

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

Minutes of a Regular Council Meeting of the Summer Village of Birchcliff,  
Province of Alberta, held August 15, 2024, in the Summer Villages on Sylvan  
Lake Administration Office at Sylvan Lake, Alberta.

**IN ATTENDANCE** Mayor: Roger Dufresne  
Deputy Mayor: Ann Zacharias  
Councillor: Frank Tirpak  
CAO: Tanner Evans  
Development Officer: Kara Hubbard  
Recording Secretary: Teri Musseau

**CALL TO ORDER** The Meeting was called to order at 10:04 a.m. by Mayor Dufresne.

**AGENDA**

**BCC-24-119** MOVED by Deputy Mayor Zacharias that the agenda be adopted as amended:

ADD:  
D.3. CAO Report

CARRIED

**CONFIRMATION OF MINUTES**

**BCC-24-120** MOVED by Councillor Tirpak that the minutes of the regular meeting of Council held on July 18, 2024, be approved as presented.

CARRIED

**BCC-24-121** MOVED by Deputy Mayor Zacharias that the minutes of the Organizational meeting held on July 18, 2024, be approved as presented.

CARRIED

**INFORMATION ITEMS**

- 1) Accounts Payable Report
- 2) Development Report
- 3) CAO Update

**BCC-24-122** MOVED by Councillor Tirpak that Council accept the information items as presented.

CARRIED

**COUNCIL REPORTS**

Deputy Mayor Zacharias

- No reports

Councillor Tirpak

- No reports

Mayor Dufresne

- Joint Services Committee

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

Council recessed at 10:48 a.m.

Council reconvened at 11:00 a.m.

**PUBLIC HEARING**

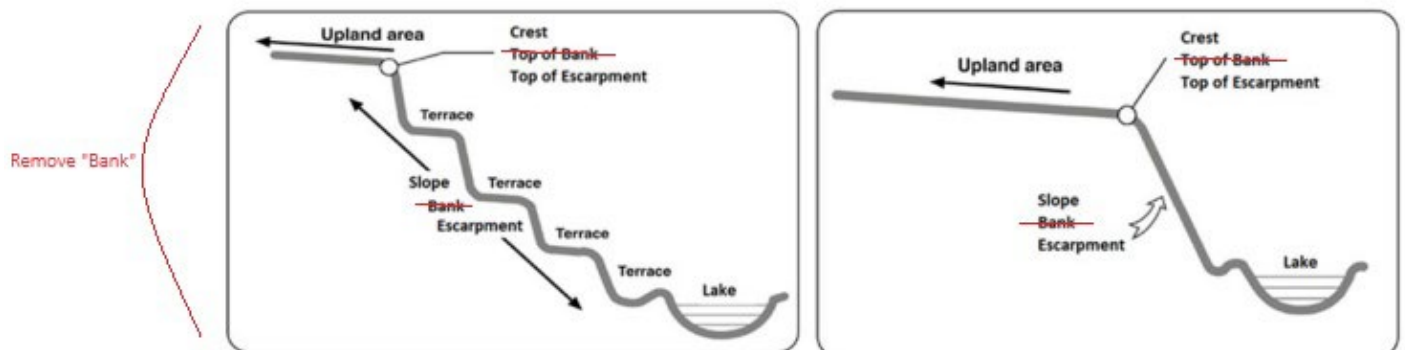
Mayor Dufresne declared the Public Hearing for Municipal Development Plan #246-23, open at 11:00 a.m.

Mayor Dufresne provided the procedure for the public hearing.

Kara Hubbard, Development Officer, provided the background on the reason Council is considering the changes.

**PROPOSED AMENDMENTS:**

1. Part One: General – Add:  
1.3 Rules of Interpretation:  
Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
  - a. “shall” and “must” means mandatory compliance;
  - b. “should” means compliance in principle, but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application; and
  - c. “may” means discretionary compliance or a choice in applying regulation. The regulation can be applied, enforced or implemented if the Development Authority chooses to do so. Application may depend on site specific circumstances.”
  
2. Part One: General 1.3 Definitions – Revise:  
“escarpment” means an extended linear topographical feature of relatively steep slope and significant change in elevation, as per the diagram below:



Where an escarpment line has been previously altered, the top of escarpment shall be considered from the original escarpment line as determined by an Alberta Land Surveyor.

3. Part One: 1.3 Definitions – Add:  
“No Mow Zone” A no mow zone is a buffer strip of vegetation that includes native plantings that let aquatic

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

vegetation grow to maintain a stable natural state, a no mow zone allows native plants to seed and reestablish and is not to be maintained. Native plantings to be selected from the Summer Village native plantings list that can be obtained at the administration office.”

4. Part Two: Development Permits, Contravention & Appeal  
2.2 Development Not Requiring a Development Permit  
(4) – Revise to:

The erection or construction of gates, fences, walls or other means of enclosures less than the maximum heights as listed in part three 4(3).

5. Part Three: Supplementary Regulations 4(3) Fencing  
Revise to:

(a) For parcels abutting Sylvan Lake or a reserve parcel abutting the lake, fences:

- (i) Located within a rear, side, or flankage yard of a parcel shall not exceed 2.0m (6.6ft.) in height.  
There shall be no fences located in the front yard.

(b) For parcels not abutting Sylvan Lake or a reserve parcel abutting the lake, fences located within all yards shall not exceed 2.0 m (6.6 ft.) in height.

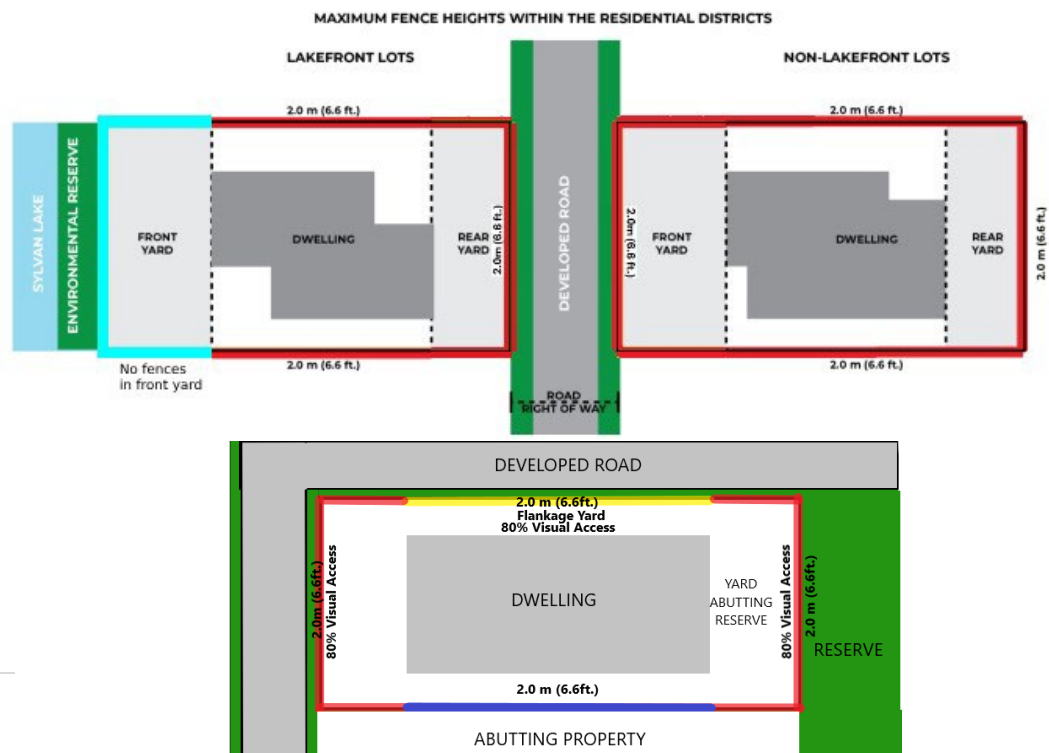
(c) Fence height shall be determined by measuring from the top of the fence to the ground;

(d) Fences located within the flankage yard, and yards abutting a road or reserve shall provide 80% visual access perpendicular to the road or reserve.

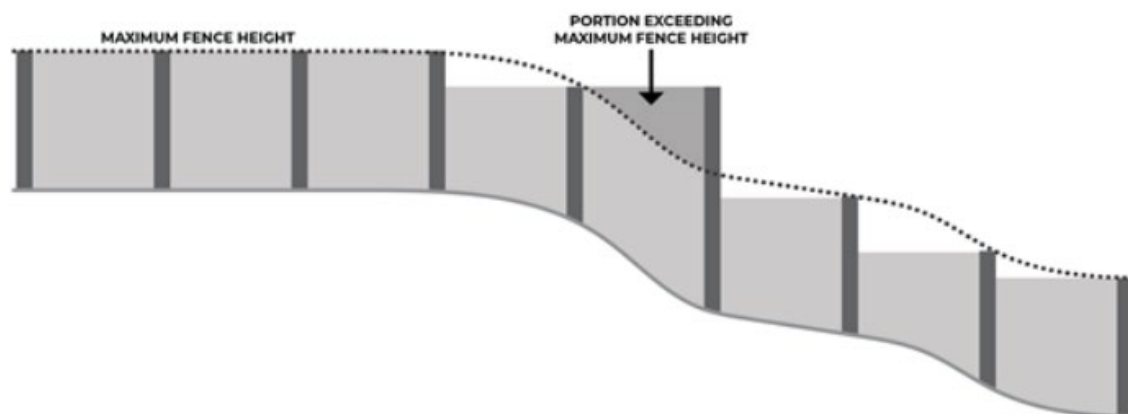
(e) Chain link fences must be non-galvanized and restricted to 1.0m (3.3ft.) maximum height in yards adjacent to a street or reserve.

(f) Barbed wire fencing is not permitted.

Add drawings below:



Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024



6. Part Three: Supplementary Regulations 4(5) Landscaping, Environmental Conservation and Development – Revise to:
1. The following standard of landscaping shall be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:
    - (a) The conservation of existing trees and/or shrubs to the maximum extent possible;
    - (b) The retention, in their natural state, of:
      - (i) Swamps, gullies and natural drainage courses;
      - (ii) Unstable land; (iii) Land subject to flooding and/or located within a 1:100 year floodway or flood fringe area as determined by an engineer or flood study;
      - (iv) Escarpment or slope areas with a gradient of fifteen (15) percent or greater; and
      - (v) Land located below the top of the bank escarpment of any water body or water course.
    - (b) A minimum 15cm depth of topsoil to facilitate growth in the soft landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
    - (c) Completion of the landscaping within two (2) years of the date of issue of the Development Permit.
    - (f) As a condition of subdivision or development approval, a security in the form of an irrevocable letter of credit may be required by the Development Authority, up to the value of one hundred fifty percent (150%) of the estimated cost of the proposed landscaping to ensure that the landscaping is carried out with reasonable diligence (in accordance with the approved landscaping plan), to the satisfaction of the Development Authority. A condition of the security shall be that the landscaping shall be completed in accordance with this Bylaw and the plan within (1) growing season after the completion of the development. If the landscaping does not survive a two (2) year maintenance period, the amount shall be paid to the Summer Village to complete the landscaping.
  2. The following standards shall be required for all escarpment areas:
    - (a) When remedial actions are required on the escarpment, an engineered report shall be required to provide evidence that such

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

actions are necessary. Remedial actions must preserve the natural surroundings while improving the bank stability.

- (b) Alterations to the escarpment area must be accompanied by a geotechnical report and will only be considered below the top of escarpment where necessary in order to stabilize and prevent failure of the slope, not to accommodate walk out basements, firepits, or other aesthetic choices.
- (c) Development for reasonable lake access may be permitted upon successful application and must be accompanied by a geotechnical report and must also be under the maximum of 5 meters, not to exceed 20% of the width of the lot. The development authority should rule based on the merit of the application and the village vision to keep the escarpment natural.
- (d) Further to subsection (a), retaining wall proposals are required to include an engineered report specific to the onsite installation and location of the walls, soil type and on-site conditions, materials, design parameters, site preparation, side slope protection, drainage, and testing/inspection requirements.
- (e) Further to subsection (a), retaining wall height shall not exceed 1m (3.28') in height, and setback a minimum of 3m (9.84') to water's edge, unless specifically required in the geotechnical report and no other option is available. The maximum height allows for the escarpment area to remain as natural as possible. Retaining wall structures shall be made out of natural rock and stone. If concrete or a blocking system, or any other material is used for the retaining structures, a natural rock and stone façade must be installed.
- (f) Minimum 80% of the escarpment area to be covered by native, deep rooting plants or trees planted in grass or topsoil (no gravel, mulch, or turf). Aside from the stairs and retaining walls, no hard landscaping will be permitted.
- (g) Should a guard be required in accordance with safety codes regulations on a tiered escarpment, it is required to allow for visual access to the yard of the lot to the satisfaction of the Development Authority, additionally including a vegetative guard no smaller than 2' thick, and 42" tall along the guard.

There were no written comments received.

Mayor Dufresne opened the floor for comments from gallery.

Doug MacDonald – 35 Birchcliff Road

- asked questions for clarity

Arnold Donovan – 441 Birchcliff Road

- asked questions for clarity

Seeing no further people wishing to speak, Mayor Dufresne declared the public hearing closed at 11:14 a.m.

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

Council recessed at 11:14 a.m.

Council reconvened at 11:23 a.m.

**TABLED ITEMS**

**PLANNING & DEVELOPMENT**

**Bylaw #251-24**      Land Use Bylaw Amendment Bylaw #251-24

Minor amendments were made as follows:

- 4(d) Add: "The posts can be located in the center, and inside but not the outside of the fence."
- 5.2(c) Replace "should with "must".
- 5.2(f) Add "and point to point path ..."
- 5.2(g) Add "(rail) after guard.

**BCC-24-123**      MOVED by Deputy Mayor Zacharias that Council give 2nd reading to the Land Use Bylaw Amendment Bylaw #251-24 as amended.  
CARRIED

**BCC-24-124**      MOVED by Councillor Tirpak that Council give 3<sup>rd</sup> and final reading to the Land Use Bylaw Amendment Bylaw #251-24 as amended.  
CARRIED

**COMMITTEE REPORTS**

- Julie Maplethorpe, Summer Village of Jarvis Bay
  - Parkland Regional Library Board

**BCC-24-125**      MOVED by Deputy Mayor Zacharias that Council accept the Council, Committee, and Correspondence items as information.  
CARRIED

**NEXT MEETING**

**BCC-24-126**      MOVED by Mayor Dufresne that the next meeting of Council be held September 19, 2024, at 9:00 a.m.  
CARRIED

**CLOSED SESSION**

**BCC-24-127**      MOVED by Mayor Dufresne that Council move to a closed session to discuss third party business as per FOIP Section 27, at 11:51 a.m.  
CARRIED

**BCC-24-128**      MOVED by Mayor Dufresne that Council return to an open meeting at 1:08 p.m.  
CARRIED

Summer Village of Birchcliff  
Regular Meeting Minutes  
August 15, 2024

**ADJOURNMENT**

**BCC-24-129**

MOVED by Mayor Dufresne that being the agenda matters have been concluded, the meeting adjourned at 1:08 p.m.  
CARRIED

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ROGER DUFRESNE, MAYOR

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TANNER EVANS, CAO