management	25,211	23,303	21,943
Legislative	14,708	18,832	12,167
Environment	4,461	2,621	4,552
Disaster and emergency services	3,233	2,531	2,500
Culture: Libraries, halls, museums	1,050	1,052	1,000
	<u>478,734</u>	<u>514,009</u>	<u>520,421</u>
<b>ANNUAL SURPLUS (DEFICIT) BEFORE OTHER REVENUE</b>	<u>48,000</u>	<u>(27,932)</u>	<u>(59,808)</u>
<b>OTHER REVENUE</b>			
Gain on disposal of tangible capital assets	-	10,560	-
Government transfers for capital (Schedule 3)	-	-	212,217
	<u>-</u>	<u>10,560</u>	<u>212,217</u>
<b>ANNUAL SURPLUS (DEFICIT)</b>	<u>48,000</u>	<u>(17,372)</u>	<u>152,409</u>
<b>ACCUMULATED SURPLUS, BEGINNING OF YEAR</b>	<u>3,386,877</u>	<u>3,386,877</u>	<u>3,234,468</u>
<b>ACCUMULATED SURPLUS, END OF YEAR (Note 6)</b>	<u>\$ 3,434,877</u>	<u>\$ 3,369,505</u>	<u>\$ 3,386,877</u>

The accompanying notes are an integral part of these financial statements.

**SUMMER VILLAGE OF BIRCHCLIFF**  
**Statement of Changes in Net Financial Assets**  
**For the Year Ended December 31, 2022**

**D-1**

	2022 (Budget) (Note 14)	2022 (Actual)	2021 (Actual)
<b>ANNUAL SURPLUS (DEFICIT)</b>	\$ 48,000	\$ (17,372)	\$ 152,409
Acquisition of tangible capital assets	-	(13,642)	(444,768)
Amortization of tangible capital assets	-	98,480	100,949
Proceeds on disposal of tangible capital assets	-	72,075	-
Loss (gain) on disposal of tangible capital assets	-	(10,560)	-
	48,000	128,981	(191,410)
Use (acquisition) of prepaid expenses	-	114	20,743
<b>INCREASE (DECREASE) IN NET FINANCIAL ASSETS</b>	48,000	129,095	(170,667)
<b>NET FINANCIAL ASSETS, BEGINNING OF YEAR</b>	191,779	191,779	362,446
<b>NET FINANCIAL ASSETS, END OF YEAR</b>	\$ 239,779	\$ 320,874	\$ 191,779

The accompanying notes are an integral part of these financial statements.

**SUMMER VILLAGE OF BIRCHCLIFF**  
**Statement of Cash Flows**  
**For The Year Ended December 31, 2022**

**D-1**

	2022	2021
<b>OPERATING ACTIVITIES</b>		
Annual surplus (deficit)	\$ (17,372)	\$ 152,409
Non-cash items not included in excess of revenue over expenses:		
Amortization of tangible capital assets	98,480	100,949
Loss (gain) on disposal of tangible capital assets	(10,560)	-
	<u>70,548</u>	<u>253,358</u>
Changes in non-cash working capital balances related to operations:		
Receivables	(56,626)	36,862
Accounts payable and accrued liabilities	(51,080)	9,495
Deferred revenue	70,780	(30,876)
Deposit liabilities	11,950	31,229
Prepaid expenses	114	20,743
	<u>(24,862)</u>	<u>67,453</u>
Cash flow from operating activities	<u>45,686</u>	<u>320,811</u>
<b>CAPITAL ACTIVITIES</b>		
Purchase of tangible capital assets	(13,642)	(444,768)
Proceeds on sale of tangible capital assets	72,075	-
Cash flow from (used by) capital activities	<u>58,433</u>	<u>(444,768)</u>
<b>FINANCING ACTIVITIES</b>		
Advances from other Sylvan Summer Villages	(70,811)	219,712
<b>CHANGE IN CASH AND CASH EQUIVALENTS DURING YEAR</b>	<b>33,308</b>	<b>95,755</b>
<b>CASH AND CASH EQUIVALENTS - BEGINNING OF YEAR</b>	<b>662,726</b>	<b>566,972</b>
<b>CASH AND CASH EQUIVALENTS - END OF YEAR</b>	<b>\$ 696,034</b>	<b>\$ 662,727</b>

The accompanying notes are an integral part of these financial statements.

**SUMMER VILLAGE OF BIRCHCLIFF**  
**Schedule of Equity in Tangible Capital Assets**  
**For the Year Ended December 31, 2022**

**D-1**  
**(Schedule 1)**

	<b>2022</b>	<b>2021</b>
<b>BALANCE, BEGINNING OF YEAR</b>	<b>\$ 2,904,460</b>	<b>\$ 2,780,353</b>
Acquisition of tangible capital assets	<b>13,642</b>	444,768
Amortization of tangible capital assets	<b>(98,480)</b>	(100,949)
Advances from other Sylvan Summer Villages	<b>70,811</b>	(219,712)
Net book value of tangible capital assets disposed of	<b>(61,515)</b>	-
<b>BALANCE, END OF YEAR</b>	<b>\$ 2,828,918</b>	<b>\$ 2,904,460</b>
Equity in tangible capital assets is comprised of the following:		
Tangible capital assets (net book value) <i>(Note 5)</i>	<b>\$ 3,048,631</b>	<b>\$ 3,194,984</b>
Due to other Sylvan Summer Villages	<b>(219,713)</b>	(290,524)
	<b>\$ 2,828,918</b>	<b>\$ 2,904,460</b>

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**SUMMER VILLAGE OF BIRCHCLIFF**  
**Schedule of Property Taxes**  
**For the Year Ended December 31, 2022**

**D-1**  
**(Schedule 2)**

	2022 (Budget) (Note 14)	2022 (Actual)	2021 (Actual)
<b>TAXATION</b>			
Real property taxes	\$ 816,057	\$ 815,048	\$ 766,130
<b>REQUISITIONS</b>			
Alberta School Foundation Fund	466,167	466,131	443,313
<b>NET MUNICIPAL PROPERTY TAXES</b>	<u>\$ 349,890</u>	<u>\$ 348,917</u>	<u>\$ 322,817</u>

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**SUMMER VILLAGE OF BIRCHCLIFF**  
**Schedule of Government Transfers**  
**For the Year Ended December 31, 2022**

**D-1**  
**(Schedule 3)**

	2022 (Budget) (Note 14)	2022 (Actual)	2021 (Actual)
<b>TRANSFERS FOR OPERATING</b>			
Provincial government conditional transfers	\$ 69,920	\$ 20,649	\$ 20,572
<b>TRANSFERS FOR CAPITAL</b>			
Provincial government conditional transfers	-	-	212,217
<b>TOTAL GOVERNMENT TRANSFERS</b>	<u>\$ 69,920</u>	<u>\$ 20,649</u>	<u>\$ 232,789</u>

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**SUMMER VILLAGE OF BIRCHCLIFF**  
**Schedule of Segmented Information**  
**Year Ended December 31, 2022**

**D-1**  
**(Schedule 4)**

	General Administration	Recreation & Culture	Protective Services	Transportation Services	Environmental Services	All Other	Total
<b>REVENUE</b>							
Taxation	\$ 143,597	\$ 6,592	\$ 32,423	\$ 75,507	\$ 14,977	\$ 75,821	\$ 348,917
Sales and user charges	500	-	-	-	82,717	-	83,217
Government transfers	16,649	4,000	-	-	-	-	20,649
Interest	17,114	-	-	-	-	-	17,114
All other	-	-	-	-	-	16,180	16,180
	177,860	10,592	32,423	75,507	97,694	92,001	486,077
<b>EXPENSES</b>							
Contracted and general services	53,796	6,616	32,423	75,507	97,694	5,757	271,793
Salaries, wages and benefits	113,390	-	-	-	-	15,696	129,086
Materials, goods, and supplies	10,674	3,976	-	-	-	-	14,650
	177,860	10,592	32,423	75,507	97,694	21,453	415,529
<b>NET REVENUE, BEFORE AMORTIZATION</b>	-	-	-	-	-	70,548	70,548
Amortization	(11,566)	(42,841)	-	(2,650)	(41,423)	-	(98,480)
<b>NET REVENUE (DEFICIT)</b>	\$ 11,566	\$ 42,841	\$ -	\$ 2,650	\$ 41,423	\$ 70,548	\$ (27,932)

The accompanying notes are an integral part of these financial statements.

**SUMMER VILLAGE OF BIRCHCLIFF**  
**Schedule of Segmented Information**  
**For the Year Ended December 31, 2021**

**D-1**  
**(Schedule 4)**

	General Administration	Recreation & Culture	Protective Services	Roadways	Wastewater & Garbage	All Other	Total
<b>REVENUE</b>							
Taxation	\$ 153,710	\$ 8,593	\$ 49,297	\$ 40,379	\$ 52,857	\$ 17,981	\$ 322,817
Sales and user charges	1,371	-	-	-	80,893	-	82,264
All other	-	-	-	-	-	31,404	31,404
Government transfers	20,572	-	-	-	-	-	20,572
Interest	3,556	-	-	-	-	-	3,556
	179,209	8,593	49,297	40,379	133,750	49,385	460,613
<b>EXPENSES</b>							
Contracted and general services	48,983	4,614	40,822	40,379	133,750	7,306	275,854
Salaries, wages and benefits	113,159	-	-	-	-	9,413	122,572
Materials, goods, and supplies	17,067	3,979	-	-	-	-	21,046
	179,209	8,593	40,822	40,379	133,750	16,719	419,472
<b>NET REVENUE, BEFORE AMORTIZATION</b>	-	-	-	-	-	32,666	41,141
Amortization	(15,398)	(42,842)	-	(1,286)	(41,423)	-	(100,949)
<b>NET REVENUE (DEFICIT)</b>	\$ 15,398	\$ 42,842	\$ 8,475	\$ 1,286	\$ 41,423	\$ 32,666	\$ (59,808)

The accompanying notes are an integral part of these financial statements.

**1. ACCOUNTING POLICIES**

The financial statements of the Summer Village of Birchcliff (the "Summer Village") are the representations of management, prepared in accordance with Canadian public sector accounting standards. Significant aspects of the accounting policies adopted by the Summer Village are as follows:

*(a) Reporting Entity*

The financial statements reflect the assets, liabilities, revenues and expenses of the reporting entity. The entity is comprised of the municipal operations and all the organizations that are owned or controlled by the Summer Village and are, therefore, accountable to Summer Village for the administration of their financial affairs and resources.

The schedule of taxes levied also includes requisitions for education that are not part of the reporting entity.

The statements exclude trust assets that are administered for the benefit of external parties

*(b) Basis of Accounting*

The financial statements are prepared using the accrual basis of accounting. Revenues are accounted for in the period in which the transactions or events occurred that gave rise to the revenues.

Funds from external parties and earnings thereon restricted by agreement or legislation are accounted for as deferred revenue until used for the purpose specified.

Government transfers are recognized in the financial statements as revenues in the period that the events giving rise to the transfer occurred, providing the transfers are authorized, the Summer Village has met any eligibility criteria, and reasonable estimates of the amounts can be made.

Expenses are recognized in the period the goods and services are acquired and a liability is incurred or transfers are due.

*(c) Cash and cash equivalents*

Cash and cash equivalents include items that are readily convertible to known amounts of cash, are subject to an insignificant risk of change in value, and have a maturity of one year or less at acquisition. Cash consists of an operating account at a financial institution.

*(d) Use of Estimates*

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenue and expenses during the period. Where measurement uncertainty exists, the financial statements have been prepared within reasonable limits of materiality. Actual results could differ from those estimates.

The Village has used estimates to determine the useful lives of tangible capital assets.

*(continues)*

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**1. ACCOUNTING POLICIES (continued)**

*(e) Tax Revenue*

Property tax revenue is recognized as revenue in the year it is levied.

Construction and borrowing costs associated with local improvement projects are recovered through annual special assessments during the period of the related borrowings. These levies are collectable from property owners for work performed by the municipality and recognized as revenue in the year the local improvement tax is levied.

*(f) Tangible Capital Assets*

Tangible capital assets are recorded at cost which includes all amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets is amortized on a straight-line basis over the estimated useful life as follows:

Engineered structures:	
Wastewater system	20 & 75 years
Roadway system	10 years
Machinery and equipment	10 & 20 years
Buildings	25 years

Tangible capital assets received as contributions are recorded at fair value at the date of receipt and also are recorded as revenue.

Works of art for display are not recorded as tangible capital assets but are disclosed.

*(g) Contaminated Sites*

Contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. A liability for remediation on contaminated sites is recognized, net of any recoveries, when an environmental standard exists, contamination exceeds the environmental standard, the Summer Village is directly responsible for or accepts responsibility for the liability, future economic benefits will be given up, and a reasonable estimate of the liability can be made.

*(h) Over-levy and Under-levy*

Over-levies and under-levies arise from the difference between the actual property tax levy made to cover each requisition and the actual amount requisitioned.

If the actual levy exceeds the requisition, the over-levy is accrued as a liability and property tax revenue is reduced. Where the actual levy is less than the requisition amount, the under-levy is accrued as a receivable and as property tax revenue.

Requisition tax rates in the subsequent year are adjusted for any over-levies or under-levies of the prior year.

*(continues)*

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**1. ACCOUNTING POLICIES (continued)***(i) Non-Financial Assets*

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the normal course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the consolidated Change in Net Financial Assets for the year.

*(j) New Accounting Standards not yet Adopted*

Effective for fiscal years beginning on or after April 1, 2022, PS 3280 Asset Retirement Obligations provides guidance on how to account for and report liabilities for retirement of tangible capital assets.

Effective for fiscal years beginning on or after April 1, 2023, PS 3400 Revenue provides guidance on how to account for and report revenue, and specifically, it addresses revenue arising from exchange transactions and unilateral transactions.

DRAFT

## Notes to Financial Statements

December 31, 2022

**2. RECEIVABLES**

	<b>2022</b>	2021
Government transfers	\$ 79,809	\$ -
Goods and Services Tax	6,797	15,027
Trade and other	2,209	9,740
Taxes and grants in place of taxes	(3,012)	4,411
	<b>\$ 85,803</b>	<b>\$ 29,178</b>

**3. DEFERRED REVENUE**

	2021	Funds Received	Funds Used	<b>2022</b>
Municipal Sustainability Initiative	\$ 50,035	\$ 68,999	\$ (4,000)	\$ 115,034
Canada Community-Building Fund	513	12,011	(6,230)	6,294
Other	539	-	-	539
	<b>\$ 51,087</b>	<b>\$ 81,010</b>	<b>\$ (10,230)</b>	<b>\$ 121,867</b>

**4. DUE TO (FROM) OTHER SYLVAN SUMMER VILLAGES**

During 2021, the Summer Villages of Jarvis Bay, Norglenwold, Halfmoon Bay, Sunbreaker Cove, and Birchcliff entered into a Co-ownership Agreement ("the Agreement") for the purchase of a new Administration Building. Under the terms of this Agreement each of the five Summer Villages has a 20% interest in the new Administration Building.

In the event that any of the Summer Villages elect to sell either of the buildings, each of the Summer Village will proportionately receive a return of their initial contribution and all remaining proceeds will be divided equally.

	<b>2022</b>	2021
Due to other Sylvan Summer Villages		
Due to Jarvis Bay	\$ 150,522	\$ 150,522
Due to Norglenwold	69,191	140,002
	<b>\$ 219,713</b>	<b>\$ 290,524</b>

## Notes to Financial Statements

December 31, 2022

## 5. TANGIBLE CAPITAL ASSETS

	2022 Net Book Value	2021 Net Book Value
Engineered structures		
Wastewater systems	\$ 2,275,475	\$ 2,316,898
Roadways	3,490	4,363
	<b>2,278,965</b>	2,321,261
Land improvements	490,082	527,781
Buildings	202,139	272,442
Machinery and equipment	58,067	66,400
Vehicles	12,278	-
Land	7,100	7,100
	<b>\$ 3,048,631</b>	<b>\$ 3,194,984</b>

	Cost Beginning of Year	Additions	Disposals	Write-downs	Cost End of Year
Engineered structures					
Roadways	\$ 413,036	\$ -	\$ -	\$ -	\$ 413,036
Wastewater systems	2,528,501	-	-	-	2,528,501
	2,941,537	-	-	-	2,941,537
Buildings	315,525	-	95,812	-	219,713
Machinery and equipment	99,716	-	-	-	99,716
Land	7,100	-	-	-	7,100
Land improvements	565,480	-	-	-	565,480
Vehicles	-	13,642	-	-	13,642
	<b>\$ 3,929,358</b>	<b>\$ 13,642</b>	<b>\$ 95,812</b>	<b>\$ -</b>	<b>\$ 3,847,188</b>

	Accumulated Amortization Beginning of Year	Current Amortization	Disposals	Write-downs	Accumulated Amortization End of Year
Engineered structures					
Roadways	\$ 408,673	\$ 873	\$ -	\$ -	\$ 409,546
Wastewater systems	211,603	41,423	-	-	253,026
	620,276	42,296	-	-	662,572
Buildings	43,083	8,788	(34,297)	-	17,574
Machinery and equipment	33,316	8,333	-	-	41,649
Land improvements	37,699	37,699	-	-	75,398
Vehicles	-	1,364	-	-	1,364
	<b>\$ 734,374</b>	<b>\$ 98,480</b>	<b>\$ (34,297)</b>	<b>\$ -</b>	<b>\$ 798,557</b>



## 6. ACCUMULATED SURPLUS

	2022	2021
Unrestricted surplus	\$ 47,813	\$ 46,792
Restricted surplus		
Operating reserves (Note 7)	4,502	23,862
Capital reserves (Note 7)	488,272	411,763
Equity in tangible capital assets (Schedule 1)	2,828,918	2,904,460
	<u>\$ 3,369,505</u>	<u>\$ 3,386,877</u>

## 7. RESERVES

	2022	2021
<b>Operating Reserves</b>		
General contingencies	\$ 4,502	\$ 4,502
Sewer	-	19,360
	<u>\$ 4,502</u>	<u>\$ 23,862</u>
<b>Capital Reserves</b>		
Roads	\$ 351,965	\$ 152,014
Wastewater	56,807	93,913
Infrastructure	46,500	-
Environmental	32,000	5,562
Information and technology	1,000	500
Pathways	-	157,800
Fleet	-	1,974
	<u>\$ 488,272</u>	<u>\$ 411,763</u>

## 8. CONTINGENT LIABILITIES

- a) The Summer Village is a member of the Alberta Municipal Insurance Exchange (MUNIX). Under the terms of membership, the Summer Village could become liable for its proportionate shares of any claim losses in excess of the funds held by the exchange. Any liability incurred would be accounted for as a current transaction in the year the losses are determined.
- b) The Summer Village is a member of the Sylvan Lake Regional Wastewater Commission. Under the terms of this membership the Summer Village is liable for its proportionate share of any losses incurred by the Commission. Any liability would be accounted for in the year the losses are determined.

## 9. CONTRACTUAL OBLIGATIONS

- a) The Summer Village has entered into an agreement for basic assessment services for a five year term commencing April 2020 expiring March 2025. The cost of assessment services will be \$7,700, per year over the five years.
- b) The Summer Village has entered into an agreement for fire emergency response services with the Town of Sylvan Lake for a four year term commencing January 2020 expiring December 2023. The cost of services will be \$12,975 annually.

## Notes to Financial Statements

December 31, 2022

**10. DEBT LIMITS**

Section 276(2) of the *Municipal Government Act* requires that debt and debt limits as defined by Alberta Regulation 255/00 for the Summer Village be disclosed as follows:

	2022	2021
Total debt limit	\$ 729,116	\$ 690,920
Total debt	-	-
<b>Total debt limit remaining</b>	<b>\$ 729,116</b>	<b>\$ 690,920</b>
Service on debt limit	\$ 121,519	\$ 115,153
Service on debt	-	-
<b>Total service on debt limit remaining</b>	<b>\$ 121,519</b>	<b>\$ 115,153</b>

The debt limit is calculated at 1.5 times revenue of the Summer Village (as defined in Alberta Regulation 255/00) and the debt service limit is calculated at 0.25 times such revenue. Incurring debt beyond these limits requires approval by the Minister of Municipal Affairs. These thresholds are guidelines used by Alberta Municipal Affairs to identify municipalities which could be a financial risk if further debt is acquired. The calculation taken alone does not represent the stability of the Summer Village. Rather, the financial statements must be interpreted as a whole.

**11. FINANCIAL INSTRUMENTS**

The Summer Village's financial instruments consist of cash, receivables, and accounts payable and accrued liabilities. It is management's opinion that the Summer Village is not exposed to significant interest, currency or credit risk arising from these financial instruments. Unless otherwise noted, the fair values of these financial instruments approximate their carrying values.

The Summer Village is exposed to credit risk with respect to receivables. Credit risk arises from the possibility that customers may experience financial difficulty and be unable to fulfill their obligations. The large number and diversity of customers minimizes the Summer Village's credit risk.

**12. SEGMENTED INFORMATION**

The Summer Village provides a range of services to its citizens. For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. The accounting policies used in these segments are consistent with those followed in the preparation of the financial statements as disclosed in Note 1.

## Notes to Financial Statements

December 31, 2022

**13. SALARIES AND BENEFITS DISCLOSURE**

Disclosure of salaries and benefits for Summer Village officials, the Summer Village Chief Administrative Officer and designated officers are required by Alberta Regulation 313/2000 is as follows:

	Salary (1)	Benefits (2)	2022	2021
Mayor Dufresne	\$ 6,310	\$ 224	\$ 6,534	\$ 4,350
Councillors				
Zacharias	4,160	61	4,221	3,871
Tirpak	2,540	-	2,540	2,723
	\$ 13,010	\$ 285	\$ 13,295	\$ 10,944
Chief Administrative Officer				
Evans	\$ 24,111	\$ 2,045	\$ 26,156	\$ 24,787
Designated officer				
Assessor	\$ 7,954	\$ -	\$ 7,954	\$ 7,900

(1) Salary includes regular base pay, bonuses, overtime lump sum payments, gross honoraria and any other direct cash remuneration.

(2) Employer's share of all employee benefits and contributions or payments made on behalf of employees including pension, health care, dental coverage, vision coverage, group life insurance, accidental disability and dismemberment insurance, long and short term disability plans, professional memberships and tuition.

(3) Benefits and allowances figures also include the employer's share of the costs of additional taxable benefits including special leave with pay, financial planning services, retirement planning services, concessionary loans, travel allowances, car allowances and club memberships.

**14. BUDGET FIGURES**

The 2022 budget data presented in these financial statements is based on the operating and capital budgets approved by Council on December 16, 2021. The chart below reconciles the approved financial plan to the figures reported in these financial statements.

	2022 Budget	2022 Actual
Annual surplus (deficit)	\$ 48,000	\$ (17,372)
Purchase of tangible capital assets	-	(13,642)
Transfer (to) from reserves	(48,000)	(57,149)
	\$ -	\$ (88,163)

The Summer Village does not provide for amortization in its operating budget.

**15. APPROVAL OF FINANCIAL STATEMENTS**

These financial statements were approved by Council and management.

## Summer Village of Birchcliff

### Administration and Finance

March 16, 2023

### Information Item

#### Agenda Item: *Accounts Payable Update*

#### Background:

Total payables processed and presented to Council \$ 44,019.01

The following list identifies any payments over \$3,000:

1. Al's Bobcat & Trucking	\$	3,010.35
a. Sanding-Feb 2 – 24		
2. AMSC Insurance Services Ltd	\$	4,254.00
a. Municipal Insurance		
3. Sylvan Lake Regional Water/Wastewater	\$	3,077.44
a. Jan 2022 Wastewater Services		
4. Town of Sylvan Lake	\$	16,974.66
a. 2023 Fire Dispatch Fees		
b. 2023 FCSS Matching Funding		
c. 2023 Fire Requisition		
5. Summer Village of Norglenwold	\$	15,810.78
a. Jan 2023 Muni Specific Costs		
b. Jan 2023 Shared Costs		

#### Council Expense Claims Report:

##### February 2023

▪ Roger Dufresne	\$	751.32
▪ Ann Zacharais	\$	130.00
▪ Frank Tirpak	\$	130.00

#### Administrative Recommendations:

Council to accept as information.

#### Authorities:

MGA 207 (c): The chief administrative officer advised and informs the council on the operations and affairs of the municipality.

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2023-03-09 11:10 AM

**Summer Village of Birchcliff**  
**List of Accounts for Approval (Detailed)**  
 Batch: 2023-00012 to 2023-00013

Page 1

Bank Code - MAIN - General Bank

**COMPUTER CHEQUE**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>1144</b>	<b>2023-02-28</b>	<b>Ace Line Locating Ltd.</b>			
5602		242-000-255 - Maintenance Pro	Line Locating	120.00	
		312-000-260 - GST Paid Refund	GST Tax Code	6.00	126.00
<b>1145</b>	<b>2023-02-28</b>	<b>Al's Bobcat &amp; Trucking</b>			
19313		232-000-255 - Plowing Program	Sanding-Feb 2,14,21 & 24	2,867.00	
		312-000-260 - GST Paid Refund	GST Tax Code	143.35	3,010.35
<b>1146</b>	<b>2023-02-28</b>	<b>AMSC Insurance Services Ltd</b>			
42045		212-400-275 - Municipal Insuran	Municipal Insurance	4,254.00	4,254.00
<b>1147</b>	<b>2023-02-28</b>	<b>Empringham Disposal Corp</b>			
43671		243-000-200 - Contracted Servic	Feb 2023 Bi Weekly Collect	465.00	
		312-000-260 - GST Paid Refund	GST Tax Code	23.25	488.25
<b>1148</b>	<b>2023-02-28</b>	<b>Red Deer River Watershed</b>			
RIVER-23		243-102-150 - Red Deer River V	2023 Contribution	277.53	277.53
<b>1149</b>	<b>2023-02-28</b>	<b>Sylvan Lake Regional</b>			
1757		242-000-260 - Useage Fees	Jan 2023 WW Services	3,077.44	3,077.44
<b>1150</b>	<b>2023-02-28</b>	<b>Town of Sylvan Lake</b>			
IVC120774		223-000-200 - Contract Fire Ser	2023 Fire Dispatch Fees	531.72	531.72
FCSS-23		274-000-150 - FCSS Matching F	FCSS-2023	2,167.94	2,167.94
FIRE2023		223-000-200 - Contract Fire Ser	2023 Fire Requisition	12,975.00	12,975.00
IVC120829		223-000-200 - Contract Fire Ser	Fire Response-False Alarm	1,300.00	1,300.00
			Payment Total:		16,974.66
			Total Computer Cheque:		28,208.23

**EFT**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>253</b>	<b>2023-01-31</b>	<b>Summer Villages of Norglenwold</b>			
2023-00010		212-100-110 - Salaries	Salaries	10,112.25	
		212-100-130 - Training	Training	347.98	
		212-100-140 - Benefits	Shared Benefits	326.82	
		212-100-210 - Travel & Subsis	Travel & Subsistence	0.00	
		212-100-211 - WCB	WCB	0.00	
		212-100-266 - PW Fleet	PW Fleet	0.00	
		212-200-215 - Postage/Freight/C	Postage/Freight	49.82	
		212-200-500 - Printing Costs	Printing Costs	103.37	
		212-200-510 - Office Supplies	Office Supplies	230.95	
		212-300-217 - Phone/Fax/Intern	Shared Phone/Fax	29.30	
		212-300-540 - Utilities	Utilities	529.71	
		212-300-250 - Facility Improvem	Facilitiy Improvements	0.00	
		212-300-255 - Facility Maintena	Facility Maint.	653.68	
		212-300-263 - Condominium Co	Condominium	0.00	
		212-300-240 - Computer Softwa	Computer Software	2,819.37	
		212-300-242 - IT Equipment	IT Equipment	216.59	
		212-300-265 - Equipment Mainte	Equip Maintenance	0.00	
		212-300-270 - Equipment Renta	Equip Rental	51.67	
		212-300-510 - Other Contingenc	Contingency	46.66	
		212-300-530 - Building Insuranc	Building Insurance	0.00	15,518.17

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**Summer Village of Birchcliff**  
**List of Accounts for Approval (Detailed)**  
 Batch: 2023-00012 to 2023-00013

Page 2

		EFT			
Payment #	Date	Vendor Name			
Invoice #		GL Account	GL Transaction Description	Detail Amount	Payment Amount
2023-00014		226-000-200 - Enforcement	ATB MC-Petsmart-Kennel C	44.39	
		226-000-200 - Enforcement	ATB MC-Gorilla Surplus-Bai	31.00	
		226-000-200 - Enforcement	ATB MC-Bylaw Organizer&	40.87	
		226-000-200 - Enforcement	ATB MC-Bylaw Officer-Body	41.37	
		226-000-200 - Enforcement	ATB MC-Amazon-Animal C	48.38	
		226-000-200 - Enforcement	ATB MC-911 Supply-Tactica	61.20	
		226-000-200 - Enforcement	ATB MC-ShowDown-Embro	25.40	292.61
			Payment Total:		15,810.78
			Total EFT:		15,810.78
			Total MAIN:		44,019.01



# Council Expense Claim Form

NAME: Roger DufresnePOSITION: MayorMONTH ENDING: February-2023

Please follow the below steps for the formulas to work correctly.

1. Save this document to your desktop.
2. Right click the document, hover your mouse over "open with" then select "Adobe Acrobat".

## Village Business

RECEIVED

FEB 26 2023

DATE	EVENT	TIME SPENT	CLAIM	TOTAL
2/2/23	HRSC	2	Mayor	\$ 130.00
2/3/23	Climate Caucus Prairies Chapter	2	Mayor	\$ 130.00
2/15/23	Joint Services Committee PRB	3	Mayor	\$ 130.00
2/16/23	Council	2.25	Mayor	\$ 130.00
2/22/23	Central Alberta Mayors	3	Mayor	\$ 130.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
				<b>\$ 650.00</b>

If event is other please type it in.

COPY

## Travel

DATE	EVENT	RETURN TRIP TOTALS (KM)	RATE	TOTAL
2/2/23	HRSC	17.00	\$0.68	\$ 11.56
2/3/23	Climate Caucus Prairies Chapter		\$0.68	\$ 0.00
2/15/23	Joint Services Committee PRB	17.00	\$0.68	\$ 11.56
2/16/23	Council	17.00	\$0.68	\$ 11.56
2/22/23	Central Alberta Mayors	98.00	\$0.68	\$ 66.64
	Select Event		\$0.68	\$ 0.00
	Select Event		\$0.68	\$ 0.00
	Select Event		\$0.68	\$ 0.00
	Select Event		\$0.68	\$ 0.00
	Select Event		\$0.68	\$ 0.00
				<b>\$ 101.32</b>

## Other Expenses

DATE	EXPENSE	SUBTOTAL	G.S.T	TOTAL
				\$ 0.00
				\$ 0.00
				\$ 0.00
				<b>\$ 0.00</b>

MAYOR: \_\_\_\_\_

C.A.O: \_\_\_\_\_

TOTAL PAYABLE: \$ 751.32







NAME: Frank Tirpak

**POSITION:** Councillor

MONTH ENDING: February-2023

RECEIVED

FEB 25 2023

Please follow the below steps for the formulas to work correctly.

1. Save this document to your desktop.
2. Right click the document, hover your mouse over "open with" then select "Adobe Acrobat".

DATE	EVENT	TIME SPENT	CLAIM	TOTAL
2/16/23	Regular Council	2.25 hours	Councillor	\$ 130.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
	Select Event		Title	\$ 0.00
If event is other please type it in.				\$ 130.00

If event is other please type it in.

COPY

## Travel

[illegible]

## Other Expenses

DATE	EXPENSE	SUBTOTAL	G.S.T	TOTAL
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00

MAYOR: \_\_\_\_\_

C.A.O: \_\_\_\_\_

**TOTAL PAYABLE: \$ 130.00**

**Summer Village of Birchcliff****March 16, 2023****Public Works****Information Item****Agenda Item: *Public Works Report*****Background:**

The following will provide Council with an update on Public Works activities and initiatives:

- Administration will be coordinating with contractors to plan and execute approved capital projects
- Administration will be posting seasonal summer student openings this month
- Waste collection service provider reported that cart manufacturer will not be able to ship carts until June due to material supply chain issues
- Public Works has seen first draft of shoreline survey and provided input to surveyors. Administration will be presenting the findings along with pictures at next Council meeting.
- Lakeview has completed planned riprap projects mid-February.
- No tenders received for community dock installation/removal on APC. Administration still trying to reach out to find companies willing to take on the initiative.

**Options for Consideration:**

That Council accepts this report as information.

**Authorities:**

MGA 207( c ) “advises and informs the council on the operation and affairs of the municipality”

## Summer Village of Birchcliff

March 16, 2023

### Planning and Development

#### Information Item

#### Agenda Item: *Development Update*

#### Background:

##### Development Permit Update:

Currently there are 97 development permits issued in the Summer Villages (26 in Birchcliff, 3 in Half Moon Bay, 21 in Jarvis Bay, 22 in Norglenwold, and 25 in Sunbreaker Cove).

##### Current Developments:

1. 145 Birchcliff Road (Landscaping incomplete – in progress)	Demo & Dwelling	Issued in 2018
2. 337 Birchcliff Road (Inspection in Spring)	Dwell, Gar., & GuestHouse	Issued in 2019
3. 355 Birchcliff Road (site inspection complete, outstanding DP conditions)	Addition & Det. Garage	Issued in 2020
4. 137 Birchcliff Road (outstanding landscaping)	Driveway	Issued in 2020
5. 87 Birchcliff Road (complete – require RPR)	Dwelling	Issued in 2020
6. 363 Birchcliff Road	Escarpment Ret. Walls	Issued in 2021
7. 71 Birchcliff Road (site inspection complete, conditions outstanding)	Escarpment Ret. Walls	Issued in 2021
8. 14 Sunnyside Cabin	Demo & Dwelling	Issued in 2021
9. 83 Birchcliff Road	Dwelling	Issued in 2021
10. 94 Birchcliff Lane	Dwelling	Issued in 2021
11. 59 Birchcliff Road	Driveway	Issued in 2021
12. 83 Birchcliff Road	Lakeside Stairs	Issued in 2021
13. 363 Birchcliff Road	Dwelling	Issued in 2021
14. 71 Birchcliff Road	Dwelling	Issued in 2021
15. 187 Birchcliff Road	Demolition & Dwelling	Issued in 2022
16. 163 Birchcliff Road	Dwelling Addition	Issued in 2022
17. 59 Birchcliff Road	Demolition	Issued in 2022
18. 37 Sunnyside Cabin	Demolition & Dwelling	Issued in 2022
19. 81 Sunnyside Cabin	Dwelling Reno's & Deck	Issued in 2022
20. 409 Birchcliff Road	Lakeside Stairs	Issued in 2022
21. Western RV#16	Deck	Issued in 2022
22. 529 Birch Close	Dwelling	Issued in 2022

23.425 Birchcliff Road	Dwelling	Issued in 2022
24.280 Birchcliff Road	Dwelling	Issued in 2022
25.533 Birch Close	Dwelling Addition	Issued in 2022
26.159 Birchcliff Road	Dwelling	Issued in 2022

**Open Administrative Files:**

1. 71 Birchcliff Road
2. 315 Birchcliff Road
3. 319 Birchcliff Road
4. 317 Birchcliff Road
5. 145 Birchcliff Road
6. 83 Birchcliff Road

**Permit Summary:**

**2022 Jan.-Dec.:**

13 development permits. Estimated project cost \$4,069,000.00.

**2021 Jan.-Dec.:**

21 development permits. Estimated project cost \$4,926,500.00.

**Administrative Recommendations:**

Council to accept as information.

**Authorities:**

Land Use Bylaw #170/13.

## **Summer Village of Birchcliff**

**March 16, 2023**

### **Information**

#### **Agenda Item: *CAO Report***

#### **Background:**

- Attached is communication from Darren Dempsey, Manager of Utility Services for Lacombe County, with information regarding odor tests at the manhole near the Birchcliff lift station.
- Rezoning of RA 5 has been delayed slightly due to the fact that it is a road allowance. This needs to be surveyed so that a separate title can be created and the road allowance can be closed by Albert Transportation. Administration is working on completing this as quickly as possible. However, the survey cannot be completed until the snow melts enough to see the shoreline. We are still confident we can keep to a timeline where a public hearing will take place in the summer.
- Administration continues to work on a minimum reserves policy and will present the policy at the next Council meeting.
- Administration has attached information regarding the Climate Plan which includes the goal, the objective, and the next steps. Administration is seeking agreement on these items from the three municipalities involved in the climate plan.
- Administration has received the updated assessment for Birchcliff, which is an increase of \$10.8 million. This increase is more than we had anticipated during budget discussions. The direction from Council was to keep the same mill rate as 2022. In order to do this, Administration is requesting an amendment to the operating budget, adding \$11,400 to the Infrastructure Reserve (from the originally approved \$45,000 to \$56,400).

#### **Options for Consideration:**

Council to discuss and give direction to administration.

#### **Administrative Recommendations:**

Council to provide a motion amending the 2023 budget to increase the infrastructure reserve by \$11,400, keeping the mill rate the same as 2022.

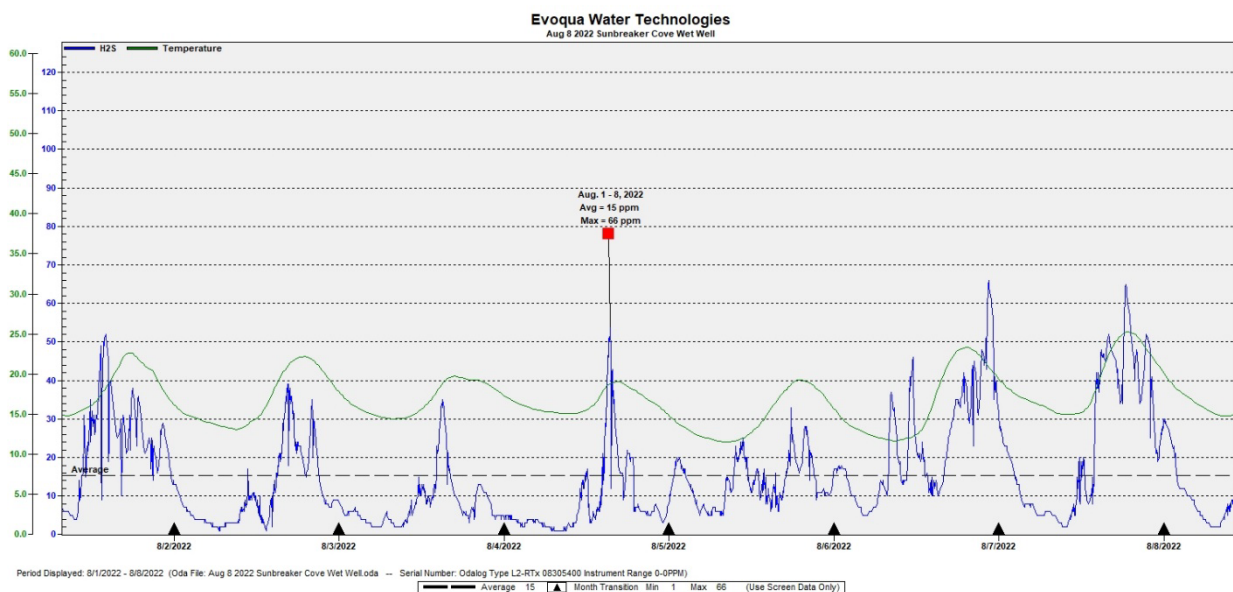
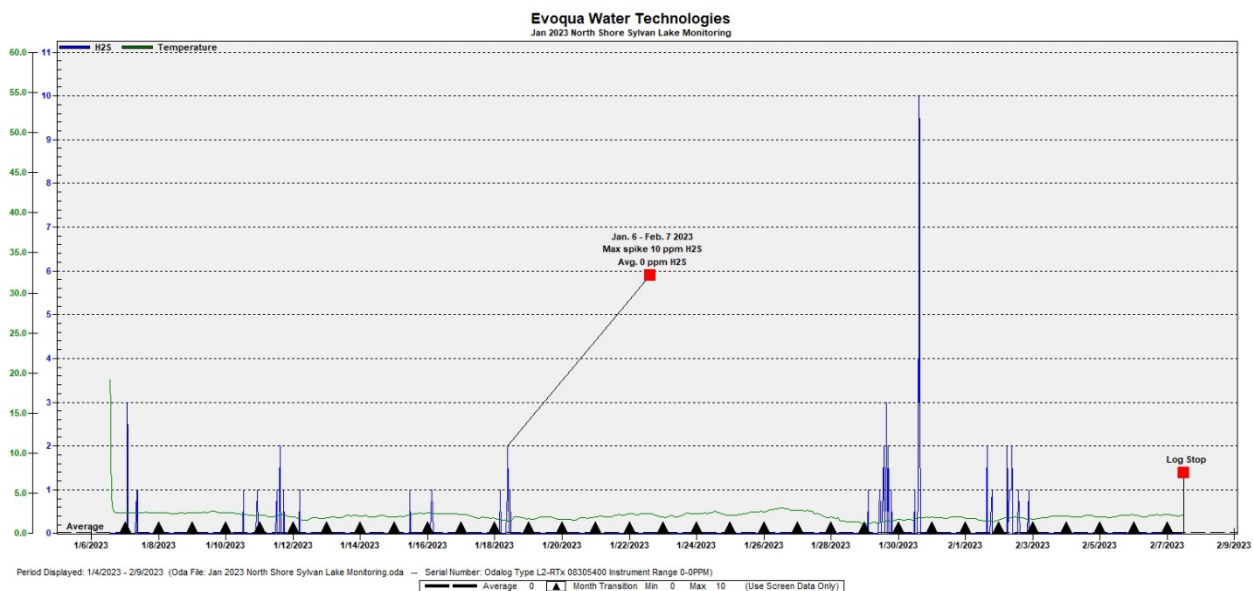
**Authorities:**

MGA 207 (c) “advises and informs the council on the operation and affairs of the municipality”.



The first photo attached is an odour log graph from Evoqua, this 30-day computer was put into the manhole in question to see if H<sub>2</sub>S gases were migrating backwards into the Slopes. The results over the 30-day analysis shows that the H<sub>2</sub>S is very low. The average was 0 ppm with a 10ppm spike on the afternoon of Jan 30<sup>th</sup>. In winter we normally see these numbers higher as odours are typically higher due to a more concentrated effluent (low water use or little infiltration). The second photo is a sample of what we're expecting to see (from Sunbreaker Cove).

The operator cannot detect any readings from his personal monitor and he's there 5 days per week for about an hour at varying times from day to day. To be honest, many odour issues we investigate originate from the homeowners own holding tank. We encourage an annual cleaning and inspection of holding tanks/pumps/check valves but it can be expensive and many times doesn't get done until there's a problem after many years operation in-between.



**CLIMATE PLAN****Goal:**

Create climate awareness on climate change and the mitigation needed locally to soften its impact on people, property and the environment.

**Objectives:**

- Create awareness
- Provide a Risk Assessment (people, property, environment)
- Public Engagement
  - to help solidify Key Priorities on Preventative and Prescriptive measures
- Create a climate plan from the above

**Next Steps:**

- Get council consensus on Goals, Objectives & Next Steps - March/April
- Hold Information sessions – get feedback build on requirements – June
- Build on Climate Action Plan – August
- Present plan to Council – September
- Present to ASVA - October
- Execute over time



## **Summer Village of Birchcliff**

**March 16, 2023**

### **Protective Services**

### **Request for Decision**

#### **Agenda Item: *Bylaw Enforcement Officer Bylaw***

##### **Background:**

Administration is bringing forward a new Bylaw Enforcement Officer Bylaw for Council's review and consideration. The current bylaw was passed in 1999 and needed some updating to reflect current practices.

The new bylaw is compliant with the Municipal Government Act and outlines the powers and duties of the Bylaw Officer and includes disciplinary procedures, infractions, and an appeal process.

##### **Options for Consideration:**

- 1) That Council give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to the Bylaw Enforcement Officer Bylaw.
- 2) That Council accept as information.

##### **Administrative Recommendations:**

That Council give 1<sup>st</sup> reading to the Bylaw Enforcement Officer Bylaw.

That Council give 2<sup>nd</sup> reading to the Bylaw Enforcement Officer Bylaw.

That Council by unanimous consent give 3<sup>rd</sup> reading to the Bylaw Enforcement Officer Bylaw at this meeting.

That Council give 3<sup>rd</sup> and final reading to the Bylaw Enforcement Officer Bylaw.

##### **Authorities:**

*Municipal Government Act*, Section 556

Every council must by bylaw

- (a) specify the powers and duties of bylaw enforcement officers, and
- (b) establish disciplinary procedures for misuse of power, including penalties, and an appeal process applicable to misuse of power by bylaw enforcement officers.

**SUMMER VILLAGE OF BIRCHCLIFF  
BYLAW ENFORCEMENT OFFICER BYLAW  
BYLAW #241-23**

A BYLAW OF THE SUMMER VILLAGE OF BIRCHCLIFF, IN THE PROVINCE OF ALBERTA, RESPECTING THE ENFORCEMENT OF BYLAWS.

WHEREAS pursuant to:

Section 7 (i) of the *Municipal Government Act*, RSA 2000, C M-26, a Council may pass bylaws respecting the enforcement of bylaws;

Section 555 of the *Municipal Government Act*, a person who is appointed as a Bylaw Enforcement Officer is, in the execution of those duties, responsible for the preservation and maintenance of the public peace;

Section 556 of the *Municipal Government Act*, a Council must pass a bylaw specifying the powers and duties of Bylaw Enforcement Officers and establishing disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by Bylaw Enforcement Officers;

Part 13, division 4 of the *Municipal Government Act*, the municipality may carry out numerous enforcement powers and duties, which may be exercised by Bylaw Enforcement Officers;

Section 1(k)(vii) of the *Provincial Offences Procedure Act*, RSA 2008, c P-3, a person who is employed or retained by a municipality for the preservation and maintenance of the public peace in the exercise or discharge of their powers and duties will be considered a “peace officer” for the purposes of the Act;

The Council of the Summer Village of Birchcliff duly assembled enacts as follows:

**PART 1 – TITLE, PURPOSE, DEFINITIONS, AND INTERPRETATION**

1.1 This bylaw shall be known as the “*Bylaw Enforcement Officer Bylaw*.”

1.2 The purposes of the bylaw are to:

- a) prescribe the requirements for appointing Bylaw Enforcement Officers;
- b) delegate enforcement related powers, duties, and functions to the Chief Administrative Officer;
- c) specify the powers, duties and functions that may be delegated to Bylaw Enforcement Officers;
- d) establish disciplinary procedures for misuse of power by Bylaw Enforcement Officers; and
- e) deal with other matters respecting the enforcement of bylaws and other enactments.

1.3 In this bylaw, unless the context otherwise requires:

- (a) “*Administrator*” means the person appointed by Council to perform the duties of Administrator for the Municipality;

- (b) “By-Law” means by-laws of the Municipality;
- (c) “By-Law Enforcement Officer” means an employee of the Summer Village, or a person or company contracted by the Summer Village to execute the duties of enforcing Summer Village Bylaws and who has been appointed pursuant to this bylaw;
- (d) “CAO” means the Chief Administrative Officer of the Summer Village and the person who is appointed as such by the Summer Village Council, or anyone who is the acting Chief Administrative Officer;
- (e) “Committee” means the By-Law Enforcement Committee established under this By-Law;
- (f) “Council” means the municipal council of the Summer Village of Birchcliff;
- (g) “Municipality” means the Summer Village of Birchcliff.
- (h) “Offence Ticket” means any ticket or tag which is authorized under the *Municipal Government Act*, the *Provincial Offences Procedures Act*, and any other enactment, and which is issued or any bylaw offence;
- (i) “Notice” means any notice authorized to be given under any municipal bylaws or enactment.

1.3 The headings in this bylaw are for reference purposes only.

## **PART 2 – CAO ROLE**

2.1 The CAO may:

- a) appoint individuals as Bylaw Enforcement Officers in accordance with this bylaw;
- b) take whatever actions or measures are necessary to eliminate an emergency in accordance with section 551 of the *Municipal Government Act*;
- c) add any amounts owing to the Summer Village to a tax roll in accordance with the *Municipal Government Act* or other enactment;
- d) authorize or require Bylaw Enforcement Officers to carry out any powers, duties, or functions necessary to fulfill their responsibility for the preservation and maintenance of the public peace;
- e) delegate any of the CAO’s powers, duties, or functions contained in this section to any employees of the Summer Village, including the option to further delegate those powers, duties, or functions;
- f) revoke, suspend, or modify appointments of Bylaw Enforcement Officers in accordance with this bylaw; and

- g) monitor and investigate complaints of misuse of power by Bylaw Enforcement Officers.

### **PART 3 – BYLAW ENFORCEMENT OFFICERS**

- 3.1 In accordance with their appointment by the CAO, Bylaw Enforcement Officers may:
  - a) issue municipal tags and/or violation tickets for offences under bylaws;
  - b) exercise all the powers, duties, and functions of a designated officer to conduct any inspections, remedies, or enforcement authorized or required by a bylaw or enactment in accordance with section 542 of the *Municipal Government Act*;
  - c) exercise all the powers, duties, and functions of a designated officer to issue written orders pursuant to sections 545 and 546 of the *Municipal Government Act*;
  - d) take whatever actions or means are necessary to remedy a contravention or prevent a re-occurrence of a contravention of the *Municipal Government Act*, an enactment that the Summer Village is authorized to enforce, or a bylaw in accordance with section 549 of the *Municipal Government Act*;
  - e) take whatever actions or measures are necessary to eliminate a danger to public safety caused by a structure, excavation, or hole, or to deal with the unsightly condition of property in accordance with section 549 of the *Municipal Government Act*; and
  - f) issue notices not to trespass under the *Trespass to Premises Act*.
- 3.2 The appointment of an individual as a Bylaw Enforcement Officer in accordance with this bylaw is deemed to be written authorization to issue violation tickets for offences under bylaws specified in the appointment as the case may require.
- 3.3 To be eligible for appointment as a Bylaw Enforcement Officer, individuals must provide to the CAO:
  - a) a recent criminal record check acceptable to the CAO;
  - b) demonstrated commitment to good character;
  - c) proof of adequate training necessary for performing the powers, duties, and functions of a Bylaw Enforcement Officer; and
  - d) any other requirement specified by the CAO.
- 3.4 The CAO may impose terms and conditions on a Bylaw Enforcement Officer appointment.
- 3.5 Prior to commencing their duties, all Bylaw Enforcement Officers must take the official oath contained in Schedule A.
- 3.6 Bylaw Enforcement Officers are subject to the supervision of and accountable to the CAO and must comply with their appointment and all Summer Village policies, directives, and procedures.

**PART 4 – DISCIPLINE**

- 4.1 If, in the opinion of the CAO, based on reasonable grounds, a Bylaw Enforcement Officer has misused a power, contravened their appointment of this bylaw, including any terms or conditions, or acted contrary to the public interest, the CAO may issue a written reprimand, suspend with or without pay for a period not exceeding six months, or revoke or modify the Bylaw Enforcement Officer's appointment.
- a) Prior to issuing a written reprimand, suspending, revoking, or modifying a Bylaw Enforcement Officer appointment, the CAO must provide the affected Bylaw Enforcement Officer with written notice of the proposed reprimand, suspension, revocation, or modification, including reasons.
  - b) The affected Bylaw Enforcement Officer may make written representation to the CAO respecting the proposed reprimand, suspension, revocation, or modification.
  - c) The CAO will provide the Bylaw Enforcement Officer, and the complainant, if any, with a written decision, including reasons, on the proposal to reprimand, suspend, revoke, or modify the Bylaw Enforcement Officer's appointment.
- 4.2 If an individual appointed as a Bylaw Enforcement Officer is no longer employed or retained by the Summer Village, or if the individual's role is modified such that the individual no longer requires appointment as a Bylaw Enforcement Officer or requires a modified appointment, the CAO may modify or revoke the Bylaw Enforcement Officer's appointment.
- 4.3 Where it is alleged that a By-Law Enforcement Officer, in performing his duties as a Peace Officer has committed a disciplinary default as defined by this By-law, the Administrator shall hold a hearing to determine if the By-Law Enforcement Officer has committed a disciplinary default in performing his duties as a Peace Officer.
- 4.4 Where the Administrator intends to conduct a hearing to determine whether a By-Law Enforcement Officer has committed a disciplinary breach, the following procedure shall be followed:
- (a) Adequate notice (a minimum of 2 days) in writing shall be given to the By-Law Enforcement Officer who is alleged to have committed disciplinary breach and to such other parties that the Administrator considers to be affected by the alleged disciplinary breach.
  - (b) At the hearing, the Administrator shall give the By-Law Enforcement Officer a reasonable opportunity of furnishing relevant evidence.
  - (c) The Administrator shall inform the By-Law Enforcement Officer of the facts in his possession, or the allegation made to him in sufficient detail to:
    - i. Permit him to understand the facts or allegations; and
    - ii. Afford him a reasonable opportunity to furnish relevant evidence to contradict or explain the facts or allegations.
  - (d) The Administrator shall give the By-Law Enforcement Officer or his representative an adequate opportunity of making

representations by way of argument to the Administrator.

- 4.5 At the conclusion of a hearing to determine whether there has been a disciplinary breach, the Administrator may, by a decision in writing with reasons, do the following:
- (a) Reprimand in writing to the By-Law Enforcement Officer;
  - (b) Suspend the By-Law Enforcement Officer from acting as a By-Law Enforcement Officer for the Municipality, but such period of suspension shall not exceed 6 months;
  - (c) Recommend to Council that the appointment of the By-Law Enforcement Officer be terminated.

## **PART 5 – APPEAL PROCESS**

- 5.1. An appeal from the decision of the Administrator may be commenced by the By-Law Enforcement Officer who is the subject of the disciplinary hearing by filing a written notice of the appeal with the Chairman of the Committee within 30 days of the receipt by the By-Law Enforcement Officer of the written decision of the Administrator.
- 5.2. The Committee shall hold a hearing into the appeal within 40 days of the receipt of the appeal by the Chairman of the Committee.
- 5.3. The Committee shall give reasonable notice of the hearing to the appellant, the Administrator, and to such other parties as the Committee consider to be affected by the hearing.
- 5.4. In conducting a hearing, the Committee shall follow, with necessary modification being made, the procedure as set out in Clause 7 of this By-Law.
- 5.5. In determining an appeal, the Committee may confirm, revoke, or vary the decision or any conditions attached to a decision by the Administrator and may,
- (a) Reprimand in writing the By-Law Enforcement Officer;
  - (b) Suspend the By-Law Enforcement Officer from acting as By-Law Enforcement Officer for the Municipality but such suspension shall not exceed 6 months;
  - (c) Terminate the appointment of the person as a By-Law Enforcement Officer for the Municipality.
- 5.6 The Committee's decision shall be in writing with reasons and shall be made within 15 days of the conclusion of the hearing.

## **PART 6 – DISCIPLINARY DEFAULTS**

- 6.1. For purposes of this By-Law, the following shall be disciplinary defaults:
- (a) *Discreditable conduct*, where the By-Law Enforcement Officer
    - i. acts in a disorderly or inappropriate manner, or in a manner prejudicial to discipline or likely to bring discredit

- ii. upon the reputation of By-Law Enforcement Officers;
  - iii. uses oppressive or tyrannical conduct towards an inferior in rank;
  - iv. uses profane, abusive, or insulting language to any member of a police force, special constable, or By-Law Enforcement Officer;
  - v. willfully or negligently makes any false complaint or statement against a peace officer;
  - vi. is guilty of an indictable offense under a federal statute or an offense punishable upon summary conviction under the Criminal Code of Canada;
  - vii. withholds or suppresses a complaint or report against a peace officer; or
  - viii. abets, connives or is knowingly an accessory to a general default described in the By-Law.
- (b) *Insubordination*, where the By-Law Enforcement Officer by way of action, and without lawful excuse, disobeys, omits or neglects to conduct any lawful order.
- (c) *Neglect of duty*, where the By-Law Enforcement Officer,
  - i. without lawful excuse neglects or omits promptly and diligently to perform a duty as a By-Law Enforcement Officer;
  - ii. fails to work in accordance with orders, or leave an area, detail, or other place of duty without due permission or sufficient cause;
  - iii. fails, when knowing where an offender is to be found, to report him; or,
  - iv. fails to report a matter that it is his duty to report.
- (d) *Deceit*, where the By-Law Enforcement Officer,
  - i. knowingly makes or signs a false statement in an official document or book;
  - ii. willfully or negligently makes a false, misleading, or inaccurate statement pertaining to official duties; or
  - iii. without lawful excuse destroys, mutilates, or conceals an official document or record or alters or erases any entries therein.
- (e) *Breach of confidence*, where the By-Law Enforcement Officer,
  - i. divulges any matter which it is his duty to keep secret;
  - ii. gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
  - iii. without proper authorization from a superior or in contravention of any rules of the Administrator communicates to the news media or to any unauthorized person any law enforcement matter which could be injurious to any person or investigation;
  - iv. without proper authorization from the Administrator shows to any person not a peace officer or any unauthorized member of the By-Law Enforcement Officer group any book or written or printed paper, document or report relating to any law enforcement matter that is the property of or in the custody of the Municipality; or

- v. makes any anonymous communication to the Administrator.
- (f) *Miscellaneous*, where the By-Law Enforcement Officer,
  - i. fails to account for or to make a prompt, true return of money or property received in an official capacity;
  - ii. directly or indirectly solicits or receives a gratuity, present, pass, subscription, or testimonial without the consent of the Administrator;
  - iii. places himself under a pecuniary or other obligation to a person in respect of whose conduct or business operation or employment the member may have to report or give evidence; or
  - iv. improperly uses his position as a By-Law Enforcement Officer for private advantage.
- (g) *Unlawful or unnecessary exercise of authority*, where the By-Law Enforcement Officer is unnecessarily discourteous or uncivil to a member of the public.
- (h) *Consuming intoxicating liquor or drugs in a manner prejudicial to duty*, where the By-Law Enforcement Officer,
  - i. while on duty is unfit for duty through consuming intoxicating liquor or drugs;
  - ii. reports for duty and is unfit for duty through consuming intoxicating liquor or drugs; or
  - iii. demands, persuades, or attempts to persuade another person to give or purchase or obtain for a By-Law Enforcement Officer while on duty, any intoxicating liquor, or drugs.

## **PART 7 – SEVERABILITY PROVISION**

- 7.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

## **PART 8 – REPEAL OF BYLAW**

- 8.1 Upon third reading Bylaw #129-99 is hereby rescinded.

## **PART 9 – EFFECTIVE DATE**

- 9.1 This Bylaw shall come into force and take effect on its passing.

**INTRODUCED AND GIVEN FIRST READING** this 16<sup>th</sup> day of March 2023.

**GIVEN SECOND READING** this 16<sup>th</sup> day of March 2023.



**GIVEN THIRD AND FINAL READING** this 16<sup>th</sup> day of March 2023.

\_\_\_\_\_  
Roger Dufresne, Mayor

\_\_\_\_\_  
Tanner Evans, C.A.O.

SCHEDULE "A"

OATH OF OFFICE

CANADA)  
PROVINCE OF ALBERTA)

I, «First Name» «Last Name», swear that I will diligently, faithfully and to the best of my ability execute according to law the office of Bylaw Enforcement Officer as stipulated on my appointment as a Bylaw Enforcement Officer. So, help me God.

TAKEN and subscribed before me) At Sylvan Lake, Alberta)  
This «Day», day of «Month» (A.D., «Year»)

--- OR ---

CANADA)  
PROVINCE OF ALBERTA)

I, «First Name» «Last Name», solemnly and truly declare and affirm that I will diligently, faithfully and to the best of my ability execute according to law the office of Bylaw Enforcement Officer as stipulated on my appointment as a Bylaw Enforcement Officer.

TAKEN and subscribed before me) At Sylvan Lake, Alberta)  
This «Day», day of «Month» (A.D., «Year»)

## **Summer Village of Birchcliff**

**March 16, 2022**

### **Council & Legislation**

#### **Request for Decision**

#### **Agenda Item: *Dog Bylaw***

#### **Background:**

With the addition of our Bylaw Enforcement Officer, Administration has been reviewing bylaws to ensure they are enforceable and cohesive between the 5 Summer Villages.

Amendments have been made to the Dog Bylaw with increases in fees, and where necessary, expanded definitions. The Dog Bylaw is being brought forward for Council's review and consideration.

#### **Options for Consideration:**

- 1) Council give 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings to the Animal Control Bylaw #243-23.
- 2) Council accept as information.

#### **Administrative Recommendations:**

- 1) That Council give 1<sup>st</sup> reading to the Animal Control Bylaw #243-23.
- 2) That Council give 2<sup>nd</sup> reading to the Animal Control Bylaw #243-23.
- 3) That Council by unanimous consent give 3<sup>rd</sup> reading to the Animal Control Bylaw #243-23 at this meeting.
- 4) That Council give 3<sup>rd</sup> and final reading to the Animal Control Bylaw #243-23.

#### **Authorities:**

Municipal Government Act, Section 7

A Council may pass bylaws for municipal purposes respecting the following matters:

(h) wild and domestic animals and activities in relation to them.

## SUMMER VILLAGE OF BIRCHCLIFF DOG CONTROL BYLAW BY-LAW #243-23

A Bylaw of the Summer Village of Birchcliff, in the Province of Alberta, to provide for the regulating, controlling and confinement of dogs.

WHEREAS pursuant to the provisions of sections 7 and 8 of the *Municipal Government Act*, 2000, Chapter M-26, as amended, a Municipal Council may pass By-laws respecting domestic animals and activities in relation to them;

AND WHEREAS, the Council of the Summer Village of Birchcliff deems it necessary to provide for the regulating, control and confinement of dogs running at large within the Summer Village;

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

### 1. TITLE

**1.1** This By-law may be known as ***“The Dog Control By-law.”***

### 2. INTERPRETATION AND APPLICATION

**2.1** In the By-law unless the context otherwise requires:

- a) ***“Administrator”*** means the Administrator for the Summer Village of Birchcliff and whatever subsequent title may be conferred on that officer by Council or Statute.
- b) ***“Animal Shelter”*** means a place or facility designated by the Administrator for the purpose of holding and caring for any dogs impounded under provision of this By-law.
- c) ***“Animal Shelter Keeper”*** means the owner or operator of an animal shelter.
- d) ***“At Large”*** means when a dog is off the premises of the owner’s property and is not on a leash held by a person able to control the animal.
- e) ***“Bite”*** means a wound to the skin causing it to bruise, puncture or break.
- f) ***“Biting”*** means force applied by an animal by means of its mouth and teeth upon a person or other animal.
- g) ***“By-law Enforcement Officer”*** means a person or persons appointed as such by Council whose duties entail carrying out the provision of this By-law.
- h) ***“Control of Dogs”*** means that dogs are on a leash or otherwise restrained by a permitted leash held by a person, and that permitted leash is attached to a choke chain, collar or harness securely holding that animal. If it is difficult for a person to restrain the animal by a permitted leash, then the

animal shall be deemed to be “at large” notwithstanding the presence of a permitted leash.

- i) **“Controlled Confinement”** means the confinement of a dog in a pen, cage, or building, or securely tethered in a manner that will not allow the dog to bite, harm or harass any person or dog.
- j) **“Damage to Property”** means damage to property other than the owner’s property and includes defecating or urinating on such property.”
- k) **“Day”** means a continuous period of twenty-four (24) hours.
- l) **“Dog”** means either a male or female canine.
- m) **“Kennel”** shall mean a dwelling, shelter, room, or place so considered housing or keeping four (4) or more dogs over the age of four (4) months with the provisions of this By-law.
- n) **“Owner”** means:
  - i. a natural person or body corporate who has legal title to the dog;
  - ii. a person who has the care, charge, custody, possession, or control of a dog;
  - iii. a person who owns or harbors a dog; or
  - iv. a person who claims and receives a dog from an animal shelter.
- o) **“Peace Officer”** means:
  - i. a member of the Royal Canadian Mounted Police;
  - ii. a member of a Municipal By-law Enforcement Officer; and
  - iii. a Peace Officer
- p) **“Permitted Leash”** means a leash adequate to control the dog to which it is attached, and which leash shall not exceed three (3) metres in length.
- q) **“Pound”** means such place as may, from time to time, be established for the impounding and keeping of dogs in accordance with the provisions of this By-law.
- r) **“Pound Keeper”** means any person or persons duly authorized to operate a pound and may include an Animal Control Officer.
- s) **“Running at Large”** means any dog that is not an aggressive dog, that is:
  - i. off the premises of the Owner and not in an off-leash area; and

- ii. not on a permitted leash held by a person able to control the dog.
- t) **“Summer Village”** means the Municipal Corporation of the Summer Village of Birchcliff or the area contained within the boundary thereof as the context requires.

### 3. **REGULATIONS**

- 3.1 No dog shall be allowed to run at large in the Summer Village.
- 3.2 The owner of a dog must not leave an animal chained up, in a kennel, or at large outside between the hours of 11:00 p.m. and 8:00 a.m. Animals must be kept indoors during these hours so not to create a barking disturbance.
- 3.3 The owner of a dog shall not permit the dog to be or become a public nuisance by:
  - a) biting, or attempts to bite a person;
  - b) biting, barking at, or chasing bicycles, automobiles, or other vehicles;
  - c) barking, howling, chasing people, or otherwise disturbing any neighbors;
  - d) causing damage to property;
  - e) causing harm (biting) to another dog; or
  - e) keeping a female dog which is in season (*in heat*) at any location where the dog is a source of attention and accessible to other dogs.
- 3.4 An owner of a dog who permits the dog to defecate on property other than his own shall remove forthwith any defecated matter deposited.
- 3.5 No person shall:
  - a) untie, loosen, or otherwise free a dog which has been tied or otherwise restrained which is not in distress unless such person has the authorization of the owner, and any person acting contrary to this section is guilty of an offence;
  - b) negligently or willfully open a gate, door, or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the Summer Village; and
  - c) no person shall tease, torment, annoy, abuse or injure any dog, and any person who does so is guilty of an offence.
- 3.6 Breach of, or failure to comply with any of the requirements of Section 3 is an offence under this By-law which may result in

prosecution or, in lieu thereof, require payment of a voluntary fine as set out in Schedule A attached hereto.

### 3.7 Kennel Operations

- i. shall not be permitted in the Summer Village of Birchcliff;
- ii. the keeping of more than three (3) dogs over the age of four (4) months will be considered the operation of a kennel;
- iii. if written complaints are received by the Summer Village or damage is proven as a result of the kennel, Council will direct the person operating the kennel to move or cease to operate the same;
- iv. breach of, or failure to comply with Section 3.7 is an offence under this By-law which may result in prosecution or, in lieu thereof, require payment of a voluntary fine as set out in Schedule "A."

## 4. **DISEASE CONTROL (RABIES)**

- 4.1 The Owner of an animal that has caused a serious wound, or that the Owner has reason to suspect may have been exposed to rabies or another communicable disease, shall, in addition to any other duty imposed under the *Public Health Act*, immediately inform a By-law Enforcement Officer or Peace Officer:
- a) of the infliction of the serious wound or the suspicion of exposure to rabies or other communicable disease;
  - b) in the case of a serious wound, of the name and contact information for the person that has been wounded or the Owner of the animal that has been wounded, as applicable; and
  - c) whether the matter has been reported to the local community health centre, Public Health Inspector, or the Medical Officer of Health.
- 4.2 A By-law Enforcement Officer or Peace Officer that has reasonable ground to believe that an animal found at large may have, or has been, exposed to rabies or another communicable disease may confine the animal at an animal shelter, veterinary facility, or any other location as directed by the Medical Officer of Health or a Public Health Inspector.
- 4.3 A By-law Enforcement Officer or Peace Officer that has reasonable grounds to believe that an animal with the Summer Village has been exposed to rabies or another communicable disease shall report the matter to the Medical Officer of Health or a Public Health Inspector as soon as reasonably possible.
- 4.4 An Owner of an animal which is suffering from rabies or another communicable disease or who has been notified by the Summer Village that an Enforcement Officer has reasonable grounds to

believe the animal has, or has been exposed to, rabies or another communicable disease shall:

- a) not permit the animal to be in any public place; and
  - b) not keep the animal in contact with or in proximity to any other animal.
- 4.5 An Owner who fails to comply with any provision in this part is guilty of an offence.

## **5. CAPTURE AND IMPOUNDMENT**

- 5.1 A By-law Enforcement Officer or Peace Officer may capture and impound any dog in respect of which the Officer believes an offense under this By-law is being or has been committed.
- 5.2 The Animal Shelter Keeper shall report any apparent illness, communicable disease, injury, or unhealthy condition of any dog to an SPCA Officer and shall act upon his recommendations. The owner, if known, shall be held responsible for all charges resulting.
- 5.3 When necessary, the By-law Enforcement Officer or Peace Officer may, in attempting to capture a dog found to be in contravention of this By-law, employ the use of bait or any device or other suitable means to apprehend the dog, provided that:
- i. it is not prohibited by law; and
  - ii. it is employed with due respect for humane treatment of the dog.
- 5.4 Where a dog is on any private property or premises, without the permission of the owner or occupant, the By-law Enforcement Officer or Peace Officer may, with the permission of the property or premises owner apprehend the dog.

## **6. INTERFERENCE AND OBSTRUCTION**

- 6.1 No person shall interfere with, hinder, or impede an Animal Control Officer in the performance of any duty authorized by this By-law, and any person who does so is guilty of an offence.
- 6.2 No person, whether or not he is the owner of a dog which is being or has been pursued or captured, shall:
- i. interfere with or attempt to obstruct a By-law Enforcement Officer or a Peace Officer who is attempting to capture or who has captured a dog which is subject to being impounded pursuant to the provisions of this By-law; or
  - ii. unlock or unlatch or otherwise open the vehicle in which dogs are kept for impoundment or have been placed so as to allow or attempt to allow a dog to escape therefrom.



- 6.3 Breach of, or failure to comply with any of the requirements of Section 6 is an offence under this By-law which may result in prosecution or, in lieu thereof, require payment of a voluntary fine as set out in Schedule A which is attached hereto.

## **7. RECLAIMING OF IMPOUNDED DOG**

- 7.1 An impounded dog may be kept at the shelter for a period of ninety-six (96) hours (Saturdays, Sundays and statutory holidays not included). During this period, the owner may reclaim the dog by paying the facility, during normal working hours, an impoundment fee and boarding fee as set out in Schedule "B" of this By-law, and by paying the impound facility directly any veterinarian fees incurred during the impoundment.
- 7.2 The dog be retained for longer than ninety-six (96) hours if, in the opinion of the Administrator, the circumstances warrant the expense.
- 7.3 Subject to Section 7.2, any dog not reclaimed by the owner within a period of ninety-six (96) hours from the date of the impoundment (Saturdays, Sundays and statutory holidays not included) may be sold by the Animal Shelter Keeper provided such sale is not for the purpose of medical research or to a research laboratory. Any proceeds from the sale of the impounded animals shall be the property of the Summer Village.
- 7.4 The purchaser of a dog from the Shelter Keeper pursuant to the provisions of this By-law shall obtain full right and title to it and the right and title of the former owner of the dog shall cease there upon or on a cost recovery basis.
- 7.5 Any dog not reclaimed by the owner within a period of ninety-six (96) hours (Saturdays, Sundays and statutory holidays not included) from the date of the impoundment or sold by the Animal Shelter Keeper shall become the property of the Summer Village which will then instruct the Animal Shelter Keeper to destroy or otherwise dispose of the dog with no liability to the owner for the said disposition.

## **8. VIOLATION TAG**

- 8.1 The By-law Enforcement Officer or Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person the By-law Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this By-law.
- 8.2 The Violation Tag shall be in such form as determined by the Administrator and shall state:
- i. the name and address of the offender if ascertainable;
  - ii. the offence and location;
  - iii. date of the offence;

- iv. the appropriate penalty for the offence as provided in Schedule "A" of this By-law;
- v. that the penalty must be paid within ten (10) days of the issuance of the Violation Tag; and
- vi. any other information as may be required by the Administrator.

8.3 The Violation Tag may be issued to the Offender or Owner

- i. either personally;
- ii. by mailing a copy to such person at their last known address;
- iii. by leaving it for the defendant at his residence with a person on the premises who appears to be at least eighteen (18) years of age; or
- iv. upon retrieval of such person's dog from the Shelter.

8.4 Where a Violation Tag is issued pursuant to Section 8.1 of this By-law, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Summer Village the penalty specified on the Violation Tag.

8.5 Nothing in the By-law shall prevent the Summer Village By-law Enforcement Officer or Peace Officer from immediately issuing a Violation Ticket.

## 9. **VIOLATION TICKETS**

9.1 In those cases where a Violation Tag has been issued and if the penalty specified on the Violation Tag has not been paid within the prescribed time, then a Summer Village By-law Enforcement Officer or Peace Officer is hereby authorized to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, 1988, Chapter P-21.5, as amended, to any person who the Summer Village By-law Enforcement Officer or Peace Officer has reasonable grounds to believe has contravened any provision of this By-law.

9.2 Notwithstanding Section 9.1 of this By-law, a Summer Village By-law Enforcement Officer or Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, supra, to any person who contravenes any provision of this By-law.

9.3 Any person to whom a Violation Ticket has been issued may make voluntary payment in respect to the Violation Ticket by delivering the Violation Ticket along with an amount equal to that specified for the offence as set out in Schedule "A" of this By-law, to the Provincial Court office specified on the Violation Ticket.

10. **PENALTIES**

- 10.1 Any person who contravenes any provision of this By-law is guilty of an offence and is liable to a penalty as set out in Schedule “A” of this By-law.
- 10.2 Notwithstanding section 10.1 of this By-law, any person who commits a second offence under this By-law within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum set out in Schedule “B” of this By-law, while a person who commits a third or subsequent offence under this By-law within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum as set out in Schedule “B” of this By-law.
- 10.3 Under no circumstance shall any person contravening any provision of this By-law be subject to the penalty of imprisonment.
- 10.4 Where there has been a breach of this By-law, an Animal Control Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*, S.A. 1998, c-p-21.5, as amended.

11. **GENERAL**

- 11.1 Schedule A and Schedule B is attached hereto and shall form a part of this By-law.
- 11.2 Should any provision of this By-law be invalid, then such invalid provision shall be severed, and the remaining By-law shall be maintained.
- 11.3 This By-law shall come into effect on final reading and passing of the By-law.
- 11.4 This bylaw repeals and replaces By-law #187-15.

**READ** a first time, this 16<sup>th</sup> day of March 2023.

**READ** a second time, this 16<sup>th</sup> day of March 2023.

**READ** a third and final time, this 16<sup>th</sup> day of March 2023.

\_\_\_\_\_  
Roger Dufresne, Mayor

\_\_\_\_\_  
Tanner Evans, Administrator

SCHEDULE “A”

Amount which will be accepted by the Summer Village of Birchcliff in lieu of prosecution:

SECTION	OFFENCE DESCRIPTION	PENALTY
3.1	Owner of dog at large	\$200.00
3.2	Leaving dog chained up, in a Kennel, or at large outside between 11 pm and 8 am	\$200.00
3.3 (a)	Owner of any dog which bites, or attempts to bite a person	\$500.00
3.3 (b)	Owner of any dog which bites at, barks at, or chases vehicles	\$100.00
3.3 (c)	Owner of any dog barking, howling, disturbing any neighbours, or chases people	\$200.00
3.3 (d)	Owner of any dog causing damage to property	\$250.00
3.3 (e)	Owner of any dog causing harm (biting) to another dog	\$250.00
3.3 (f)	Owner keeping a female dog which is in season at any location where the dog is a source of attention and accessible to other dogs	\$100.00
3.4	Failure of owner to remove defecation immediately from property which is not the Owner’s property	\$100.00
3.5 (a)	Untying, loosening or otherwise freeing any dog without the Owner’s consent	\$200.00
3.5 (c)	Teasing, tormenting, annoying, abusing or injuring any dog	\$200.00
4.4	Failure to quarantine rabid dog or dog exposed to rabies or any other communicable disease	\$500.00
6.1	Interfere with, impeding or hindering an Animal Control Officer’s enforcement of this By-law	\$250.00
10.2	Second offence within one year of the first offence	***
	Third or subsequent offence within one year of the first offence	+++

- \*\*\* Double the amount of the specified  
Penalty for the first offence
- +++ Triple the amount of the specified  
penalty for the first offence

**SCHEDULE “B”**

Impound Fees .....as per required fees

Care and sustenance – per day .....as per required fees

Veterinary fees .....as per expended

## **Summer Village of Birchcliff**

**March 16, 2023**

### **Council & Legislation**

#### **Request for Decision**

#### **Agenda Item: *Community Standards Bylaw***

##### **Background:**

With the addition of our Bylaw Enforcement Officer, Administration has been reviewing bylaws to ensure they are enforceable and cohesive between the 5 Summer Villages.

The current Community Standards Bylaw was passed in 2011 and needed review and updating. Administration has amended the bylaw, and in some places, moved sections around, to provide a the layout that is consistent between all Summer Villages. It is being brought forward for Council's review and consideration.

##### **Options for Consideration:**

1. Council to discuss and give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading to the Community Standards bylaw either as presented or amended.
2. Council table for amendments or further consideration.

##### **Administrative Recommendations:**

1. Council give 1<sup>st</sup> reading to the Community Standards Bylaw #244-23
2. Council give 2<sup>nd</sup> reading to the Community Standards Bylaw #244-23.
3. Council by unanimous consent give 3<sup>rd</sup> reading to the Community Standards Bylaw #244-23 at this meeting.
4. Council give 3<sup>rd</sup> and final reading to the Community Standards Bylaw #244-23.

##### **Authorities:**

Section 4, Part 2 (7) of the MGA – A Council may pass bylaws for municipal purposes respecting the following matters:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) people, activities, and things in, on or near a public place or place that is open to the public;
- (c) nuisances, including unsightly property.

~~BYLAW NO. 160-11~~

~~OF THE~~ **SUMMER VILLAGE OF BIRCHCLIFF**  
**COMMUNITY STANDARDS BYLAW**  
**BYLAW 244-23**

BEING A BYLAW OF THE SUMMER VILLAGE OF BIRCHCLIFF IN THE PROVINCE OF ALBERTA TO PROHIBIT CERTAIN ACTIVITIES IN ORDER TO PREVENT AND COMPEL THE ABATEMENT OF NOISE, NUISANCE, UNSIGHTLY PREMISES AND PUBLIC DISTURBANCES

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, of the Province of Alberta, provides that a Municipal Council may by bylaw provide for a system of licensing, permits and approvals and regulating business within the Municipality;

WHEREAS Council of the Summer Village of Birchcliff deems it expedient and in the public's interest to pass a bylaw to regulate and control noise, nuisance, unsightly ~~premises~~premises, and public disturbances;

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

**1. ~~4.~~ TITLE**

**1.1 ~~This bylaw may be cited as the~~ "Community Standards Bylaw".**

**2. ~~2.~~ DEFINITIONS**

**2.1** In this Bylaw, including this section, unless the context otherwise requires:

- a) **"Act"** means the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, and any amendment or substitutions ~~there of~~thereof.
- b) **"Bullying"** means verbal or physical abuse, threats, taunts, teasing, name calling and put downs, written, or ~~ee~~electronically transmitted, or repeated abusive communication, direct or through any medium whatsoever.
- c) **"Chief Administrative Officer"** means the Chief Administrative Officer of the Summer Village of Birchcliff appointed by Council.
- d) **"Council"** means the Municipal Council of the Summer Village of Birchcliff.
- e) **"Graffiti"** means the defacement or disfigurement of any property or object, through the performance of any of the following acts:
  - (i) the application of any substance, including paint, ink, ~~stain~~stain, or whitewash to any surface; or
  - (ii) the affixing of any substance, including paper, ~~fabrie~~fabric, or plastic, by any form of adhesion that does not remove cleanly when pulled away from the applied surface; or
  - (iii) the marking, scratching, etching or other alteration or disfigurement of any surface.



- f) **“Minor”** means an individual under 18 years of age.
- g) **“Municipal Ticket”** means a ticket in a form as approved by the Chief Administrative Officer, issued by the Summer Village allowing for the voluntary payment of a fine established under this Bylaw.
- h) ~~h)~~ **“Nuisance”** for the purpose of this bylaw, includes any use of or activity upon any property which is offensive to any person or has or may have a detrimental impact upon any person or other property in the neighbourhood.
- i) **“Peace Officer”** means:
- (i) a member of the Royal Canadian Mounted Police;
  - (ii) a Bylaw Officer as appointed by the Summer Village to enforce bylaws of ~~t~~The Summer Village; or
  - (iii) a Community Peace Officer as appointed by the Solicitor General of Alberta.
- h) ~~h)~~ **“Premises”** means the external surfaces of all buildings and the whole or part of any parcel of real property, including the land immediately adjacent to any building or buildings.
- i) ~~i)~~ **“Provincial Ticket”** means a ticket as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- j) ~~j)~~ **“Public Place”** means any place, including privately owned or leased property, to which the public reasonably has or is permitted to have access.
- l) **“Sign”** means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction, and its supporting structure.
- k) ~~k)~~ **“Summer Village”** means the Summer Village of Birchcliff.
- l) ~~l)~~ **“Youth”** means an individual 12 to 17 years of age.

### 3. NOISE

- 3.1 No person shall cause or permit any noise that annoys or ~~–~~disturbs the peace of any other person.
- 3.2 No person shall permit property that they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.
- 3.3 In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:
- 3.3.1 type, volume, and duration of the sound;
  - 3.3.2 time of day and day of the week;
  - 3.3.3 nature and use of the surrounding area.

- 3.4 Permissible –Hours. Noise or disturbance that annoys or disturbs the peace of any other person is not allowed between 11:00 p.m. and 8:00 a.m. any day.

#### 4. INDUSTRIAL/CONSTRUCTION NOISE

- 4.1 Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
- 4.1.1 is a permitted use; or
  - 4.1.2 is an approved discretionary use; or
  - 4.1.3 is a non-conforming, but not illegal, use as defined in the *Municipal Government Act*.
- 4.2 In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.
- 4.3 With the exception of the activities referred to in section 4.1 herein, no person shall use, operate, or allow to be used or operated any tools, machinery, or equipment so as to create a noise, or disturbance which may be heard in a residential building between the hours of 8:00 p.m. and 8:00 a.m. any day.
- 4.4 These provisions do not apply to work carried on by the Summer Village, or by a contractor carrying out the instructions of the Summer Village, providing it is work of an emergent nature or circumstance.

#### ~~5. EXCEPTIONS~~

- ~~5.1 These provisions do not apply to work carried on by The Summer Village, or by a contractor carrying out the instructions of The Summer Village, providing it is work of an emergent nature or circumstance.~~

#### 5. CONSTRUCTION WASTE

- 5.1 Each construction site shall have a waste container to ensure the waste construction materials are placed in the container to prevent the material from being blown away from the construction site.
- 5.2 No loose construction material is to be stored or accumulated on the construction site unless it is not capable of being blown around the construction site.

#### 6. NUISANCE AND UNSIGHTLY PREMISES

- 6.1 ~~“Nuisance” for the purpose of this bylaw includes any use of or activity upon any property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following:~~

No person shall permit any use or activity upon their property which is offensive to any person and may have a detrimental impact on any person or property including but not limited to:

- 6.1.1 the failure to cut grass, weeds, shrubs, trees or other landscaping features incidental to a landscaped area;
- 6.1.2 the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;
- 6.1.3 the growth of trees or shrubs in such a manner that they interfere with utilities or endanger visibility to street signage, or roadway clearance;
- 6.1.4 the accumulation of any material that creates unpleasant odors, any material that attracts pests or any animal remains, parts of animal remains or animal feces;
- 6.1.5 the storage or accumulation of or failure to dispose of discarded dilapidated furniture or household appliances, loose garbage, rubbish, packaging material, scrap metals, scrap lumber, tires, parts of disassembled machinery, equipment or appliances and motor vehicle parts;
- 6.1.6 the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of six (6) minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;
- 6.1.7 the generation of excessive dust and permitting such dust to escape from the property;
- 6.1.8 the failure to maintain an accessory building, structure or fence such that it deteriorates, becomes unsightly or becomes a safety hazard.
- 6.1.9 the failure to fence or secure an excavation, drain, ditch or other depression so that it does not become a danger to public safety;
- 6.1.10 the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any light standard, bench, garbage receptacle, fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition;
- 6.1.11 the burning of anything other than dry untreated clean wood in a residential wood fireplace.
- 6.2 No person being the owner, agent of the owner, lessee or occupier of any property within the Summer Village shall permit such property, or the activities upon such property to be or remain a nuisance or safety hazard.

## 7. GRAFFITI

~~7.1~~ No person shall place graffiti or cause it to be placed on any property.

~~7.2~~ Every property owner shall ensure that graffiti placed on their premises is removed, painted over, or otherwise permanently blocked from public view.

~~7.3~~ A property owner who breaches the provisions of Section ~~78.2~~ where, following the issuance of and failure to comply with an Order under section 545 of the Municipal Government Act, shall be liable to payment of a penalty as prescribed in Schedule A.

~~7.4~~ In prosecuting for an offence under this Section, the consent of the property owner of any premises to place graffiti shall not be a defense under this bylaw.

## 8. ~~CONSTRUCTION WASTE~~

~~8.1~~ Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.

~~8.2~~ No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area. LITTERING

8.1 No person shall place, deposit, or throw or cause to be placed, deposited, or thrown upon any Summer Village property, including any street, lane, ditches, park, other public place, or water course:

8.1.1 a cardboard or wooden box, carton, container, or receptacle or any kind;

8.1.2 a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;

8.1.3 paper of any kind, whether or not containing written or printed matter thereon;

8.1.4 any human, animal, or vegetable matter or waste;

8.1.5 any glass, crockery, nails, tacks, barbed wire or other breakable or sharp objects;

8.1.6 scrap metal, scrap lumber, tires, dismantled, wrecked or dilapidated motor vehicles or parts there from;

8.1.7 any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;

8.1.8 dirt, filth, yard refuse or rubbish of any kind whether similar or dissimilar to the foregoing including but not limited to grass clippings, weeds, materials from pruning such as branches, limbs, twigs, leaves, or any other pruning debris.

8.2 A person who has placed, deposited, or thrown or caused to be placed or thrown anything or any matter mentioned in subsection 8.1 upon any road, ditch, municipal reserve or other public place or water course shall forthwith remove it.

## 9. CAUSE A DISTURBANCE

9.1 No person located in a public place shall disturb the peace and enjoyment of other members of the public by:

9.1.1 screaming, shouting, or using loud, abusive, or grossly insulting language;

9.1.2 being intoxicated by alcohol or other substances; or

9.1.3 openly exposing or exhibiting an indecent act.

## 109. NUISANCE ENFORCEMENT

9.410.1 A Peace Officer may, after giving reasonable notice to the owner or occupier of the premises, enter upon the said premises and carry out an inspection.

9.2-10.2 Upon completion of the inspection, the Peace Officer may direct the owner or occupant of the property to:

9.2.110.2.1 cease the activity which causes the nuisance;

9.2.210.2.2 change the way in which such person is carrying out any -activity;

9.2.310.2.3 direct any person to take any action or measure necessary to compel the elimination or abatement of the nuisance, including:

- (a) the removal of any thing or matter from the property, which constitutes the nuisance; and
- (b) the construction or installation of a garbage bin or enclosure or the repair of an existing garbage enclosure;
- (c) enter into a cleanliness agreement in a form to the satisfaction of the Peace Officer.
- (d) specify the time within which such person must comply with the directions contained in the notice; and
- (e) notify the owner or occupant that, if compliance with the notice is not ~~effected~~affected within a specified time, the municipality will take the actions or measures specified in the notice to abate the nuisance, at the expense of the owner or occupier;

- (f) offer the owner or occupant of the property an opportunity to enter into any other voluntary agreement with the Summer Village to keep the premises clean, tidy, and free of nuisances.

~~9.3~~10.3 Any person who refuses to allow an inspection of the premises under Section 10.1 is guilty of an offence.

~~9.4~~10.4 Any person who fails to comply with a direction made under this Section is guilty of an offence.

~~9.5~~10.5 No person shall cause or permit or undertake any activity upon any Summer Village property which is a nuisance.

## ~~10~~ **LITTERING**

~~10.1~~ No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Summer Village property, including any street, lane, ditches, park, other public place or water course:

~~10.1.1~~ a cardboard or wooden box, carton, container, or receptacle of any kind;

~~10.1.2~~ a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;

~~10.1.3~~ paper of any kind, whether or not containing written or printed matter thereon;

~~10.1.4~~ any human, animal or vegetable matter or waste;

~~10.1.5~~ any glass, crockery, nails, tacks, barbed wire or other breakable or sharp objects;

~~10.1.6~~ scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts there from;

~~10.1.7~~ any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;

~~10.1.8~~ dirt, filth, yard refuse or rubbish of any kind whether similar or dissimilar to the foregoing.

~~10.2~~ A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in subsection 11.1 upon any road, ditch, municipal reserve or other public place or water course shall forthwith remove it.

## **11. AUTHORITY TO REMOVE**

11.1 The Chief Administrative Officer may authorize the removal and put in storage or destroy anything placed

upon Summer Village property in contravention of this bylaw.

## 12. ORDER

12.1 A designated officer may, by written order, require a person responsible for the contravention to remedy the contravention.

12.2 The Order shall:

12.2.1 state a time within the owner must comply with the order;

12.2.2 state that if the owner does not comply with the order within a specified time, the Summer Village will take the action or measure at the expense of the owner.

12.3 The Summer Village may, in respect of an order, register a caveat under the Land Titles Act against the certificate of title for the land that is the subject of the order.

## 13. RIGHT TO REMEDY

13.1 The Summer Village may take whatever actions or measures are necessary to deal with ~~the unsightly property~~ any contraventions if:

13.1.1 the Summer Village has issued a written Order under Section ~~123~~ of this bylaw;

13.1.2 the Order contains a statement referred to in Section 12.2 of this bylaw;

13.1.3 ~~the person to whom the Order is directed has not complied with the Order within the time specified in the Order;~~ and

13.1.4 the appeal periods respecting the Order have passed or, if an appeal has been made, the appeal has been decided and it allows the Summer Village to take the action or measures.

## 14. PENALTIES

14.1 Any person who breaches any section of this Bylaw is guilty of an offence and liable to:

14.1.1 payment of the penalty specified in Schedule "A" hereto; or

14.1.2 for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.00;



14.1.3 and in default of payment of any penalty, to imprisonment for up to six (6) months.

## 15. MUNICIPAL AND PROVINCIAL TICKETS

15.1 Any ~~P~~eeace Officer or who has reasonable and probable grounds ~~s~~ to believe that any person has contravened any provision of this Bylaw, may issue and serve:

15.1.1 A Municipal Ticket allowing payment of the specified penalty to The Summer Village; or

15.1.2 ~~\_~~ A Provincial Ticket according to the provisions of the *Provincial Offences Procedure Act*, as amended.

15.2 Service of a Municipal Ticket will be sufficient if it is:

15.2.1 ~~\_~~ personally served; or

15.2.2 served by regular mail to the person's last known mailing address.

15.3 If a violation ticket is issued in respect of an offence, the violation ticket may:

15.3.1 ~~\_~~ specify the fine amount established by this Bylaw for the offence; or

15.3.2 ~~\_~~ require a person to appear in Court without the alternative of making a voluntary payment.

15.4 A person who commits an offence may:

15.4.1 ~~\_~~ If a violation ticket is issued in respect of the offence; and

15.4.2 ~~\_~~ If the violation ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the Provincial Court Office specified on the violation ticket.

## 16. SEVERABILITY

16.1 If any part of this Bylaw is found to be invalid, then that part shall be severed and the remaining Bylaw will continue to be in force.

~~THAT~~ this Bylaw shall take effect on the date of the third and final reading and upon signing by the Mayor and Chief Administrative Officer.

Bylaw #160-11 is hereby rescinded.



**READ** a first time in Council assembled this ~~9<sup>th</sup> day of December,~~  
~~2010~~16<sup>th</sup> day of March 2023.

**READ** a second time in Council assembled this ~~17<sup>th</sup> day of February,~~  
~~2011~~16<sup>th</sup> day of March 2023.

**READ** a third time in Council assembled and passed this ~~19<sup>th</sup> day of~~  
~~May, 2011~~16<sup>th</sup> day of March 2023.

\_\_\_\_\_  
Roger Dufresne, Mayor

\_\_\_\_\_  
Tanner Evans, Chief  
Administrative OfficerAO

SCHEDULE "A"

Offence	Schedule "A"	Schedule of Section	Fine
Make noise		3.1	
	a) first offence		<del>\$50</del> 250.00
	b) second offence within 1 year		\$500.00
	c) third and subsequent offences within 1 year		\$750.00
Permit Noise		3.2	
	a) first offence		\$250.00
	a) second offence within 1 year		\$500.00
	b) third and subsequent offences within 1 year		\$750.00
Industrial or construction noises		4.1 or 4.2	
	a) first offence		\$250.00
	b) second offence within 1 year		\$500.00
	c) third and subsequent offences within 1 year		\$750.00
<u>Failing to contain construction waste</u>		<u>5.1 or 5.2</u>	
	<u>a) first offence</u>		<u>\$250.00</u>
	<u>b) second offence within 1 year</u>		<u>\$500.00</u>
	<u>c) third and subsequent offences</u>		<u>\$1000.00</u>
Permitting a nuisance on Private Property		<del>6</del> 7.1	
	a) first offence		\$200.00
	b) second offence within 1 year		\$400.00
	c) third and subsequent offences within 1 year		\$600.00
Placing Graffiti on property		<del>7</del> 8.1	
	a) first offence		\$2,500.00
	b) a second offence within 1 year		\$5,000.00
	c) third and subsequent offences within 1 year		\$7,500.00
Failure to remove Graffiti		<del>7</del> 8.2	
	a) first offence		\$250.00
	b) second offence within 1 year		\$500.00
	c) third and subsequent offences within 1 year		\$1,000.00
Failure to comply with Graffiti order		<del>7</del> 8.3	\$250.00 for each day that the breach continues
<del>Failing to contain construction waste</del>		<del>9.1 or 9.2</del>	
	<del>a) first offence</del>		<del>\$250.00</del>
	<del>b) second offence within 1 year</del>		<del>\$500.00</del>
	<del>c) third and subsequent offences</del>		<del>\$1000.00</del>
<del>Refusing to allow a Peace Officer access to carry out an inspection</del>		<del>10.1</del>	<del>\$500.00</del>
<del>Failing to comply with order of a Peace Officer</del>		<del>10.2</del>	
	<del>a) first offence</del>		<del>\$500.00</del>
	<del>b) second offence within 1 year</del>		<del>\$750.00</del>
	<del>c) third and subsequent offences within 1 year</del>		<del>\$1,000.00</del>
<del>Nuisance upon Summer Village property</del>		<del>9.5</del>	<del>\$500.00</del>
Depositing litter on Summer Village property		<del>10</del> 8.1	

	a) first offence	\$500.00
	b) second offence within 1 year	\$750.00
	<u>c) third and subsequent offence</u>	<u>\$1,000.00</u>
Failing to remove litter		<del>4128.2</del>
	a) first offence	\$500.00
	b) second offence within 1 year	\$750.00
	c) third and subsequent offences within 1 year	\$1,000.00
<u>Cause a disturbance</u>		<u>9.1</u>
	<u>a) first offence</u>	<u>\$250.00</u>
	<u>b) second offence within 1 year</u>	<u>\$500.00</u>
	<u>c) third and subsequent offences within 1 year</u>	<u>\$1,000.00</u>

## **Summer Village of Birchcliff**

**March 16, 2023**

### **Planning and Development**

### **Request for Decision**

#### **Agenda Item: *Fiber Optics Project***

#### **Background:**

Administration has received a request for support from Red Deer County as part of their application to the Universal Broadband Fund administered by Innovation, Science and Economic Development Canada.

They have provided a sample letter attached should Council wish to support this endeavor.

#### **Options for Consideration:**

- 1) That Council accept as information.
- 2) That Council support Red Deer County and Administration send letter.

#### **Administrative Recommendations:**

That Council discuss and provide direction to Administration.

#### **Authorities:**

*Municipal Government Act*, Section 153 (a)

Councillors have the following duties:

- (a) To consider the welfare and interests of the municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the municipality.

February 9, 2023

Innovation, Science and Economic Development Canada  
235 Queen Street  
Ottawa, Ontario K1A 0H5

Re: Red Deer County Rural Fiber Optic Project – Letter of support

Dear Innovation, Science and Economic Development Canada (ISED):

On behalf of **Birchcliff**, please accept this letter of support to Red Deer County's Rural Fiber Optic Project in their application to the Universal Broadband Fund (UBF) administered by Innovation, Science and Economic Development Canada (ISED).

**Brichcliff is a summer village in Alberta. It is located on the eastern shore of Sylvan Lake south of Jarvis Bay Provincial Park.** It is surrounded by hundreds of rural residents who regularly face internet accessibility and bandwidth issues.

The lack of reliable internet connections & the very slow upload & download speeds makes conducting business very challenging in rural Alberta. Most businesses today rely heavily on internet for all aspects of their operations. Businesses are extensively using internet to run, manage & operate sales contacts, product demos, invoicing, competitive research, day to day business, access to parts catalogs, system monitoring, security management, record keeping, marketing, logistics management, communications, etc.

The COVID pandemic also exposed how inadequate and outdated the existing systems are. Virtual teaching and working from home efforts were almost impossible to conduct without encountering drops in service. With the recent shift to working from home and virtual schooling, the current internet system has been beyond overloaded. Rather than lag behind the urban municipalities, it is crucial to provide the infrastructure needed to ensure our rural businesses and residents not only survive, but thrive during these already difficult economic conditions.

If you require more information about **Birchlcliff**, please contact us via email at [tevans@sylvansummervillages.ca](mailto:tevans@sylvansummervillages.ca)

Sincerely,

***Tanner Evans, CAO***

## Summer Village of Birchcliff

February 16, 2023

### Planning and Development

### Request for Decision

#### Agenda Item: *Municipal Development Plan*

#### **Background:**

In September 2022, the Summer Village of Sunbreaker Cove had its Municipal Accountability Program (MAP) review. Municipal Affairs identified that the Municipal Development Plan does not contain provisions respecting the protection of agricultural operations as required by section 632(3)(f) of the *Municipal Government Act*.

Birchcliff's Municipal Development Plan does not contain the required provision and would need to be amended for compliance.

Administration is bringing forward the Municipal Development Plan for Council's review. This plan was passed in 2013 and Administration is wondering if this is still Council's vision. If Council is happy with the plan as passed, Administration will amend it to include the required provisions listed below:

*"The Summer Village is a small seasonal municipality where the predominant land use in the Summer Village is residential. Undeveloped lands within the Summer Village are intended to facilitate low-impact recreational activities and support the ecological health of Sylvan Lake. Large-scale agricultural activities and natural resource development would be incompatible with the Summer Village's current (and planned) community.*

*Land-intensive agricultural and natural resource developments occur in appropriate locations within the watershed. Large agricultural operations and confined feeding operations shall be prohibited within the summer village. Local small-scale agricultural activities such as non-commercial gardens and greenhouses will be encouraged. Aggregate resource extraction developments shall be prohibited within the summer village. The development of oil and gas infrastructure (e.g., well sites, pipelines) shall be discouraged within the summer village. In the event that oil and gas infrastructure is proposed to be developed within the summer village, the development authority shall work with the proponents to discourage locating oil and gas infrastructure in areas with important natural features."*

**Options for Consideration:**

- 1) That administration amend the policy to include the required provision.
- 2) That Administration obtain quotes to have the Municipal Development Plan rewritten.

**Administrative Recommendations:**

That Council discuss and provide direction to Administration.

**Authorities:**

*Municipal Government Act*, Section 632(3)(f)

A municipal development plan

(f) must contain policies respecting the protection of agricultural operations.



## SUMMER VILLAGE OF BIRCHCLIFF MUNICIPAL DEVELOPMENT PLAN 2013



Bylaw 172-13  
September 2013



**SUMMER VILLAGE OF BIRCHCLIFF  
BIRCHCLIFF MUNICIPAL DEVELOPMENT PLAN 2013**

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A major land user is the Pentecostal Church Camp. It has the institutional buildings on the parcel north of Birchcliff Road and camp cottages to the south of the road. There is one Alberta Energy Regulator well site. Birchcliff has title to 21 municipal parcels, being either municipal reserve or environmental reserve lands.

Map 2 also shows the critical fish (aquatic) habitat that extends almost along the entire shoreline of Birchcliff. Also shown (locations are approximate) are drainage courses from the adjacent hills in Lacombe County. These impact lands in Birchcliff during spring snow melts and major rain events.

### 2.3.2

#### **Population**

The earliest recorded population of Birchcliff was 8 residents in 1976. In the 1981 census, 55 residents were reported and only increased to 63 in 1991. The resident population exceeded 100 for the first time in 1996 (102 residents) but only increased to 107 in 2001. In 2006 the recorded population was 125, but declined to 112 in 2011. Of course, during summer months, and especially weekends, the 'active' population of Birchcliff swells when a large percentage of homes and cabins are active with vacationers.

Because nearly all the private properties in the Summer Village are developed, without annexing additional land any population growth will occur through more families becoming permanent residents of Birchcliff.

### 3.0 STRATEGIC PLANNING DIRECTIONS

#### **3.1 Vision Statement**

The 2003 Municipal Development Plan provided a community vision statement. While some rewording and additions are included in the updated vision statement expressed below, the heart of the 2003 statement remains:

*The Summer Village of Birchcliff remains a quiet, safe and secure community in serving to meet the lifestyle needs of permanent and seasonal residents. The community character will be personified by passive, family-oriented uses and activities and exemplified by the country lane atmosphere of Birchcliff Road. The natural attractiveness of the community continues to be conserved by the residents' attitudes of respect and stewardship of the landscapes, views, wildlife, vegetation, shoreline and water quality of the provincially significant Sylvan Lake.*

#### **3.2 Core Values**

Intertwined within the Birchcliff community vision are the following core values.

1. This is HOME.
2. A traditional small village atmosphere, in which safety and security are mainstays.
3. The quiet, peaceful enjoyment of private property and public areas.
4. Retaining the quality of life of its residents.
5. Being champions of stewardship to conserve the natural setting of the village and the health of Sylvan Lake and its watershed.
6. Community autonomy, while still collaborating responsibly in planning, guiding and managing growth and land use change around Sylvan Lake.

#### **3.3 Guiding Principles**

In addition to the aforementioned vision and core values, the Birchcliff Municipal Development Plan 2013 is shaped by fundamental guiding principles. These guiding principles are:

1. Birchcliff will foster compatible land uses, including property and building standards, and manage development densities to maintain the community's small village atmosphere.
2. Birchcliff, while setting standards to sustain a small village atmosphere, recognizes that individual property rights need to be respected in planning, subdivision and development approval processes.
3. Birchcliff is committed to collaborating with all municipalities around Sylvan Lake to build and maintain positive and mutually beneficial relationships regarding matters of mutual significance.
4. Particularly, Birchcliff is committed to collaborating with all municipalities around Sylvan Lake to conserve the environmental health of the Lake and its watershed, and the enjoyment of their recreational attributes.
5. Birchcliff will consider options regarding the expansion of the community's land base, while also responding cooperatively to plans and proposals for land use change around the Summer Village.

**1.0 INTRODUCTION****1.1 Background**

Located along the southeast shore of Sylvan Lake, the Summer Village of Birchcliff is strategically situated in an area of active high development interest. The attractiveness of lakeside and near lakeside year-round and seasonal living leads to continuous development pressures for residential subdivisions, often associated with desires for lake access for the enjoyment of water activities.

The nearby Town of Sylvan Lake has boomed as an economic centre, resulting in heightened pressure for places to live around the south end of Sylvan Lake. In its Growth Strategy (2008), the Town foresees the need to plan for a projected population of at least 60,000 people, over four times the current population. Also, in the Sylvan Lake Area Structure Plan, Lacombe County purposes to accommodate extensive land use change around the Lake, including adjacent to the entire Summer Village. The new regional wastewater system will assist and promote development, initially in an area adjacent to the eastern half of Birchcliff. This system will also be available to service properties throughout Birchcliff.

While the 2003 Birchcliff Municipal Development Plan is still largely relevant, it needed to be updated to address how the Summer Village will strategically respond to development pressures and guide change in ways compatible with the long-range vision of the community.

**1.2 Legislative Framework**

As the municipal development plan (MDP) for the Summer Village, the Birchcliff Municipal Development Plan 2013 is a statutory plan adopted pursuant to the Municipal Government Act (Revised Statutes of Alberta 2000 Chapter M-26). While the Act states it is optional for municipalities with a population of less than 3,500 to adopt a MDP, Birchcliff views that having an updated MDP is necessary to help the Summer Village retain its desired attributes as changes occur around the Summer Village.

The Municipal Government Act requires a municipal development plan to address:

1. the future use of land within the municipality,
2. the manner of and proposals for future development in the municipality,
3. the coordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is not intermunicipal development plan with respect to those matters in those municipalities,
4. the provision of transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities,
5. the provision of municipal services and facilities either generally or specifically,
6. policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities,
7. policies respecting the provision of municipal, school or municipal and school reserves, and policies respecting the protection of agricultural operations.



The Municipal Government Act also indicates that a municipal development plan may address, among other matters:

1. environmental matters,
2. coordination of programs related to the physical, social and economic development, and
3. goals, strategies and policies.

### 1.3 Plan Preparation Process

A review of the 2003 Birchcliff Municipal Development Plan (MDP) began in January 2012. A report on the strengths and opportunities to update the plan was provided to Council in February. A Council session in April resulted in a draft of core values held by the community. These core values are highly important in guiding land use planning for the future.

With core values established, Council requested a draft 'Planning Strategy' to outline how the community will respond to the dynamics of change around Sylvan Lake, while still being true to the community's core values. A Council review led to refinements in the Planning Strategy, which was then made available to the Summer Village ratepayers.

At the July 2012 Birchcliff Annual General Meeting, key elements of the Planning Strategy were presented to the public. These key elements were a revised Community Vision Statement, the Core Values and Guiding Principles. How these elements related to present and future planning, including possible growth, for Birchcliff was discussed. Community members had the opportunity to provide their input through questionnaires or email responses. Input was reviewed by Council, who directed further refinements to the Planning Strategy.

The summer and fall of 2012 was primarily dedicated to field studies to review land uses, ongoing residential property improvements, inspect the 'natural areas' and 'open spaces' of the community and to assess the potential impact of future land use change around the Summer Village.

During the winter months, the preparation of a draft municipal development plan was completed. The draft was provided to Council in February 2013. A series of discussion meetings with Council and administration resulted in a number of revisions to the draft plan. Following their review of the revised draft plan, in May Council approved that the Draft Birchcliff Municipal Development Plan 2013 be released to the community ratepayers and referred to municipalities, interested government department and other agencies around Sylvan Lake for their review and input.

A public meeting was held in June. During the meeting there were discussions and questions related to various parts of the draft plan. Following the meeting there was written input. A response report of the input was considered by Council in July. Based upon the input received, on July 11, 2013 Council amended portions of the draft plan and gave first reading to adopt Bylaw 172-13, the Birchcliff Municipal Development Plan 2013.

A public hearing on the proposed plan was held on August 15. Council considered the public hearing input, and at second reading Council amended the proposed plan. Bylaw 172-13, the Birchcliff Municipal Development Plan 2013 was adopted with third and final reading on September 19, 2013.

#### 1.4 Plan Purpose and Relationship with Other Plans

Birchcliff is a small lakeside residential community. Its limited land base essentially is fully developed, but retains considerable natural character. The essential purpose of Birchcliff Municipal Development Plan 2013 is to maintain the community character and amenities enjoyed by residents, and visitors, while cooperating with other municipalities and interests around Sylvan Lake to maintain the quality of the Lake and its watershed.

Birchcliff Municipal Development Plan 2013 is greatly directed by Birchcliff's 'Strategic Planning Directions'. These directions provide the Vision Statement of the municipality, as well as its core values and guiding principles (see Section 3). As required by the Municipal Government Act, all other statutory plans adopted by the Summer Village must be consistent with Birchcliff Municipal Development Plan 2013.

As one of eight municipalities around Sylvan Lake, Birchcliff remains committed to integrated watershed planning through the Sylvan Lake Management Plan: 2000 Update, and any successor documents. The Birchcliff Municipal Development Plan 2013 has been prepared to reflect the Sylvan Lake Management Plan.

#### 1.5 Interpretation

To assist the reader to go through Birchcliff Municipal Development Plan 2013, the following reflects the meaning of words frequently used herein. More definitions are provided in Section 13.

"Shall" policies are mandatory and must be complied with.

"Should" policies encourage actions to achieve the intention or intentions of the policy, but action is not mandatory.

"May" policies are discretionary as to the level of compliance on a case by case basis as determined by the applicable authority.

"Birchcliff" refers to the Summer Village as a municipal entity, the Council and/or the applicable subdivision, development or appeal authority.

"Summer Village" means the Summer Village of Birchcliff.

"The Lake" means Sylvan Lake.

"This Plan" means the Birchcliff Municipal Development Plan 2013.

"Alberta Environment" means Alberta Environment and Sustainable Resource Development and any successor department within which environmental responsibilities primarily lie.

## **2.0 THE SUMMER VILLAGE OF BIRCHCLIFF**

### **2.1 Location and Setting**

The Summer Village of Birchcliff is located along the eastern end of the north shore of Sylvan Lake, 22.5 km (14 miles) west of the Queen Elizabeth Highway (QE II) and the City of Red Deer (see Map 1). Based on its central location, natural amenities and high water quality, Sylvan Lake is a provincially significant recreation resource and tourist destination. Access to Birchcliff is from Highway 20 via Township Road 392. Birchcliff Road and Birch Way are the main roads that extend through the entire length of the Summer Village.

The parcels south of Township Road 392 to the east of the Summer Village lie in Red Deer County while the remainder of the lands adjacent to Birchcliff are in Lacombe County. Five other communities border the Lake, being the Town of Sylvan Lake and the Summer Villages of Jarvis Bay, Norglenwold, Half Moon Bay and Sunbreaker Cove.

Mostly located along gently rolling 'lowland', Birchcliff is nestled between Sylvan Lake and hills to the north, thus occupying land through which a number of small, often intermittent streams flow. Surface water runoff from at least nine quarter sections drain through the Summer Village.

Within its boundary Birchcliff has approximately 3.95 km (2.45 miles) of shoreline. Most lakefront properties have a bank abutting the shoreline, the height and steepness of which increases toward the northwest. The majority of properties are well treed, either with spruce or poplar or a combination thereof, thus contributing to the natural visual setting which Birchcliff enjoys.

### **2.2 Historical Overview**

Seasonal cabins date to the 1920's in areas then known as Viewpoint and Sunnyside. The Sunnyside Pentecostal Camp was registered with the Societies Act in 1938. The Birch Bay subdivision was developed in the 1950's, followed by the Sprucecliff subdivision in the early 1960's.

The Summer Village of Birchcliff was incorporated in 1972. The original community boundaries were nearly the same as today. The land base of Birchcliff expanded in 2001 when a small annexation added land to the Summer village on the north side of the Sunnyside Church Camp.

Historically, Birchcliff functioned primarily as a seasonal residential community. Over the last twenty years the number of permanent residents has grown as cabins have been improved to provide for year-round residency while many other properties have been redeveloped with permanent homes.

### **2.3 Land Use and Population**

2.3.1 Land use in Birchcliff is primarily residential (see Map 2). In 2012, there were 141 residential properties with a detached house or cabin. There were also 13 vacant taxable residential lots.

6. Birchcliff will collaborate with neighboring municipalities and other levels of government regarding utility, transportation, recreation, health and cultural services.
7. Birchcliff will advance the provision of safe, efficient and cost effective infrastructure and services which will meet the present and future needs of it's residents.



#### **4.0 COMMUNITY ESSENCE - QUALITY OF LIFE**

##### **4.1 Introduction**

A fundamental essence of Birchcliff is the continuation of the high quality of life enjoyed by its residents. Over the years the community has been a quiet, secure and safe place to live. Even with future growth these aspects (quiet, secure and safe) continue as a high priority as an essence of the livability and sustainability of Birchcliff.

##### **4.2 Goals**

4.2.1 The community essence - quality of life goals are:

1. To sustain the high quality of life enjoyed by Birchcliff residents.
2. To continue to evolve Birchcliff as a quiet, secure and safe, and thus healthy, community in which to live and recreate.

##### **4.3 Policies**

4.3.1 Birchcliff shall implement through Birchcliff Municipal Development Plan 2013 the strategic directions contained in the Summer Village of Birchcliff Planning Strategy in which, while recognizing change over time is inevitable, maintaining a high quality of life in Birchcliff and the natural amenities of the community are of paramount importance.

4.3.2 In guiding growth and managing land use change, a fundamental goal shall be to sustain the community essence of Birchcliff. The community essence of Birchcliff is a traditional small village atmosphere, in which:

- (a) safety and security are mainstays;
- (b) quiet and peaceful enjoyment of private property continues;
- (c) public areas remain accessible; and
- (d) residents are champions of environmental stewardship.

## 5.0 COMMUNITY FORM AND LAND USES

### **5.1 Introduction**

The intent of the Birchcliff Municipal Development Plan 2013 is to maintain a community form and pattern of land uses that serves to retain the quiet, safe and secure community of the Summer Village. Woodland in community open spaces interspersed among substantially treed residential areas contribute significantly to the continuing natural attractiveness of the community while the country lane atmosphere of Birchcliff Road personifies the visual character of the community. Land uses are predominantly residential, with the Pentecostal Church Camp being the major exception. Access to the Lake is limited and controlled on municipal lands in order to protect sensitive steep banks, riparian areas and water quality.

### **5.2 Goals**

5.2.1 The goals for managing community form and land use are:

1. To manage development and densities in keeping with the small village atmosphere of Birchcliff.
2. To retain the country lane atmosphere of Birchcliff Road.
3. To require new development areas to complement the country lane atmosphere of Birchcliff Road.
4. To sustain the ambiance of existing shoreline and backland residential areas.
5. To encourage compatible land use patterns, consisting of residential and open space land uses, and other specific land uses recognized in specific land use plans.
6. To not permit industrial and hazardous land uses.
7. To require high development standards to complement and enhance the character of the Summer Village.

### **5.3 Policies**

#### Community Form

- 5.3.1 Pursuant to the Summer Village of Birchcliff Community Vision, as stated in Section 3.1, two fundamental intents of the Birchcliff Municipal Development Plan 2013 are to maintain the Summer Village as a quiet, safe and secure place to live and to sustain the community's natural ambience.
- 5.3.2 Birchcliff shall guide the use of lands as shown on Map 2, General Land Use, which supports a compatible pattern of land uses.
- 5.3.3 Subdivision and development within the Summer Village shall be consistent with the regulations of the Land Use Bylaw, and the policies of this Plan and any other applicable statutory plan.
- 5.3.4 To keep a low density of development only detached residences and guest homes may be approved in residential areas within the Summer Village.

- 5.3.5 The continuance of the country lane ambiance in Birchcliff is very important such that:
- (a) healthy trees and shrubs are to be retained wherever possible along Birchcliff Road and Birch Way;
  - (b) development be set back from Birchcliff Road and Birch Way to accommodate landscaping so the views along these roads is more of a natural setting than a row of residential buildings.
- 5.3.6 Development along other roads in the Summer Village shall also be set back from the road to accommodate landscaping that includes a significant portion of trees and shrubs.
- 5.3.7 For parcels that abut the Lake, the rear yard shall be considered adjacent to the road.
- 5.3.8 Development along the lake shoreline, including any abutting bank, is to be consistent with the provisions of Section 6 of this Plan.

#### Residential

- 5.3.9 The only permitted land use allowed in the Residential District (R1), (R2) and R(3) shall be a detached dwelling.
- 5.3.10 A manufactured dwelling may be a discretionary use only in the Residential District (R1) District, but approval of this form of dwelling may only be where it is demonstrated to the satisfaction of the Summer Village that the design and appearance of the manufactured dwelling is compatible with other dwellings adjacent and nearby.
- 5.3.11 The only permitted land use in the Church Camp Cottage District (CC2) shall be church camp cottages for vacation and retreat purposes only. A cottage shall not be permanently occupied.
- 5.3.12 Within the rear yard of a residential parcel, a detached garage may be allowed if:
- (a) the garage is visually compatible with the main building; and
  - (b) the garage would not adversely affect the enjoyment of neighbouring properties.
- 5.3.13 Within residential areas, home occupations may be approved in accordance with the provisions of the Land Use Bylaw provided the home occupation:
- (a) is performed by an occupant of the main dwelling;
  - (b) remains the secondary use;
  - (c) does not change the character of the main use;
  - (d) does not adversely affect neighbouring properties and the enjoyment thereof; and
  - (e) there is no exterior signage or evidence of such secondary use.

#### Pentecostal Church Camp

- 5.3.14 All land uses and development within the Pentecostal Church Camp shall be in accordance with the provisions of the Church Camp Area Structure Plan, and any amendments thereto. Without limiting the provisions of the Church Camp Area Structure Plan, some of the key provisions of this plan shall be:

- (a) no development of institutional facilities between Birchcliff Road and the Lake;
- (b) where any institutional use abuts a residential property, a buffer strip or some form of screening shall be required;
- (c) there is to be adequate parking provisions for users and visitors to the Church Camp;
- (d) access/egress points shall be located to promote traffic safety and minimize impacts on adjacent properties; and
- (e) the safety of pedestrians shall be promoted by avoiding wherever possible pedestrian/vehicle conflicts.

#### Other Land Uses

- 5.3.15 Recreation uses in an open space undertaken in a manner compatible with Section 7 are supported.
- 5.3.16 Commercial or industrial land uses shall not be permitted in Birchcliff.
- 5.3.17 Regarding energy resource facilities, Birchcliff shall:
- (a) strongly discourage the location of any additional facilities within the Summer Village;
  - (b) strongly encourage that no energy resource facility be placed within 1 km (0.62 miles) of the Summer Village; and
  - (c) encourage the timely phasing out of the existing energy resource facility within the Summer Village.
- 5.3.18 Birchcliff shall not support a formal public boat launch at any location along the shoreline of the Summer Village due to topographical considerations (steep or high banks), proximity to significant aquatic habitat along the Sylvan Lake shoreline and the traffic and noise conflicts that would be created by a public boat launch.
- 5.3.19 Birchcliff:
- (a) shall require the marina, as defined in this Plan, adjacent to the Pentecostal Camp to not occupy any portion of the lake within 15 m (49.2 ft) of Range Road 1-5;
  - (b) shall determine, from time to time, the number of boat slips that the marina may accommodate; and
  - (c) will oppose any proposal to provide adjacent to the shoreline of Birchcliff services to boaters, including the sale of gasoline.
- 5.3.20 Birchcliff shall not permit vehicle access to Sylvan Lake on Range Road 1-4 and any subdivision road allowance. On Range Road 1-5 vehicle access may be permitted to Sylvan Lake only in winter months.
- 5.3.21 Birchcliff may require the preparation of an area structure plan to guide a major redevelopment, new development or multi-lot subdivision. If the nature of the change of a redevelopment, new development or multi-lot subdivision is determined by the Summer Village to have little effect on surrounding land uses, the Summer Village shall require an outline plan.
- 5.3.22 Birchcliff may require a developer to place and enforce architectural controls on a redevelopment or new development so the development is complementary to development in the area or a theme endorsed by the Summer Village. Where applied, architectural controls shall be registered as a

restrictive covenant on each lot subject to these controls. Matters to be considered may include, but are not limited to the following:

- (a) the maximum cumulative building footprint and building heights;
- (b) the architectural appearance of main and ancillary buildings, including the materials and colors of exterior facades and roofs;
- (c) type and pitch of the roofs;
- (d) the size, type and location of identification signs;
- (e) landscaping; and
- (f) driveways, parking surfaces and vegetation removal.



## **6.0 CONSERVATION OF THE ENVIRONMENT**

### **6.1 Introduction**

The ongoing enjoyment of Sylvan Lake, by residents and visitors to the lake, is dependent on the conservation of the Lake and its watershed. Lake water quality and the retention of sensitive environments, including the immediate shoreline contact zones and riparian areas along the lake, are especially important.

### **6.2 Goals**

- 6.2.1 The conservation of the environment goals are:
1. To protect the water quality of Sylvan Lake.
  2. To conserve areas and features which are especially significant or sensitive.
  3. To encourage residents to be more environmentally aware and become stewards of the environment of Sylvan Lake as a whole.
  4. To support initiatives that promote public awareness and involvement in conserving the environment of the Sylvan Lake watershed.

### **6.3 Policies**

- 6.3.1 To promote the conservation of the environment of Sylvan Lake and its watershed, Birchcliff purposes to be an environmental stewardship leader. The Summer Village may undertake or be involved in initiatives to encourage landowners and all levels of government to recognize their stewardship roles and undertake appropriate actions to maintain and, where necessary, improve the quality of the environment of Sylvan Lake and its watershed.
- 6.3.2 Birchcliff recognizes the importance of ensuring the principles of sustainable development and environmental conservation are embodied in all planning decisions, particularly those related to the implementation of the Summer Village of Birchcliff Planning Strategy.
- 6.3.3 With the desire to protect the water quality of Sylvan Lake, Birchcliff shall:
- (a) encourage efforts by local environmental groups, municipalities and Alberta Environment to monitor the quality of lake water on a regular basis, and
  - (b) support the adoption of a Sylvan Lake Water Quality Management Plan.
- 6.3.4 While recognizing that remedial actions may be necessary from time to time, the Summer Village still strongly desires that banks abutting the shoreline remain as natural as possible to retain natural ecosystems. All development, including but not limited to the clearing of vegetation and the building of staircases and platforms shall require a development permit from the Summer Village.
- 6.3.5 Pursuant to Policy 6.3.4, Birchcliff shall not allow development adjacent to or near the shores of the Lake, including reserve lands and other open spaces, unless the proponent can demonstrate to the satisfaction of the Summer Village the development will not:
- (a) reduce lake water quality;
  - (b) degrade aquatic habitat; and
  - (c) adversely impact the area's visual or natural quality through inappropriate or excessive removal of vegetation.

- 6.3.6 If shoreline and bank erosion control measures appear necessary, these may only be undertaken only with the prior approval of the Summer Village and/or Alberta Environment in a way that any impact on riparian vegetation and aquatic habitat is minimized and, where possible, mitigated.
- 6.3.7 Through community consultation, Birchcliff should consider adopting a program for private and municipal lands along the shoreline to conserve, whenever possible, the natural attributes of the shoreline and its adjacent banks.
- 6.3.8 Through community consultation, Birchcliff should consider preventative approaches to environmental concerns, including the implementation and enforcement of by-laws regarding vegetation management and tree removal.
- 6.3.9 Through the applicable approval processes, Birchcliff shall encourage the conservation and enhancement of fish and wildlife habitat by:
- (a) requiring subdivision and development to be designed in a way that is in character with the habitat; and
  - (b) ensuring that effects on natural features are minimized, including through actions to mitigate effects.
- 6.3.10 Birchcliff shall ensure any approval of a subdivision and a development application includes measures that minimize and, where required, mitigate any negative impacts on surface water drainage, soil erosion and the quality of ground water.
- 6.3.11 Birchcliff shall encourage the conservation of drainage courses by protecting the integrity of the channels and maintaining riparian vegetation through provisions in area structure plans, outline plans and subdivision and development approvals.
- 6.3.12 Birchcliff supports a regional approach to the provision of one or more formal public boat launches around the Lake providing the location is not in an environmentally sensitive habitat location as identified in the Sylvan Lake Management Plan and any amendments and successor plans thereto.
- 6.3.13 Birchcliff may require an environmental review (see Appendix A) to be prepared, to the satisfaction of the Summer Village, as part of a statutory plan, outline plan, subdivision or development proposal. An environmental review shall include, but is not limited to:
- (a) a description of the environmental sensitivity of the lands proposed for development and the surrounding area;
  - (b) the identification of the nature and significance of any adverse impacts associated with the proposed development during construction;
  - (c) the identification of the nature and significance of any adverse impacts associated with activities that will result from the development;
  - (d) the inclusion of an environment protection plan to:
    - (i) alleviate any adverse impacts;
    - (ii) monitor the performance of the environmental measures; and
    - (iii) identify any residual impacts and their significance on any or all of the following: fish and wildlife, vegetation, soils and terrain, water quantity and quality, shoreline, surface drainage and aquifers.
- 6.3.14 Birchcliff shall not permit the dumping of any materials, including grass clippings, leaves or branches, on any road allowance and open spaces.

**7.0 OPEN SPACES****7.1 Introduction**

Birchcliff has numerous community open spaces. Most are small or contain sensitive features and usually not linked except by the main entrance roads. These small enclaves of mostly 'natural' areas suit the character of Birchcliff, which does not desire large open spaces consisting of playing fields and playgrounds. The policies of this section seek to conserve the 'natural' character of open spaces and places to enjoy views of the lake. An open space 'plan' is outlined, consisting of a variety of classes of places, while also promoting over time a linked pathway system.

**7.2 Goals**

7.2.1 The open spaces goals are:

1. To establish and implement policies for the dedication and use municipal reserves, environmental reserves and other open spaces.
2. To conserve, wherever possible, areas having natural attributes so they remain an integral part of the community fabric.
3. To encourage the provision of areas for passive recreation opportunities and pathway linkages.

**7.3 Policies**

7.3.1 Open spaces in Birchcliff are deemed to include:

- (a) Environmental Reserve (ER) parcels;
- (b) Municipal Reserve (MR) parcels;
- (c) Reserve (R) and Park (P) parcels;
- (d) Subdivision roads and lanes not used as roads or lanes;
- (e) the portion of Range Road 1-4 and Range Road 1-5 between Birchcliff Road and Sylvan Lake; and
- (f) any other land shown on Map 3 Open Spaces not included in the above, which may in the future include Environmental Reserve Easement (ERE) parcels.

7.3.2 Open spaces shall be located so they have legal and physical access. Wherever possible, open spaces should have the ability to be linked to other open spaces by trails or paths.

7.3.3 Except as otherwise provided for in Policies 7.3.4, Birchcliff shall require 10 percent of the total parcel being subdivided, less any land dedicated as environmental reserve, to be dedicated as municipal reserve, school reserve or municipal and school reserve as provided for in the *Municipal Government Act*, unless the dedication of all or a portion of the reserve owing is to be deferred to the remaining portion of the land being subdivided.

7.3.4 For future subdivisions the Summer Village shall encourage, through consultation with the landowner, the dedication of reserve land to be greater than 10 percent where the additional dedication is to conserve natural areas that do not meet the definition of environmental reserve lands or to enlarge open space sites.



- 7.3.5 Birchcliff shall require, wherever possible, municipal reserve:
- (a) to be of a quality suitable for development and thus usable for open space purposes;
  - (b) to be located and configured to render the municipal reserve useful for the provision of recreation parks, more natural open space and/or trails;
  - (c) to promote linkages among open spaces, including municipal and regional pathways and trail corridors; and
  - (d) to promote trail access to the Sylvan Lake shoreline at appropriate locations.
- 7.3.6 If land adjacent to Birchcliff Road or Birch Way is proposed for subdivision and the provision of reserve land is possible under the *Municipal Government Act*, Birchcliff shall require the dedication of municipal reserve or environmental reserve adjacent to the road.
- 7.3.7 In accordance with the provisions of the *Municipal Government Act*, as part of an approval of a proposed subdivision Birchcliff shall require the dedication of environmental reserve for any land which is unsuitable for development, including a swamp, gully, ravine, coulee, natural drainage course, land subject to flooding and land which is unstable.
- 7.3.8 Where land to be dedicated as environmental reserve is not desired by the Summer Village for public use or as a natural area, the Summer Village may dedicate the land as environmental reserve easement.
- 7.3.9 Notwithstanding Policy 7.3.8, where a proposed subdivision contains land which abuts Sylvan Lake and the subdivision of the land is approved, in accordance with the provisions of the *Municipal Government Act* Birchcliff shall require the dedication of environmental reserve, as follows:
- (a) If sufficient depth remains on the land being subdivided to accommodate residential development in accordance with the Land Use Bylaw, the width of the environmental reserve shall be 30 m along the shoreline. If 30 m does not extend at least 6 m beyond the top-of-bank, the environmental reserve shall be widened to extend at least 6 m beyond the top-of-bank.
  - (b) If sufficient depth does not remain, the width of the environmental reserve shall be to the maximum that would still accommodate residential development in accordance with the Land Use Bylaw, but shall not be less than six meters along the shore or from the shore to 6 meters beyond the top of bank, whichever is greater.
- 7.3.10 Open Spaces in Birchcliff fall within one of the following classes:
- (a) Natural Area;
  - (b) Conservation Area Park;
  - (c) Viewpoint Park;
  - (d) Greenway Park;
  - (e) Community Green;
  - (f) Allowance Park.

Map 3 Open Spaces allocates open spaces to one or more of these classes. These open spaces shall be managed by the Summer Village in accordance with policies of this plan.

- 7.3.11 The following primary purposes shall guide the management of each class of open space:
- (a) Natural Area - landscape preservation and nature appreciation
  - (b) Conservation Area Park - landscape conservation and nature appreciation
  - (c) Viewpoint Park – path leading to lake viewing rest area within woodlands
  - (d) Greenway Park: connector trails and paths through woodlands and landscaped areas
  - (e) Community Green – combination of woodland conservation and open play areas, with trails/paths
  - (f) Allowance Park – lake access walking only for RA1-4, lake access motor vehicles only in winter for RA1-5 and landscape conservation.
- 7.3.12 Birchcliff shall prepare an Open Space Plan to guide the management and use of lands considered as community open spaces within the Summer Village. The Open Space Plan is to address, among other matters:
- (a) Open space vision;
  - (b) The uses and amenities appropriate within each class of open space;
  - (c) The uses not suitable within Birchcliff's open spaces;
  - (d) Actions to guide the management and use of open spaces.
- 7.3.13 Birchcliff may permit within open spaces the removal or alteration of natural vegetation only in accordance with the provisions of this plan and the Open Space Plan.
- 7.3.14 Should the land base of Birchcliff expand in the future, the Summer Village shall plan in the expansion area the allocation of land for one or more classes of open spaces to complement the open spaces currently within the community.

## **8.0 ROADS AND PATHWAYS**

### **8.1 Introduction**

Of fundamental importance to the character of Birchcliff is a convenient and safe road system to serve residents and visitors. Birchcliff Road and Birch Way are to remain the main arterials. An interconnected pathway system is advocated to promote safer walking and jogging within the community.

### **8.2 Goals**

- 8.2.1 The roads and pathways goals are:
1. To provide for the safe and efficient movement of vehicular traffic, both within and near the Summer Village.
  2. To facilitate the development and linkage of pathways as an alternate means of movement within the community.

### **8.3 Policies**

- 8.3.1 Birchcliff shall promote the development and maintenance of a road system that:
- (a) is safe and efficient;
  - (b) protects the character and ambiance of existing neighbourhoods;
  - (c) links the various parts of the Summer Village; and
  - (d) effectively ties into the road systems of adjoining municipalities.
- 8.3.2 All municipal roads within Birchcliff shall be developed to the standards required by the Summer Village.
- 8.3.3 To improve safer access into Birchcliff, the Summer Village will encourage Lacombe County to improve the Township Road 392 and Range Road 1-4 intersection. Birchcliff may participate to the extent necessary to promote the completion of the improvement.
- 8.3.4 Birchcliff, through subdivision and development approvals and landscape conservation in municipal open spaces, shall maintain a "country lane" appearance of Birchcliff Road and Birch Way.
- 8.3.5 Pursuant to Policy 7.3.6, where allowed by the *Municipal Government Act*, for any new subdivision adjacent to Birchcliff Road and Birch Way, Birchcliff shall require the dedication of reserve land. Where there is existing woodlands, the Summer Village shall seek to conserve these. Where there is little or no trees, the Summer Village shall seek the cooperation of the applicant to establish tree cover on the land to be dedicated as reserve land.
- 8.3.6 Pursuant to Policy 7.3.6, for private land adjacent to Birchcliff Road and Birch Way the Summer Village shall seek the cooperation of the landowners to retain adjacent to the road allowance trees and shrubs, or where needed to replace or reestablish these.
- 8.3.7 Birchcliff shall not allow parking within any road allowance unless it is an area designated by the Summer Village for parking.

- 8.3.8 Birchcliff shall place maximum speed signs along Birchcliff Road and Birch Way and contract traffic enforcement to monitor traffic speeds and fine speeders.
- 8.3.9 Through land use plans and decisions on subdivision and development, Birchcliff shall require that roadways be located and designed to minimize impacts on open spaces.
- 8.3.10 All road allowances between the Lake and Birchcliff Road and Birch Way are considered in this Plan as open spaces and addressed in Section 7.0. Only the following two are to be used for vehicle access, as follows:
- (a) Grassland Road, being RA 7 on Map 3, to provide access to the two parcels south of View Close;
  - (b) Range Road 1-5, being RA 1-5 on Map 3, to provide access only to the adjacent residential properties;
  - (c) Road Allowance RA 2 on Map 3: to provide access to Lot 11, Block 4 of Plan 4486AX, but not to the bank of the Lake.
- 8.3.11 Birchcliff should consider the development over time of an interconnected pathway system as proposed in the Open Space Plan. Wherever practical, paths may be developed along roads and through open spaces. Where necessary, a path may be located through private land, where easements have been secured.
- 8.3.12 Where paths are provided, the location of a path should wherever possible:
- (a) minimize impacts on adjacent private property; and
  - (b) complement the features of open spaces.
- 8.3.13 Where required to connect paths on opposite sides of a road, Birchcliff shall locate pedestrian crossings at locations where site distances provide ample opportunity for drivers and pedestrians to see one another.
- 8.3.14 Birchcliff encourages the development of a regional trail network, which includes links to, or possibly through, the Summer Village. Birchcliff may participate, to a level deemed appropriate by the Summer Village, with others in the planning and development of the trail system or portions thereof.

**9.0 UTILITIES INFRASTRUCTURE****9.1 Introduction**

The vitality and health of Birchcliff depends on adequate and safe utilities. The provision of municipal wastewater system will greatly assist the health of the community and the Lake over the long term. While individual private wells provide potable water, in the future a communal water system may be required if groundwater resources prove inadequate. Stormwater management will become increasing crucial as Lacombe County permits development on the higher lands adjacent to Birchcliff. Electric power, natural gas and communication services round out requirements for contemporary village living.

**9.2 Goals**

9.2.1 The utilities infrastructure goals are:

1. To require the provision of reliable and effective electric power, natural gas and communication utilities.
2. To require the provision of environmentally responsible, efficient and reliable water, wastewater and stormwater management utilities.

**9.3 Policies**

9.3.1 To promote a healthy quality of life in Birchcliff, the Summer Village shall require the development and maintenance of reliable, safe and effective utilities.

9.3.2 Birchcliff shall continue to partner in the intermunicipal wastewater system, which will serve the Birchcliff municipal wastewater system.

9.3.3 Birchcliff shall require each lot to be connected, when available, to the municipal wastewater system. Until the municipal wastewater system is available, as a condition of any development approval the Summer Village shall require to be placed on the title of the lot a deferred servicing agreement which will require the development to connect to a municipal wastewater system when available.

9.3.4 Birchcliff supports the continuation of groundwater capacity studies, and commits the involvement of the Summer Village therein, to determine the adequacy of potable groundwater supplies for future development or if and when an intermunicipal water system will be required.

9.3.5 Birchcliff may approve development that uses unfiltered groundwater, but shall not approve development if it is determined for the development that there is a lack of sufficient groundwater or the quality of groundwater does not meet provincial standards.

9.3.6 Birchcliff may become a partner in an intermunicipal water system, if there are distinct advantages to the residents of the Summer Village. The continuing adequate availability of groundwater, both quantity and quality, to serve development in the Summer Village may be the determining factor for the Summer village to participate, or not.

- 9.3.7 On a lot where development is approved with groundwater as the source of potable water, Birchcliff shall require to be placed on the title of the lot a deferred servicing agreement which will require the development to connect to a municipal or intermunicipal water system should Birchcliff become a partner in an intermunicipal water system.
- 9.3.8 All development within Birchcliff shall address stormwater management to the satisfaction of the Summer Village. Any new multi-lot development shall be required to implement stormwater management plans prepared by a qualified professional to manage stormwater so that run-off does not exceed the pre-development rate and the quality of run-off is comparable to or better than that of pre-development run-off.
- 9.3.9 Birchcliff shall encourage Lacombe County to undertake a stormwater management study for lands within the drainage areas of water courses that flow through the Summer Village to Sylvan Lake. A primary purpose of this study should be to manage stormwater to minimize its impacts on the water quality of Sylvan Lake, infrastructure, natural features, buildings and other property improvements.
- 9.3.10 For private development, Birchcliff shall require all roads and utility services to be at the cost of the developer, unless the Summer Village deems it in the greater community interest to cost share in the provision of roads and/or utility services.
- 9.3.11 Birchcliff shall continue to contract for the effective and efficient waste removal services.



**10.0 PEOPLE SERVICES****10.1 Introduction**

As a summer village, the demand for people services, such as recreation facilities, libraries, schools and other facilities, is not as evident as in a community where the majority of the population is permanent. However, for the Summer Village's permanent residents, access to these facilities is important, especially for families with school age children, so the cooperation of communities and service providers is important to the quality of life in the Summer Village. Like other communities, the availability of fire, ambulance and police services is important to the safety and health of Summer village residents, both seasonal and permanent. Birchcliff continues to support and seek the cooperation of health and protective service providers.

**10.2 Goals**

10.2.1 The people services goals are:

1. To cooperate with municipalities and providers in the delivery of recreation, library and cultural facilities and services.
2. To continue to promote access to quality education and health care facilities and programs.
3. To contract effective police, fire and ambulance services.

**10.3 Policies**

10.3.1 Birchcliff shall continue to provide the appropriate level of protective services, in cooperation with the police protection service providers, as needs change.

10.3.2 Birchcliff should promote crime prevention through such strategies as community education and CPTED (crime prevention through environmental design) in site planning and property development as a means to enhance security and safety within the municipality.

10.3.3 In cooperation with the providers of fire and ambulance services, Birchcliff shall continue to provide the appropriate level of emergency services.

10.3.4 Birchcliff shall continue to cooperate with neighbouring municipalities and the applicable agencies to ensure an effective emergency response plan is in place for the Summer Village and neighbouring lands.

10.3.5 Birchcliff shall continue to work with neighbouring municipalities to achieve a mutually beneficial approach to the provision of recreation, library and cultural facilities and services.

10.3.6 Birchcliff shall continue to encourage access to quality education facilities and quality health care facilities and services for its residents.

## 11.0 INTERMUNICIPAL PLANNING AND COOPERATION

### 11.1 Introduction

Birchcliff purposes to cooperate with the other municipalities around the lake to serve to protect the qualities of the lake and its watershed, the quality of life of the residents around the lake and the recreation experiences of both residents and visitors.

### 11.2 Goals

11.2.1 The intermunicipal planning and cooperation goals are:

1. To promote intermunicipal planning for the entire Sylvan Lake watershed that is rational and inclusive of regional, urban and rural needs.
2. To maintain communication with all municipalities around the lake to pursue mutually beneficial land use planning and operating strategies to address matters of common concern.
3. To promote land uses adjacent to and near the Summer Village that are compatible with existing and future planned land uses within the Summer Village.
4. To guide the annexation of land to the Summer Village.
5. To promote the provision of cost-effective utilities and services.

### 11.3 Policies

11.3.1 Birchcliff supports intermunicipal planning initiatives for the integrated planning of the shorelands around Sylvan Lake and the Sylvan Lake watershed.

11.3.2 Birchcliff shall promote and partner in reviews, updates and implementation of the Sylvan Lake Management Plan, and any successor plans thereto. Essential purposes of these plans should be to ensure the long term health of the Lake, a high quality lifestyle for residents and enjoyable recreation experiences for residents and visitors.

11.3.3 Recognizing that land uses, roads and utilities within the east end of the north shore of Sylvan Lake need to be planned and provided in an integrated manner, Birchcliff shall seek intermunicipal collaboration with Lacombe County, Red Deer County and the Town of Sylvan Lake to:

- (a) ensure land use and development policies are compatible;
- (b) promote key road linkages and standards;
- (c) integrate water and wastewater services;
- (d) promote effective stormwater management; and
- (e) address other matters of common interest.

11.3.4 Birchcliff shall:

- (a) consult with all municipalities around the Lake to obtain their views on possible amendments to this Plan, and
- (b) refer a proposed area structure plan or amendment thereto to an adjacent municipality and any other municipality the Summer Village feels is affected by the proposed plan or amendment.



- 11.3.5 For a proposed statutory plan, redesignation, subdivision or development of land adjacent to the Summer Village, Birchcliff:
- (a) may not support the plan, redesignation, subdivision or development if it would materially and aesthetically impair the quality of life for Birchcliff ratepayers, and
  - (b) may require changes that would eliminate or significantly mitigate the concerns the Summer Village has with the proposed plan, redesignation, subdivision or development.
- 11.3.6 Birchcliff shall participate in any meaningful regional approach to identify and provide additional public access to Sylvan Lake. Such participation does not infer any financial commitment by the Summer Village to assemble, purchase or develop lake access, or to share therein.
- 11.3.7 Birchcliff shall work cooperatively with other municipalities and agencies around the Lake to minimize noise pollution.
- 11.3.8 For any resource extraction proposed near the Summer Village, Birchcliff may advise the approving authority to establish appropriate setbacks and mitigation measures to minimize any possible adverse impacts upon the residents of the Summer Village caused by noise, traffic, dust, odor and flaring.
- 11.3.9 Birchcliff may enter into agreements with respect to any of the following services: water utility, wastewater utility, waste management, road maintenance, protective, emergency, administrative, recreation, preventive social services, cultural and other services as determined by the Summer Village.
- 11.3.10 Birchcliff shall approach Lacombe County to undertake a traffic study, particularly of farm vehicle and other truck traffic with originations and destinations in the County that utilize Birchcliff Road. A primary purpose of this study should be to identify and prioritize options that would reduce County traffic using Birchcliff Road.
- 11.3.11 Birchcliff may consider one or more sequential undertakings to annex land into the Summer Village.
- 11.3.12 Should lands be annexed to the Summer Village, Birchcliff shall require:
- (a) the lands to be used for residential purposes and where possible public open space in the form of municipal reserve and/or environmental reserve;
  - (b) development density and standards to be equal or greater than those of Lacombe County; and
  - (c) the provision of roads and utilities to a Summer Village standard.

**12.0 IMPLEMENTATION AND REVIEW****12.1 Introduction**

The Birchcliff Municipal Development Plan 2013 will be most effective when it is implemented judiciously and with consistency. The purpose of Section 12 is to both guide and require the implementation of this Plan to achieve Birchcliff's community vision.

**12.2 Goals**

12.2.1 The implementation and review goals are:

1. To effectively implement Municipal Development Plan to enhance the quality of life, manage growth and land use change and guide the provision of services within the Summer Village.
2. To apply the policies of the Municipal Development Plan when collaborating with the provincial government, municipalities and other agencies and groups.
3. To require, where appropriate, a statutory or non-statutory plan to guide land use changes.
4. To provide a process for amendment of the Municipal Development Plan.

**12.3 Policies**

- 12.3.1 Birchcliff, through Council, the administration and development, subdivision and appeal authorities, shall apply the policies of this Plan when making decisions on any proposed redesignation, subdivision, or development application and any proposed statutory plan and outline plan.
- 12.3.2 Minor adjustments to land use boundaries and roadway locations shown on Map 2 may be approved without an amendment to this Plan provided the intent of this Plan is maintained. More significant adjustments shall be addressed through a proposed amendment to this Plan.
- 12.3.3 Birchcliff shall apply the policies of this Plan in a manner consistent with the Provincial Land Use Policies.
- 12.3.4 When providing input to lake-wide planning initiatives, Birchcliff shall advance the provisions of this Plan.
- 12.3.5 Birchcliff shall undertake a review of the Land Use Bylaw and Church Camp Area Structure Plan. Birchcliff shall amend these, where required, to promote consistency with Birchcliff Municipal Development Plan 2013.
- 12.3.6 Where required by this Plan, Birchcliff shall undertake or require to be undertaken area structure plans and area redevelopment plans. All adopted statutory plans shall be consistent with this Plan.
- 12.3.7 Unless initiated by the Summer Village, Birchcliff shall require the preparation of an area structure plan and area redevelopment plan to be the responsibility of the applicable landowner or developer.

- 12.3.8 If Birchcliff annexes land into the Summer Village, as soon as possible thereafter Birchcliff:
- (a) shall amend Birchcliff Municipal Development Plan 2013; and
  - (b) may prepare or have prepared, and adopt one or more area structure plans or outline plans for the annexed land.
- 12.3.9 An area structure plan shall describe:
- (a) the sequence of development proposed for the area;
  - (b) the land uses proposed for the area, either generally or with respect to specific parts of the area;
  - (c) the density of population proposed for the area, either generally or with respect to specific parts of the area; and
  - (d) the location of major transportation routes and public utilities.
- 12.3.10 In addition to the mandatory contents prescribed in Policy 12.3.9, Council may require an area structure plan to address:
- (a) the impact of development on adjacent uses and the environment, and the means proposed to mitigate impacts;
  - (b) how the development will conserve or protect the shoreline, tree rows, woodlands, water courses, wetlands, wildlife corridors and other natural features if any are contained within the site;
  - (c) the flow of the internal roadway system and any required improvements to address safe and convenient access and egress;
  - (d) identify traffic impacts on external roadways, including intersections with those roadways and ways to mitigate those impacts if necessary;
  - (e) the servicing of the land with water, wastewater, electric power, natural gas, visual and audio communication utilities and stormwater management;
  - (f) impacts on protective, emergency, education and recreation services;
  - (g) the provision of open spaces and trails;
  - (h) the provision for schools, if required; and
  - (i) the provision for separation and/or screening from main roads and land uses that may be incompatible.
- 12.3.11 During the preparation of a statutory plan and outline plan, and any amendments thereto, Birchcliff shall require that the appropriate level and forms of public involvement, including the public participation provisions in the Municipal Government Act, are part of the process.
- 12.3.12 Birchcliff may only approve an application for redesignation, subdivision or development when the application meets the satisfaction of the Summer Village regarding:
- (a) suitability of the features of the site for the proposed use or uses;
  - (b) site design, including scale, parcel sizes and density;
  - (c) impact on the site and adjacent lands, including land uses thereon;
  - (d) compliance with any applicable statutory plan, approved outline plan and the Land Use Bylaw;
  - (e) impact on the environment, including sensitive lands, and the proposed means to mitigate impacts;
  - (f) traffic impacts and the proposed means to mitigate impacts;
  - (g) provisions for road widening, road improvements and intersection improvements for access roads leading to the site;
  - (h) design of internal road linkages with adjacent lands;
  - (i) provisions for water, wastewater and other utility services;
  - (j) provisions for stormwater management;

- (k) provisions for open space, including open space corridors;
  - (l) dedication of land for environmental reserve, environmental reserve easements, municipal reserve, school reserve, municipal and school reserve or money-in-lieu of land;
  - (m) aesthetic details, including the retention of natural features and landscaping within and on lands adjacent to the site;
  - (n) impact on and provisions for public pedestrian access to the Lake;
  - (o) adequacy of the availability of community services;
  - (p) community consultation program; and
  - (q) any other matters required by the Summer Village.
- 12.3.13 As a condition of subdivision and development approval, Birchcliff may require an applicant to enter into an agreement to construct or pay for any or all of the following:
- (a) a road required to give access to the subdivision or development;
  - (b) a pedestrian pathway system;
  - (c) utilities, other than telecommunication systems,
  - (d) off-street loading and unloading facilities;
  - (e) off-street or other parking facilities; and
  - (f) security to ensure the terms of the agreement are carried out.
- 12.3.14 Birchcliff may adopt, in a manner consistent with the Municipal Government Act:
- (a) a redevelopment levy in respect of development in an area redevelopment plan area; and
  - (b) an offsite levy adopted by bylaw to pay for all or part of the capital cost of new or expanded water utility services, new or expanded wastewater services, new or expanded stormwater services, new or expanded roads required for or impacted by a subdivision or development, and land to connect any of the aforementioned roads and services.
- 12.3.15 Birchcliff may approve an application for subdivision approval and an application for development approval or conformity of a real property report if, in the opinion of the approving authority, the subdivision or development on that land, as the case may be, would not:
- (a) unduly interfere with the amenities of the neighbourhood,
  - (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - (c) the proposed subdivision or development conforms with the use prescribed for that land or building in the Land Use Bylaw.
- 12.3.16 As part of the preparation of an area structure plan, an Environmental Review (Appendix A) shall be required and a Visual Impact Assessment (Appendix B) may be required.
- 12.3.17 Should an environmental review identify a site contains a former landfill or other hazardous land use, Birchcliff shall not approve development that is inappropriate on or adjacent to these sites. For any use of land that may be allowed on or adjacent to these sites, Birchcliff shall require the development to be designed to mitigate risk.
- 12.3.18 Birchcliff should prepare and implement a Capital Works Plan to guide the provision of and improvements to roads, utilities and open spaces. The Capital Works Plan should be reviewed annually.

- 12.3.19 Birchcliff shall review and update the Summer Village of Birchcliff Planning Strategy at least every four years.
- 12.3.20 Birchcliff shall monitor the ongoing effectiveness of this Plan when:
- (a) preparing and reviewing other statutory plans and outline plans;
  - (b) processing redesignation, subdivision and development applications; and
  - (c) reviewing and responding to referrals from adjoining municipalities.
- 12.3.21 Birchcliff shall require this Plan to be reviewed at least every four years to ensure its relevance and effectiveness.
- 12.3.22 Birchcliff shall amend this Plan shortly after any annexation of land to the Summer Village.
- 12.3.23 Birchcliff shall review, and amend as necessary, this Plan upon ratification by the Province of the Red Deer Regional Plan.
- 12.3.24 When an amendment is initiated by someone other than Council, prior to the bylaw amendment process Birchcliff may require the initiator of the amendment to provide a report and any other relevant information in support of the amendment.
- 12.3.25 In considering an amendment to this Plan, the provisions of the Municipal Government Act pertaining to notifications and holding a public hearing shall be followed.
- 12.3.26 When considering an amendment to this Plan, Birchcliff shall refer the amending bylaw to any adjoining municipality, school authority, provincial department and agency, and any other persons or agencies the Summer Village feels the amendment affects.



**13.0 DEFINITIONS**

The definitions in Section 13.0 are for use in understanding the directions and policies presented within Birchcliff Municipal Development Plan 2013. Where a definition in Section 13.0 differs from a definition in the Land Use Bylaw, the Land Use Bylaw definition shall be used in processing a subdivision or development application.

**Area Redevelopment Plan** is a statutory plan prepared pursuant to Section 634 of the Municipal Government Act. It provides a framework for the preservation, rehabilitation, removal and replacement of buildings and for the construction of new buildings.

**Area Structure Plan** is a statutory plan prepared pursuant to Section 633 of the Municipal Government Act. It provides a land use framework for more detailed subdivision and development, including the staging of development, densities and infrastructure matters.

**Birchcliff** means within the context of the policy or statement, the Summer Village as a municipal entity, the Council and/or the applicable subdivision, development or appeal authority.

**Cluster** means a development approach that concentrates residential buildings and/or lots within a portion of a site, with the intention of retaining a significant area of the land to be utilized for appropriate agricultural uses, open space, recreation, and conservation of environmentally sensitive features.

**Conservation Easement** is a voluntary legal agreement between a landowner and government or conservation agency, designed to protect the natural and cultural heritage of the land by restricting the landowner's right to develop the land.

**Deferred Servicing Agreement** means an agreement that places a future obligation on individual lot owners through a registered caveat on the title which requires future connection to municipal services when they become available.

**Density** means in a residential area the number of dwelling units per acre hectare.

**Environmental Reserve** is land designated as environmental reserve for environmental conservation or public access in accordance with Section 664 of the Municipal Government Act.

**Environmental Reserve Easement** is a caveat registered against a title for the protection and enhancement of the environment yet remains as private land rather than dedicating land as public environmental reserve, according to Section 664 of the Municipal Government Act.

**Environmental Review** is an assessment of the influence a project may have on the environment. The purpose of the assessment is to ensure that decision-makers consider environmental impacts before deciding whether to proceed with new projects. An environmental review is not an Environmental Impact Assessment.

**Environmentally Sensitive Area** is an undisturbed or relatively undisturbed site which has value to society and ecosystems worth conserving because of its natural features.

**Environmentally Significant Area** is a natural area, which because of its features or characteristics, are significant from an environmental perspective, and which have the potential to remain viable.

**Goal** is an idealized end toward which planning policies and actions are directed and which provide an indication of what is to be achieved.

**Growth Strategy** is a document that establishes a high level of policy direction for the long term growth of the Summer Village.

**Hazard Land** is land that is prone to flooding, erosion, slope instability or other natural or man-made hazards and land in proximity to sour gas facilities.

**Hazardous use** means a sour gas facility, active landfill and unreclaimed landfill.

**Home Occupation** is a small business operated within a residential property by a resident of that property in accordance with the Land Use Bylaw.

**Intermunicipal Development Plan** is a statutory plan prepared pursuant to Section 631 of the Municipal Government Act for lands of common interest to two or more adjoining municipalities.

**Lake, or the Lake**, means Sylvan Lake.

**Lot** means parcel.

**Main Road** refers to a road that serves as a major access road through Birchcliff.

**Marina**, in the context of this Plan, is a private communal boat dock and does not include facilities for the sale of gasoline or the provision of other services.

**May** is a discretionary term which provides notification that the policy in question can be enforced to the level of compliance on a case by case basis as determined by the applicable authority.

**Municipal Reserve** is land dedicated as part of a subdivision to be used for park/trail or school purposes, according to Section 666 of the Municipal Government Act.

**Natural area** is an undisturbed or relatively undisturbed site which because of its natural features has value to society and ecosystems worth conserving.

**Open Space** is land allocated for public use, the conservation of features or for wildlife areas.

**Outline Plan** is a non-statutory plan prepared to a standard similar to an Area Structure Plan but approved by Council resolution instead of by bylaw.

**Policy** is a statement of a course of action for achieving a vision and goals.

**Parcel** means lot.

**Protective Services** means police, fire and ambulance services.

**Riparian Land** refers to the area of land immediately adjacent to Sylvan Lake or a watercourse. Riparian lands act as natural buffers, protecting aquatic ecosystems from excessive sedimentation, runoff and erosion.

**Redesignation** is a change of a land use district designation within the Land Use Bylaw.

**Reserve** is land provided as part of a subdivision, by the developer without compensation, for environmental conservation, park and/or school purposes in accordance with the provisions of the Municipal Government Act.

**Shall** is a directive that the action or actions within the policy are mandatory and therefore must be complied with. Where the policy applies to a plan or study to be undertaken or required to be undertaken by the Summer Village, the Summer Village shall undertake the action as resources are available.

**Should** is a directive that encourages actions to implement the policy, but such actions are not mandatory.

**Statutory Plan means** an intermunicipal development plan, municipal development plan, area structure plan and area redevelopment plan adopted by bylaw in accordance with the provisions of the Municipal Government Act.

**Summer Village** means the Summer Village of Birchcliff.

**Sustainable Development** means meeting the needs of today without compromising the ability of future generations to meet their environmental, social and economic needs.

**Trail** means path.

**The Lake** means the body of water named Sylvan Lake.

**This Plan** means the **Birchcliff Municipal Development Plan 2013**, being the Summer Village of Birchcliff Municipal Development Plan, and any amendments thereto.

**Wetland** refers to land having water at, near or above the land surface, or which is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, hydrophytes vegetation and various types of biological activity that are adapted to the wet environment.



## **Appendix A**

### **Guidelines for an Environmental Review**

Where an environmental review is required by this Plan, the assessment shall be undertaken by a qualified professional(s) and must address the following to the satisfaction of Birchcliff:

1. a description of the environmental sensitivity of the lands proposed for development and the surrounding area;
2. the identification of the nature and significance of any adverse impacts associated with the proposed development during construction;
3. the identification of the nature and significance of any adverse impacts associated with activities that will result from the development; and
4. the inclusion of an environmental protection plan to:
  - (a) alleviate (mitigate) any adverse impacts;
  - (b) monitor the performance of the environmental measures; and
  - (c) identify any residual impacts and their significance in any or all of the following :
    - fish and wildlife
    - vegetation
    - soils and terrain
    - water quantity and quality
    - the shoreline
    - surface drainage
    - aquifers.

## **Appendix B**

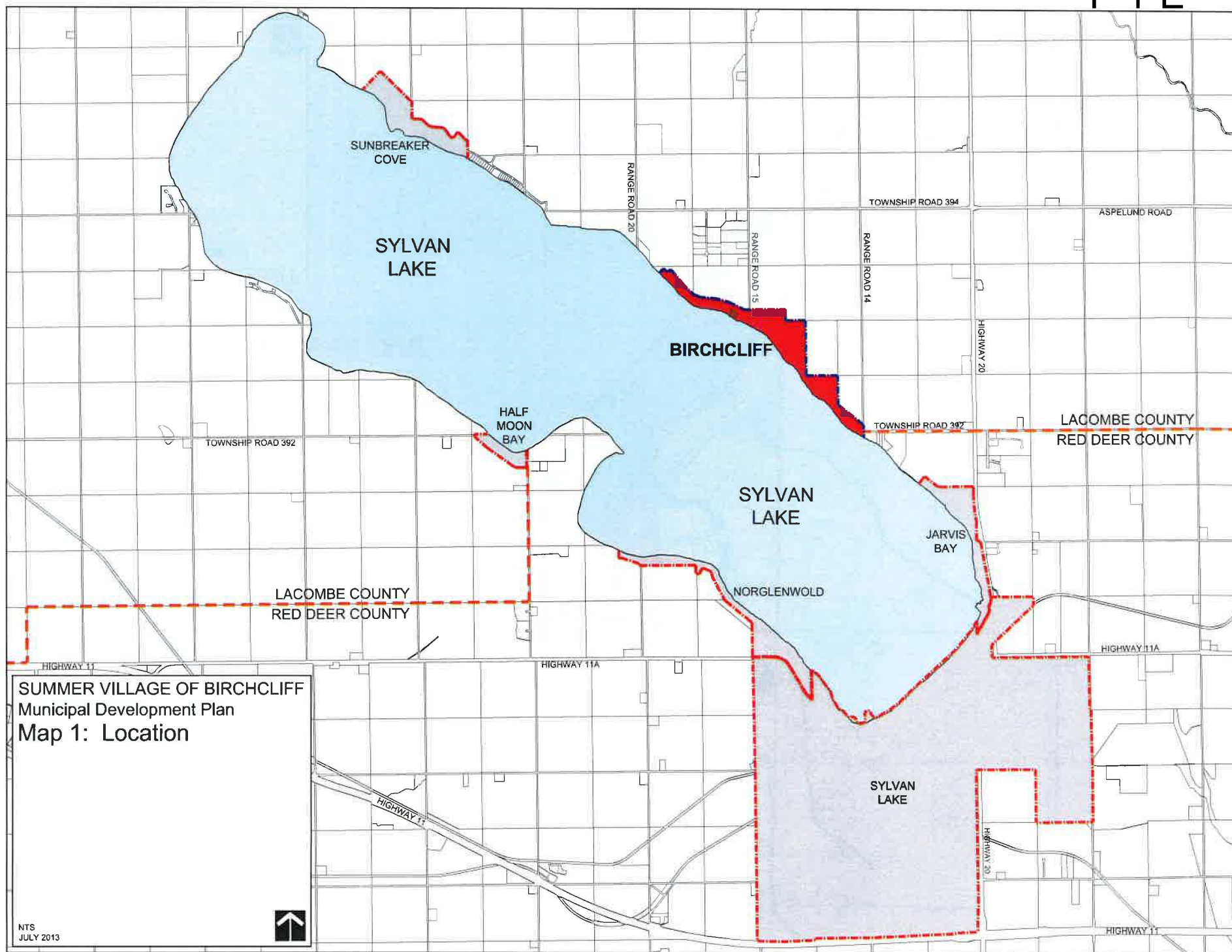
### **Guidelines for a Visual Impact Assessment**

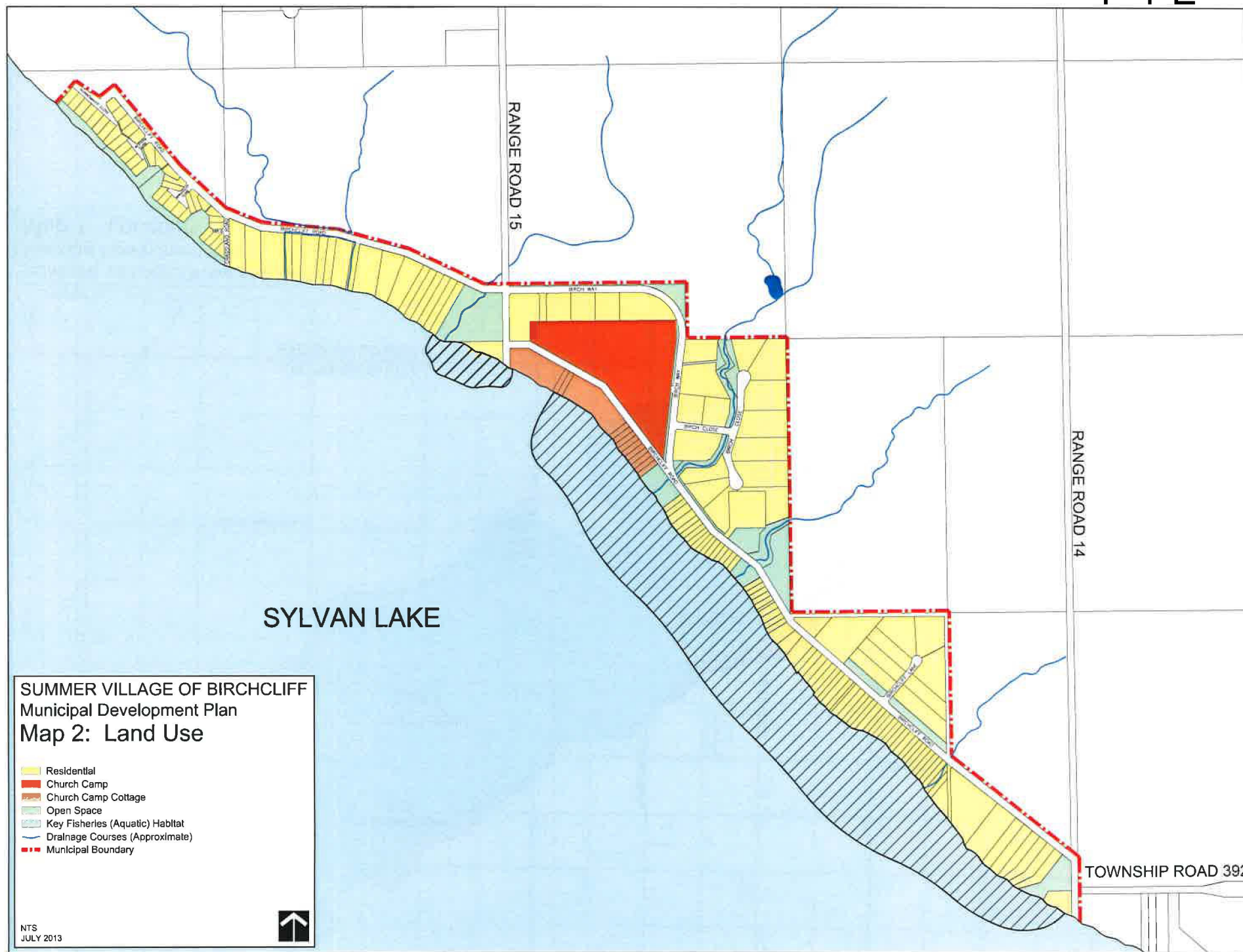
A visual impact assessment shall be undertaken by a qualified professional(s) and must provide sufficient information to show the likely effects of the proposed development and the extent to which any undesirable effects may be mitigated by the project design.

As general requirements, the assessment shall address to the satisfaction of Birchcliff:

1. how the natural features of the site will be preserved so as to contribute to the visual quality of the development.
2. the manner in which the density and form of the proposed development will be considered in terms of its visibility from important viewpoints on and off the Lake.

Except where necessary to sustain the woodlands or reduce the fire hazard, the clearing of vegetation is to be minimized in order to maintain the continuity of tree cover and screen the proposed development from view.





SUMMER VILLAGE OF BIRCHCLIFF  
Municipal Development Plan  
Map 3: Open Spaces

-  Natural Area  
 Conservation Area Park  
 Viewpoint Park  
 Greenway Park  
 Community Green  
 Allowance Park  
 Municipal Boundary

NTS  
JULY 2013

## **Summer Village of Birchcliff**

**March 16, 2023**

### **Public Works**

### **Request for Decision**

#### **Agenda Item: *Shoreline Restoration Capital Project Budget***

#### **Background:**

In early 2022, the Summer Village had acquired quotes from Lakeview Contracting to do TFAs for RA6 and OS15S and subsequent shore restoration with riprap. The original budget amount in 2022 for this project was \$25,000 but was later amended to be increased to \$48,000 to be able to fund the work to be done in the 2022/23 winter. However, all TFAs and shoreline restoration was done beginning of 2023 leaving the 2022 budget unutilized. As such, Administration is requesting to carry over the unspent funds into 2023 to encompass the expenses for the work that was performed for Council's consideration and decision.

#### **Options for Consideration:**

- 1) That Council accept as information.
- 2) That Council increase the 2023 shoreline restoration capital project to \$42,000.

#### **Administrative Recommendations:**

- 1) That Council increase the 2023 shoreline restoration capital project to \$42,000.

#### **Authorities:**

*Municipal Government Act*, Chapter M-26

Allows administration to advise and inform Council on the operation and affairs of the municipality.

## **Summer Village of Birchcliff**

**March 16, 2023**

### **Council Reports**

#### **Information Item**

#### **Council Reports:**

Roger Dufresne

Ann Zacharias

Frank Tirpak

#### **Committee Reports:**

Julie Maplethorpe, Summer Village of Jarvis Bay

- Town of Sylvan Lake Library Board
- Parkland Regional Library Board

#### **Correspondence:**

- National Police Federation

#### **Information:**

#### **Upcoming Meetings:**

Next Council Meeting: April 20, 2023





## **THE TOWN OF SYLVAN LAKE LIBRARY BOARD – REGULAR MEETING HIGHLIGHTS**

**WEDNESDAY – FEBRUARY 8, 2023 – 6:30PM**

### **1. Treasurer's Report**

The Treasurer's Report was approved as presented.

### **2. Director's Report**

The Director's Report was approved as presented.

The Little Free Pantry received two very generous donations in January. Cenovus Energy – Clearwater Division donated a large amount of dry goods and \$315 in cash from their safety meeting; there were over 100 people in attendance. On the same day Lokal Kitchen stopped by with the dry goods received during their "Season of Giving" campaign in December. This is the fourth year in a row that the Little Free Pantry has benefitted from the generosity of the restaurant and their customers. If you are interested in donating, please stop by the library during open hours:

Sunday 1:00pm – 5:00pm / Monday 1:00pm – 8:00pm

Tuesday / Wednesday / Thursday 10:00am – 8:00pm

Friday / Saturday 10:00am – 5:00pm

The Henday Association for Life Long Learning is holding English as a Second Language classes at the library on Wednesday evenings. This resulted from some Ukrainian immigrants and their sponsors requesting access to this type of service in the area.

### **3. Programming Report**

A Murder Mystery event was held for the first time in January. Participants arrived at the library for an evening of high society decadence with a side of "Murder in Manhattan". Interrogations were carried out, accusations were thrown, and eventually the murder was solved. Stay tuned for similar events.

Another first was a monthly Drop-In-Card Games program. Crib was the game of choice with Hearts to be explored in February. Many participants requested this program to be offered more than once per month.

The Film Society showed "The Phantom of the Open" in January and will be showing "Buffy Sainte-Marie: Carry It On" on February 27 from 7:00pm-9:00pm. Tickets are \$10.00 + GST, Season Passes are \$40.00 + GST (with a season pass you get one film free). Tickets and Season Passes can be purchased in advance at

the Library, or at the theatre the night of the showing. Please note that only cash can be accepted at the theatre. Films screen the last Monday of the month at Landmark Cinemas.

Many of the popular programs continued including Sensory Story Time, Art Attack, Mystery Book Club and Pub Trivia Night. A full listing of all the exciting programs can be found on the website.

#### **4. New Items**

The 2022 Annual Report was presented to the Board and approved.

The Canada Revenue Agency requires a listing of current Board Members, moving forward this task will be updated regularly by the library bookkeeper.

#### **5. Policy**

The Personnel Policy was brought forward for its annual review by the sub-committee. This policy was passed with minor amendments.

#### **6. Information and Updates**

The hiring sub-committee is moving forward with interviews for the Library Director position that is currently vacant. Once the formal interviews have been conducted the applicant will make a presentation to the Board during a regular Board meeting.

Meeting adjourned at 8:59pm.

**Next Regular Meeting – March 8, 2023, at 6:30pm.**





# Sylvan Lake Municipal Library



The library had **2,301**  
open hours in 2022!



**1,313** people have a card  
at our library



**36,380** people walked  
through our doors last year



In addition to **50,158**  
website visits



The library added **2,408**  
new items last year



Bringing the total  
collection to **21,515**



There were **3,320**  
downloads of e-Content



Contributing to a total of  
**80,742** checkouts!



We lent our items to  
libraries outside of our  
system **14,319** times



Our service is delivered  
by **13** dedicated staff



And **6** amazing  
volunteers



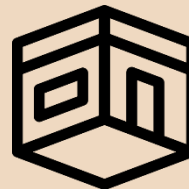
The library has **10** public  
computers



And brought in **25,834**  
items upon patron  
request



We answered **7,600**  
reference questions



And our meeting spaces  
were booked **97** times



**5** mobile devices  
available for loan



We offered **749** in-  
person programs



**110** virtual  
programs



And **2** digital  
literacy programs



**9,364** people  
attended in total



And our Wi-Fi had  
**72,207** connections!

# *Parkland Update*

Thursday, February 9, 2023

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Get the latest Parkland updates, library news, training, events, and more!



## Benefits of Physical Audiobooks

Physical audiobooks offer benefits over eAudiobooks for many library users. You can request bins of large print or audiobooks by genre via [Parkland's Support Site](#). Parkland has created [promotional material](#) for large print and audiobooks to help you market the collections to your patrons. You can read our [latest support site article](#) for more information.

### Promotional Materials List

Parkland has created a spreadsheet with Canva links to [promotional materials](#) that have been created for libraries. With a Canva account, you will be able to apply your own branding and colours and customize the materials in any way. New additions include instructional brochures for all e-resources, large print and audiobook flyers, and book sale promotional materials.

## LIBRARY NEWS

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Find out about important deadlines and see what's happening at other Parkland Libraries!

### Local Author Visit at Clive Library



At the end of January, Clive Library had local author and illustrator, [Ashley Akkermans](#) visit and do a reading of her book *Sully the Rodeo Pickup Horse*, inspired by the real rodeo horse, Sully! They had a great turnout with 28 kids and 11 adults visiting their tiny library to hear her talk; the author was delighted with the turnout.

Ashley would also be happy to do readings at other Parkland libraries. If you're interested, please contact [Ashley](#) via her website.

### Upcoming Library & Literary Dates

For events later this year, Library Staff can see our [2023 Notable Library and Literary dates document](#) on the Q Drive.

February 14 - [Library Lovers Day](#)

February 19-25 - [Freedom to Read Week](#)

March 20 - [World Storytelling Day](#)

March 21 - [World Poetry Day](#)

## TRAINING & EVENTS

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Dates and registration information for upcoming library training and events.

### Upcoming Events & Webinars

- February 22 at 10am - Library Managers Coffee Break
- March 6 at 10am - PLC Meeting (in-person and virtual)

If you would like more information about these training opportunities, please contact [libraryservices@prl.ab.ca](mailto:libraryservices@prl.ab.ca). To watch recordings of past training sessions, visit [Niche Academy](#).

#### Intellectual Freedom Webinar

**February 23**

**2pm**

Register for this [free webinar](#) to learn how library workers can navigate commitments to intellectual freedom and social progress. Explore topics like information disorder and content warnings.

#### Trauma-Informed Leadership Webinar

**March 15**

**9am**

[This workshop](#) explores how to lead with a trauma-informed approach and provides five key principles that trauma-informed workplaces embody. Some of the topics

#### Psychological Safety in the Workplace Webinar

**March 16**

**8am**

[This workshop](#) provides an overview of the characteristics of a psychologically safe workplace and the roles of both the employee and employer in promoting psychological safety. Some of the topics included are the 13 factors that impact psychological safety, the benefits of promoting psychological safety, how employees can support psychological safety, how organizations can implement psychologically safe practices, and how to assess your organization's psychological safety.

include understanding the impact of trauma in the workplace, characteristics of a trauma-informed leader, trauma-informed workplace assessment, 5 Principles of trauma-informed workplaces, and the leadership role in championing these principles.

# Parkland Update

Thursday, February 23, 2023

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Get the latest Parkland updates, library news, training, events, and more!

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## First, Then, Next Boards

First, then, next boards are a great way to communicate with young children the schedule of a program. This can make them feel more comfortable in new places, help them understand what to expect in a program, and make them feel more in control. These boards are also a great way to make your programming more inclusive as they are a great visual tool to help people with cognitive disabilities such as autism, attention deficit, dyslexia etc.

If you'd like one of these boards for your programming or would like more information, please email Emma McPherson at [emcpherson@prl.ab.ca](mailto:emcpherson@prl.ab.ca).

First, Then, Next Boards will come with the basic set of cards for programming, but additional cards can be added to fit your library's needs. Please list any additional cards in your email request, as well, your library brand colours and logo can be added. If not specified the board and cards will come in the green shown.



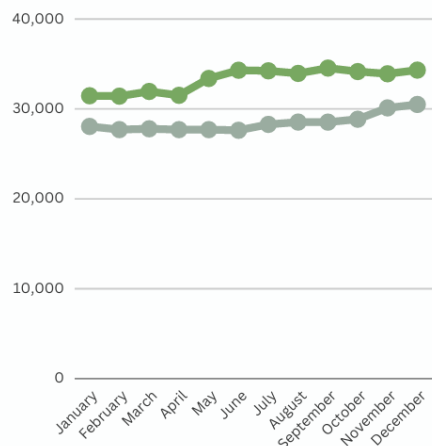
## Social Media Resources

Social media can be confusing to navigate, what platform should you be posting on? What time of day is best? How often should we be posting? There are so many questions to consider, so check out our [latest blog post](#) for some helpful tips!

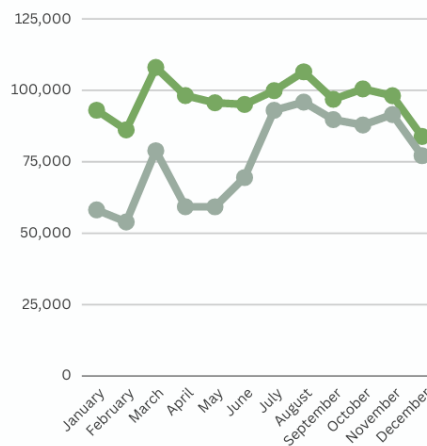
## Regional Cardholder Statistics

Parkland has gathered cardholder statistics to get a picture of the health of region-wide library services between 2021 and 2022. Library staff can view these statistics and keep up with the 2023 statistics as they are updated monthly.

### Active Patrons 2021 2022



### Circulations 2021 2022



## LIBRARY NEWS

Find out about important deadlines and see what's happening at other Parkland Libraries!

### New York Times Creates a Love Letter to Libraries

On Valentine's Day, writers and photographers at the NY Times published [A Love Letter to Libraries](#). The article takes the reader from myths and perceptions of libraries of yore, and shifts to current-day programming and experiences. If your library has access to the NY Times, it's well worth a few minutes to read this heartwarming ode to libraries.

Enjoy and happy Library Lover's Month!

### TD Summer Reading Club StoryWalk

**Deadline March 13**

The TD SRC StoryWalk is available once again for SRC 2023! This fun, socially distanced activity places a children's book, page by page, on laminated poster boards along a path or in a park. Kids and their families have the opportunity to enjoy reading a book while strolling through their community. StoryWalk is free and available to participating libraries that submitted their statistics and evaluation for the 2022 TD SRC program and that have registered for the 2023 TD SRC. The book this year is *Treasure* by Mireille Messier. If you're eligible and interested in receiving a StoryWalk kit this year, [find out how to get one](#), and don't wait, because there is a limited number of kits available and they will go fast!



## Upcoming Webinars

- **PLC Meeting** - March 6 at 10am \*Registration with your consultant is required

If you would like more information about these training opportunities, please contact [libraryservices@prl.ab.ca](mailto:libraryservices@prl.ab.ca). To watch recordings of past training sessions, visit [Niche Academy](#).

### Challenging Employee Conversations Without Fear Webinar

**Thursday, February 23  
12pm**

In this webinar, you will learn how to think about and prepare for challenging conversations in ways that feel constructive and authentic. Don't miss out on this LibraryWorks webinar and [register today](#). Fee: \$49 (USD)

### Expand Content Discovery and Leverage Patron Interests with Libby Webinar

**Wednesday, March 1  
11am**

Deep search and Notify Me tags help Libby users discover more content in Libby. In Marketplace, Notify Me tags data offers your library direct feedback from users and helps you satisfy their reading interests in a new and innovative way. [Register for this webinar](#) for an informative session about these highly anticipated updates!

### Dealing with Digital Distractions: Ideas and Recommendations for Libraries Webinar

**Thursday, March 2  
12pm**

Library managers and staff have many demands and distractions. [This presentation](#) will help cut through the noise and suggest both technical and non-technical solutions for better balance at work. Attendees will also learn more about how to deal with email stress, creating boundaries and routines, and more. Fee: \$49 (USD)

### Spring Book Club Picks Webinar

**Tuesday, March 14  
12pm**

Are you looking for the next great title for your book club? Check out [this free one hour-webinar](#) for titles that will ignite lively discussion for any reading group!

### Romance Book Sales in the Canadian Market: A Love Story Report

In the last six years, the sales of Romance books increased by 42%, with LGBTQ titles seeing a whopping increase of 10,406%. What other Romance subcategories have seen outstanding growth? What topics are readers taking a break from? [Find out in](#)



[this blog post](#) from BookNet Canada.