



Summer Village of Poplar Bay

P.O. Box 100 (605 - 2nd Avenue)
Ma-Me-O Beach, Alberta T0C 1X0
Phone: (780) 586-2494 Fax: (780) 586-3567
Email: Information@svofficepl.com
Website: www.poplarbay.ca

March 21, 2023

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

Dear Sir:

RE: Proposed Annexation by the Summer Village of Poplar Bay

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

We confirm that the Summer Village wishes to proceed with the annexation and request that the enclosed Report to the Land and Property Rights Tribunal (the "Report") be considered as the Summer Village's application for annexation. Summer Village of Poplar Bay Resolution #2023-061 directed Administration to submit the Report to the Board, a copy of which is attached to this letter. Further, the Summer Village provided a copy of the Report to the County of Wetaskiwin (the "County"). The Report was presented to County of Wetaskiwin Council at the February 21, 2023, regular meeting of Council. County Council resolved to support the annexation application and authorize the Reeve of the County of Wetaskiwin to endorse the application.

The County of Wetaskiwin provided support for the Summer Village of Poplar Bay annexation via County Resolutions #CG20230221.014 and #CG20230221.015 on February 21, 2023. Copies of these resolutions are included on the following page.

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

1. The proposed effective date of the annexation is April 1, 2023, pursuant to s. 125 of the Act.
2. The proposed conditions related to assessment and taxation, as well as other proposed conditions are agreed to by the Summer Village and the landowner and are addressed in this report.
3. The landowner within the Annexation Area have indicated they support the annexation, as identified in the Landowner Consent Agreement (Appendix E – Landowner Consent Agreement).
4. The County of Wetaskiwin has indicated they support the annexation.

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

Sincerely,

Sylvia Roy
Chief Administrative Officer
Summer Village of Poplar Bay

Fraser Hubbard
Mayor
Summer Village of Poplar Bay

cc: County of Wetaskiwin – Rod Hawken, CAO

Summer Village of Poplar Bay Motions

Resolution #2023-019: Moved by Councillor Meaney that Council receive and support the Annexation Report by Administration, and further, that Administration draft a letter for Mayor Hubbard's review and signature, to the Reeve of the County of Wetaskiwin requesting their Council's support of the proposed Annexation. **Motion Carried.**

County of Wetaskiwin Motions

Resolution #CG20230221.014: Moved by Councillor Kathy Rooyakkers to formally support the proposed Summer Village of Poplar Bay annexation. **Motion Carried.**

Resolution #CG20230221.015: Moved by Councillor Kathy Rooyakkers to authorize the Reeve of the County of Wetaskiwin to sign (on behalf of County Council) the annexation application that will be sent to the Land and Property Rights Tribunal by the Summer Village of Poplar Bay. **Motion Carried.**



Summer Village of Poplar Bay

Annexation Application | Report to the Land and Property Rights Tribunal
March 2023

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Executive Summary

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

The Summer Village of Poplar Bay has applied to the Municipal Government Board to annex a parcel of land from the County of Wetaskiwin. This annexation application has been proposed for a single parcel in the County that is currently accessed through the 2nd Street right-of-way in the Summer Village of Poplar Bay. The proposed annexation lands are described as (as noted on the Certificate of Title):

ALL THAT PORTION OF THE NORTH HALF OF SECTION TWENTY EIGHT (28) TOWNSHIP FORTY SIX (46) RANGE ONE (1) WEST OF THE FIFTH MERIDIAN WHICH LIES SOUTH WEST OF THE SOUTH WESTERLY LIMIT OF ROAD PLAN 6542KS, CONTAINING 22.3 HECTARES (55 ACRES) MORE OR LESS.

EXCEPTING THEREOUT: HECTARES (ACRES) MORE OR LESS

EXCEPTING THEREOUT:		HECTARES	(ACRES) MORE OR LESS
A) PLAN 5128TR	SUBDIVISION	9.80	24.43
B) PLAN 7921318	SUBDIVISION	9.08	22.43
C) PLAN 9721788	SUBDIVISION	1.08	2.67
D) PLAN 9721790	SUBDIVISION	0.119	0.29

EXCEPTING THEREOUT ALL MINES AND MINERALS

The proposed annexation area labeled as Pt. N ½ 28-46-1-W5 in maps contained within this report.

The Council of the Summer Village of Poplar Bay believes the proposed future use of the annexation area (residential) to be a reasonable, effective, and efficient extension of the Summer Village's municipal boundaries. **This annexation application is supported by the County of Wetaskiwin and the current landowner of the proposed annexation area.**

The proposed annexation is consistent with the policies of the Summer Village's Municipal Development Plan, the County's Municipal Development Plan, and the Intermunicipal Development Plan adopted by the County and the Summer Villages on the southside of Pigeon Lake.

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

1. Application Fee

A cheque in the amount of \$300 (payable to the Government of Alberta) has been provided to the Municipal Government Board in support of this annexation application.

Application Fee + First Quarter Section	\$300
Total Application Fee	\$300

2. Annexation Area Location and Orthophotography Maps

Annexation Area Location Map

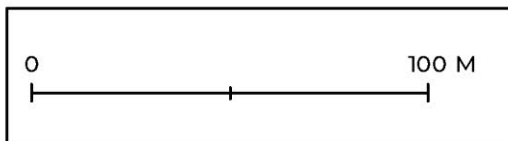


	Summer Village of Poplar Bay		County of Wetaskiwin
	Proposed Annexation Area		Summer Village

Mar. 2023



Digital Information:
Altalis, Open Data Alberta, MPS



Annexation Area Orthophotography Map

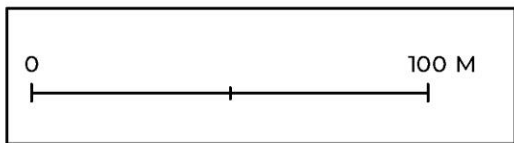


	Summer Village of Poplar Bay
	Proposed Annexation Area

Mar. 2023



Digital Information:
Altalis, Open Data Alberta, MPS



3. Planning Framework and Land Use

3.1 Excerpts from Statutory Plans and Bylaws

3.1.1 Intermunicipal Development Plan

An Intermunicipal Development Plan (IDP) for municipalities on the southside of Pigeon Lake was adopted in 2013. Municipalities that are party to the 'South Pigeon Lake Intermunicipal Development Plan' include the Summer Village of Poplar Bay and the County of Wetaskiwin (as well as the Summer Villages of Crystal Springs, Grandview, and Norris Beach).

The IDP's annexation policy identifies that "land should remain in whichever municipality is best able to provide services and access to it and its owners" (Policy 28). Further, it establishes (as a "general rule") that lots five acres and under in size should be under the jurisdiction of whichever municipality provides legal road access (Policy 28).

Additionally, the IDP identifies that the County will not contest annexation applications (Policy 30) made by a Summer Village for:

1. For lots that are already subdivided... or lots [that] have legal access to the Summer Village road; and
2. For un-subdivided land [where]:
 - a. The land is the subject of an application to subdivide into two or more lots; and
 - b. The lot or lots have legal access to the Summer Village road.

The South Pigeon Lake IDP is currently being updated by the County and four Summer Villages (including the Summer Village of Poplar Bay).

3.1.2 Summer Village of Poplar Bay Municipal Development Plan

The Summer Village of Poplar Bay Municipal Development Plan identifies two future land use designations: 'Residential Area' and 'Parks and Environment Area.' The intended future development of the proposed annexation area would be consistent with the Residential Area designation.

Policies in the MDP guide the future development of residential areas in the Summer Village, and include requirements for environmental stewardship, infrastructure, and servicing that would apply to all lands in the Summer Village.

Map 9.2 – Local Features of the MDP identifies future development constraints and important local features (within and near the Summer Village). No development constraints have been identified within (or immediately adjacent to) the proposed annexation area.

When the annexation is complete, the MDP will be amended to include the annexation area as part of the Summer Village.

3.1.3 Summer Village of Poplar Bay Land Use Bylaw

The Summer Village of Poplar Bay Land Use Bylaw (LUB) (Bylaw 161, as amended) does not specifically address the proposed annexation area. All privately-owned residential lots adjacent to the proposed annexation area are within the Residential District.

However, the LUB does anticipate the future annexation of lands where typical lakefront densities may not be suitable. In this scenario, annexed lands may be re-districted to the Low Density Residential District, which requires all lots to be at least 8,000 m² (2.0 acres) in size, and further restricts how much of the area of the lot may be developed (a maximum of 10%).

3.1.4 County of Wetaskiwin Municipal Development Plan

The County of Westaskiwin MDP (Bylaw 2010/34, as amended) identifies the proposed annexation area as within the South Pigeon Lake IDP area (Figure 8 of the MDP), as well as an area for growth potential (Figure 9 of the MDP).

Policy 7.2.1 of the County's MDP states: "Development adjacent to the City of Wetaskiwin and Summer Villages at Pigeon Lake will follow the respective Intermunicipal Development Plans."

3.1.5 County of Wetaskiwin Land Use Bylaw

The County of Wetaskiwin LUB (Bylaw 2017/48, as amended) identifies the proposed annexation area as being within the Lakeshore Residential District. The purpose of this district is to 'allow for the subdivision and development of residential uses adjacent to County lakes.'

When the annexation is complete, this Land Use District will continue to apply to the proposed annexation area until the Summer Village repeals the County's LUB as it applies to the annexation lands and redistricts the subject lands to a residential district(s) in the Summer Village's LUB.

3.2 Current and Intended Future Land Use(s)

The proposed annexation area is currently undeveloped. The intended future land use is residential development.

The Summer Village and Landowner have worked together to develop and endorse a Landowner Consent Agreement (signed by both parties on 21 December 2022). A copy of the Agreement is included as Appendix E – Landowner Consent Agreement.

In the agreement, the Landowner and Summer Village have agreed to the following¹, with respect to the future use and development of the proposed annexation area (should the annexation application be approved):

3.2.1 Annexation Conditions for Future Subdivision and Development

- The Landowner acknowledges and agrees that any costs required to connect any development on the lands to existing utilities will be the sole responsibility of the Landowner or any successor landowner of the lands. In the event a subdivision application or development permit application is submitted with regards to any proposed development or subdivision of the lands, as part of the conditions of said development permit or subdivision approval, the landowner may be responsible for the costs of upgrading the access road to the lands, (2nd Street), to the standards mutually agreed to in the Landowner Consent Agreement (Appendix E).
- The Landowner acknowledges and agrees that, in the event the Subdivision Application or development permit application is submitted with regards to any proposed development or subdivision of the Lands, as part of the conditions of said development permit or subdivision approval, the Landowner or any successor Landowner will be required to install a holding tank, and the Summer Village will install a connection line to the Summer Village's wastewater system to the holding tank at the landowner's sole cost, to bring the subject site into compliance with the Summer Village's Wastewater local Improvement levy Bylaw (No. 250) and the Municipal Wastewater Utility Bylaw (No. 253).
- The Summer Village and the landowner acknowledge and agree that the extension of 2nd Street through the annexation lands for the purpose of providing road access to the County lands adjacent to the southern boundary of the site will not be allowed.
- The Summer Village and the landowner acknowledge and agree that the property assessment category for the property will be 'vacant residential.' The County's current assessed value will apply to the property until the next assessment cycle (following annexation), at which time the Summer Village of Poplar Bay's assessment of the property will be used.
- The Landowner acknowledges and agrees that, in the event the Subdivision Application or development permit application is submitted with regards to any proposed development or subdivision of the Lands, as part of the conditions of said development permit or subdivision approval, the Landowner may be responsible for the costs

¹ Note: Bullets in Section 3.2.1 summarize content in the Landowner Consent Agreement; the content has been lightly edited for clarity in this report.

of upgrading the access road to the Lands, municipally described as 2nd Street and legally described as set out in Schedule "B" of the Landowner Consent Agreement (the "Road"), as follows:

- Applying at least 6 inches of gravel (of at least 20 mm size) to the entire surface of the Road, as it extends from Poplar Bay Drive to the Road's termination at the lands;
- Ensuring the surface of the Road is cleaned of trees and shrubs;
- The Landowner shall not be responsible for any other upgrades to the Road except as described above;
- The Landowner shall not be responsible for ongoing maintenance of the Road.

3.2.2 Implementation Action Items

The following implementation actions are intended to be undertaken following the annexation (if approved), to address issues raised by community members regarding the future use of the proposed annexation area. If the annexation is approved, the Summer Village intends to amend to the Summer Village of Poplar Bay Municipal Development Plan and Land Use Bylaw as identified below.

Implementation Action 1 – Amendment to the Summer Village of Poplar Bay Municipal Development Plan

If the proposed annexation application is approved by the Land and Property Rights Tribunal, MPS recommends that the Summer Village of Poplar Bay amend the Summer Village of Poplar Bay Municipal Development Plan to include the proposed annexation area in the 'Residential Area' on Map 9.2 – Future Land Use and update all other maps accordingly to properly identify the area's inclusion in the Summer Village.

Implementation Action 2 – Amendment to the Summer Village of Poplar Bay Land Use Bylaw (Redistricting)

If the proposed annexation application is approved by the Land and Property Rights Tribunal, the current land use district applied to the proposed annexation area in the County of Wetaskiwin Land Use Bylaw (the "Lakeshore Residential District") will continue until such time as the Summer Village amends its Land Use Bylaw. The Summer Village intends to (if the proposed annexation is approved) amend its Land Use Bylaw as follows:

- a. Portions of the proposed annexation area that are generally west of 2nd Street be redistricted to the "Low Density Residential (LDR) District"; and
- b. Portions of the proposed annexation area that are generally east of 2nd Street be redistricted to the "Residential (R) District."

A map showing the future land use concept for the proposed annexation area (described in this section) is included on the next page of this report.

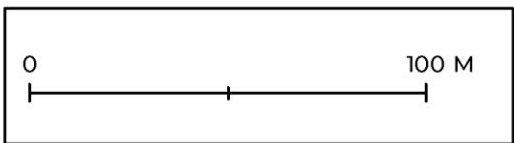
Future Land Use Concept



 Summer Village of Poplar Bay	 County of Wetaskiwin	 To Low Density Residential	Mar. 2023
 Proposed Annexation Area	 Summer Village	 To Residential	



Digital Information:
Altalis, Open Data Alberta, MPS



Implementation Action 3 – Amendment to the Summer Village of Poplar Bay Land Use Bylaw (Revisions to the Low Density Residential (LDR) District)

To accommodate the future use of the LDR District for the portion of the proposed annexation generally west of 2nd Street, the Summer Village intends to make the following amendments to the LDR district to accommodate the unique size and shape of the lot.

Current regulations in the LDR District are shown in black text.

Proposed amendments to the district are shown in blue text (additions) and black strikethrough (deletions).

Regulations for the Low Density Residential (LDR) District

<p>Purpose</p>	<p>No land will be zoned as LDR at present. This zone may be applied to land not yet annexed, where lakefront densities are inappropriate. Having the rules written now will help landowners outside the village plan their developments.</p> <p>To facilitate the development of large residential lots (a minimum 0.8 ha (2.0 acres) in area).²</p>
<p>Regulations</p>	<p>The regulations for the Low Density Residential District are identical with those for the Residential District except as follows:</p> <p>The regulations in this district shall be the same as the regulations in the Residential (R) District, except as follows:</p> <ul style="list-style-type: none"> a. Residential lots shall be a minimum at least 0.8 ha (2.0 acres) in area with a minimum width of 60.0 m (200.0 ft.). b. Irregularly shaped residential lots shall have a minimum average lot width of 30.5 m (100.0 ft.).³ c. The minimum road frontage is 15.0 m (50.0 ft.).⁴ d. The minimum front and rear yard for all buildings is 15.0 m (50.0 ft.) and the minimum side yard is 6.0 m (20.0 ft.). e. No more than 10% of the area of the lot shall be covered by buildings. f. At the discretion of the Development Authority, a recreational vehicle may be used as the main dwelling on a lot, but in that case no other recreational vehicle shall be parked on the lot whether occupied or unoccupied, and no guest house shall be constructed on the lot.

²The change to the purpose statement in the LDR district is to remove reference to ‘land not yet annexed’, which is not within a municipality’s jurisdiction to do, and to clearly reflect that it is intended to be applied to larger lots within the Summer Village, such as the proposed annexation area.

³This regulation was adapted from the County’s Lakeshore Residential District regulations that currently apply to the proposed annexation area.

⁴The minimum road frontage regulation was added to ensure that lots created within the proposed annexation area would have a minimum 15.0 m of frontage along 2nd Street (as extended).

4. Infrastructure and Servicing

4.1 Transportation and Access

The proposed annexation area is accessed through the Summer Village of Poplar Bay via the southern extent of 2nd Street. 2nd Street intersects with Poplar Bay Drive (the primary transportation route through the Summer Village) approximately 100 metres north of the proposed annexation area.

The future development of the proposed annexation area for residential use will require improvements to 2nd Street to achieve Summer Village standards. The responsibility of improvements to (and future maintenance of) 2nd Street have been agreed to by the Summer Village and landowner, as identified in the Appendix E - Landowner Consent Agreement.

4.2 Water Servicing

The Summer Village does not operate a municipal potable water distribution system, and there are no current plans to develop one in the future. Landowners in the Summer Village are responsible for providing private on-site water systems to their own properties. Private on-site water is currently provided via individual private wells and cisterns or is brought from other locations.

Landowners in the Summer Village are responsible for providing private on-site water systems that are safe, efficient, and comply with all provincial and municipal policies and regulations.

4.3 Wastewater Servicing

Wastewater collection within the Summer Village is provided by the Summer Village. The system is connected to the South Pigeon Lake Regional Wastewater System.

As noted in Section 3.2.1 of this report, the Summer Village and the landowner agree that the landowner will be required to install a holding tank, and the Summer Village will install a connection line to the Summer Village's wastewater system to the holding tank at the landowner's sole cost, to bring the subject site into compliance with the Summer Village's Wastewater local Improvement levy Bylaw (No. 250) and the Municipal Wastewater Utility Bylaw (No. 253).

4.4 Stormwater Management

In the Summer Village of Poplar Bay stormwater run-off from individual residential lots is intended to drain into ditches adjacent to developed roadways or directly into the lake (as per Regulation 3 of Schedule B of the Summer Village's Land Use Bylaw).

Future residential developments within the proposed annexation area will be required to control stormwater runoff onsite and will direct any offsite run-off to ditches adjacent to 2nd Street, consistent with regulations of the Summer Village's Land Use Bylaw.

4.5 Municipal Services

Services provided in the Summer Village of Poplar Bay to residents include road maintenance, snow clearing, and emergency services. These services are provided by the Summer Village via Summer Village public works, local service providers, and intermunicipal agreements with other Summer Villages and the County of Westaskiwin. Residents and landowners who own seasonal and/or fulltime residential properties expect the Summer Village to continue to provide these services at existing or increased levels of service.

The proposed annexation will not have a negative impact on the Summer Village's ability to provide these services to residents the future.

5. Public and Stakeholder Engagement

Public engagement for this annexation application was undertaken in two phases. The first phase occurred in 2019 and early 2020 and was led by a consultant of the Summer Village who ceased involvement with this application in 2020.

In Summer 2020, Municipal Planning Services (2009) Ltd. was retained by the Summer Village to compile completed materials and information related to the proposed annexation, undertake a second phase of engagement with community residents and local referral agencies, and to prepare the annexation application report for submission to the Land and Property Rights Tribunal. The following is a summary of public and stakeholder engagement, including responses.

5.1 Phase 1 Engagement – 2019 to 2020⁵

5.1.1 Notification

In 2019, Summer Village of Poplar Bay Council authorized Summer Village Administration to formally proceed with a Notice of Annexation.⁶

A formal Annexation Notice of Intent was sent by Sylvia Roy (CAO for the Summer Village of Poplar Bay) in May 2019 to the Reeve and Council of the County of Wetaskiwin and the Municipal Government Board (MGB). The MGB provided a confirmation letter in June 2019.

Notification of the proposed annexation application was provided to Summer Village ratepayers on May 23, 2019. The notification letter included a description of proposed annexation area, reasons for the proposed annexation, and information about a public meeting to discuss the proposed annexation. Information about the public meeting is included in Section 5.1.3 of this report.

Affected agencies (Alberta Transportation, David Thompson Regional Health Authority, and Wetaskiwin Regional Public Schools) were notified of the proposed annexation in 2020.

5.1.2 Agency Responses

Referral Agency	Response:	Date
Alberta Transportation	Thank you for the opportunity to comment on a proposed annexation into the Summer Village of Poplar Bay. Strictly from a highways perspective, we would offer no objection to the annexation.	February 19, 2020
David Thompson Regional Health Authority	No Response	
Wetaskiwin Regional Public Schools	No Response	
Pigeon Lake Regional Emergency Management Agency	No Response	
County of Wetaskiwin	Further to our letter of August 15, 2017, this is to confirm that there are no outstanding issues from County of Wetaskiwin and further that there was no compensation for this property.	November 1, 2019

⁵ Public engagement completed during this phase of the project was completed by the Summer Village's previous consultant and has been summarized based on information provided to the Summer Village.

⁶ Although the Notice was issued in 2019, the Summer Village has been in negotiation with the County regarding this potential annexation since 2017, based on correspondences between the two municipalities.



County of Wetaskiwin No. 10

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

Phone: 780-352-3321

Fax: 780-352-3486

www.county.wetaskiwin.ab.ca

Strong Proactive Leadership • Safe Progressive Communities

November 1, 2019

Sent Via email Sylvia.Roy@svofficepl.com

Summer Village of Poplar Bay
Box 100
Ma-Me-O Beach, AB T0C 1X0

Attention: Sylvia Roy, CAO

Dear Ms. Roy:

**RE: PROPOSED PIDDE ANNEXATION
– SUMMER VILLAGE OF POPLAR BAY**

Further to our letter of August 15, 2017, this is to confirm that there are no outstanding issues from County of Wetaskiwin and further that there was no compensation for this property.

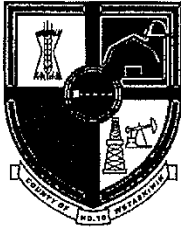
Should you require anything further please contact me directly at 780-361-6225.

Yours truly,

A handwritten signature in black ink, appearing to read 'Rod Hawken', written over a white background.

Rod Hawken
CAO

:bew



County of Wetaskiwin No. 10

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

Strong Proactive Leadership • Safe Progressive Communities

August 15, 2017

Summer Village of Poplar Bay
Attention: Sylvia Roy, CAO
Box 100
Ma-Me-O Beach, AB T0C 1X0

Re: Proposed Pidde Annexation – Summer Village of Poplar Bay

Sylvia
Dear Ms. Roy:

At the August 15, 2017 Council for Public Works meeting, Council reviewed the proposed Pidde Annexation of 5.38 acres of NW 28-46-1 W5M from the County of Wetaskiwin into the Summer Village of Poplar Bay. At this time, Council has elected to wave Section 28, under Annexation within the InterMunicipal Development Plan, which states:

"farmland and other lots over five (5) acres should be in the County and lots under (5) acres should be under the jurisdiction of whichever municipality provides legal road access."

Please be advised that the County of Wetaskiwin has no objection to the annexation.

If you have any questions or concerns please contact me directly at 780-361-6225.

Kind regards,

Rod Hawken,
Assistant County Administrator

:dd

5.1.3 2019 Public Meeting

Date and Time:	Wednesday, June 26, 2019 @ 10:00 AM
Venue:	Summer Village of Poplar Bay Office (605-2nd Avenue Summer Village of Ma-Me-O Beach, AB)
Attendance:	1 (not including Summer Village Council, Administration, or Consultant)
Presented By:	Sylvia Roy (CAO) & Frank Florkewich (Summer Village Consultant)
Purpose:	To provide information to the community and stakeholders regarding the proposed annexation

5.1.4 2019 Public Feedback

Prior to the public meeting, two submissions noting objections to the proposed annexation were provided to the Summer Village. Copies of these submissions are included in the next pages of this report.

FYI for the upcoming open house

From: L Rogers - [REDACTED]
Sent: Thursday, June 6, 2019 6:38 PM
To: bmeaney@shaw.ca
Subject: 2nd street / annexation

All Without Prejudice and confidential.

Hi Brian. Not sure if you have the attached so use as you see fit I guess.

There are many who think that 2nd street is not a legal road allowance and that the legal one is or was just to the west of it and that it was moved to what became 2nd street. The true RA became a deeded lot. In essence, it looks like a land flip occurred. This 2nd street just appeared magically one day and was donated by a developer in hopes of accessing County land from our village. The proposed subdivision confirms why. No notice was given to any of the adjoining affected property owners. Calls to the village office were, how you say, rebuffed. Nothing was found in old council minutes Until the village produces documentation to the contrary, the assumption is appropriate that Ministerial approval to close and move the RA was not obtained. The applicants stated on the record reasons for requesting the annexation are certainly justifiably questionable by many.

Thanks

RECEIVED

JUN 14 2019

June 7, 2019

Summer Village of Poplar Bay
Chief Administrative Officer – Sylvia Roy
Box 100, Ma-Me-O Beach, Alberta
T0C 1X0

Kyle & Karen Thorsell - Owners of [REDACTED] Poplar Bay
[REDACTED]

**Objection to the proposed restructure plan for the land listed as
Pt of NW-28-46-1-W5 (title no. 092 350 213)**

Attn: Sylvia Roy, CAO

As per the letter you sent out on 23 May 2019 in regard to the proposed restructure of the property mentioned above, consider this letter as our formal written objection.

The reasons for this objection is as follows:

- There is no benefit to add this property to the Summer Village of Poplar Bay, it has the potential to increase the traffic at the intersection of 2nd Street and Lakeview Drive, increasing the potential for an accident with the many children and pedestrians that use Lakeview Drive. This will also add considerable traffic & noise to my and adjacent properties which will devalue the property.
- With the size of the property in mention being 2.22ha (5.48 acres) it has the potential of being further subdivided adding more residences to the area which bring noise, a further strain on our sewer system and extra garbage. If not divided further the owner has the ability to have a small acreage or farm that has the potential for large equipment operation adding to the increased noise and traffic as 2nd Street is the only access.
- The addition of this property has the potential to add extra stress and use to the lakeshore on the public access land near this property should the new landowner choose to utilize this right of way. This area is already being extensively used and would get further diminished.
- Further to this we would like to see the council minutes and agenda and development permits that approved the building of 2nd street at its current location. Many of the local residents along this stretch of road never received any notice of the plan or construction of the road in its current location. The development plan from years past has 2nd street located to the west of its current location, so the validity of the road is in question.

- The owners of the property in question have had no investment of time or money into the SV with the development of our sewer system or any other improvements that have taken place to date. Not to mention the additional stress this size of property will have on the Pigeon Lake Watershed further adding problems to the already diminished lake quality.

If you should require any further clarification on these issues, we will certainly respond in due prudence to resolve the question.

Regards,

Two handwritten signatures in cursive script. The first signature appears to be 'K. Smith' and the second appears to be 'D. Hansen'.

5.2 Phase 2 Engagement – 2021 to Present

In Summer 2020, Municipal Planning Services (MPS) was retained by the Summer Village to complete the proposed annexation application. As part of MPS' review of past engagement materials and feedback, MPS noted the low response (and attendance) rate by Summer Village ratepayers/residents. MPS recommended that the Summer Village undertake an additional round of public engagement to ensure community members were properly notified/aware of the proposed annexation, and to address any concerns or issues that may be raised.

5.2.1 Public and Adjacent Landowner Notification

On March 10, 2021 a notice was published on the Summer Village of Poplar Bay website, providing residents and community members with an update on the Summer Village's proposed annexation. Concurrently, letters were mailed to adjacent landowners of the proposed annexation area (both within the Summer Village and the County of Wetaskiwin). The letter copy included a brief questionnaire to gauge if adjacent landowners were in favour of the proposed annexation, and if there were any concerns, comments, or questions regarding the proposed annexation.

Both the website notice and the letter to adjacent landowners included information about the proposed annexation (FAQ) and a map of the proposed annexation area.

A copy of the website notice and letter to adjacent landowners are included in Appendix D – What We Heard Reports.

Feedback was requested to be submitted to MPS and/or the Summer Village by April 6, 2021. By April 12, 2021, MPS had received the following:

Feedback Format	Number of Responses
Emails, Letters, Website Submissions	21
Phone Conversations	1
Emails/Letters forward from the Municipal Government Board	1

Copies of all written submissions are included in Appendix D – What We Heard Report.

Feedback received as part of this phase of public notification had a significantly higher response rate than what was reported as part of the Summer Village's Spring/Summer 2019 notification and public meeting. Of the responses received from residents/community members, 100% indicated that they either have objections or did not provide support.

5.2.2 May 2021 Online Open House

MPS reviewed the feedback with Summer Village Council and Administration in April 2022. At this time, Council decided to support MPS hosting a second public meeting. Due to COVID-19 public gathering and health restrictions, it was determined that the public meeting would be held online via zoom as an online open house.

On May 20, 2021 Municipal Planning Services (MPS) hosted the online open house for residents and community members of Poplar Bay. Persons could attend via a mobile/computer device or call in via their phone.

The meeting was led by planners Jane Dauphinee and Brad MacDonald of MPS and was attended by approximately 25-30 persons. Summer Village Council, Administration, and the landowner attended the online open house to hear public feedback.

MPS gave a presentation to attendees that provided information about:

- What annexation is (and the annexation process in Alberta);
- The Summer Village's proposed annexation of a property current in the County of Wetaskiwin;
- A summary of public engagement that had occurred to date (by the previous consultant/Administration and MPS)
- Answers to questions, comments, and suggestions provided by residents and community members following the notice sent to adjacent landowners and posted on the Summer Village's website.

During (and after) the presentation, MPS answered questions/comments asked by attendees through the platform's chat function. Following the session, a recording was hosted on MPS' YouTube channel and shared with the Summer Village for residents unable to attend the session live. The recording can be viewed at: <https://www.youtube.com/watch?v=wP-qW4poYGw>.

Following the online open house, MPS prepared a 'What We Heard' Report for Council and Administration that provided an overview of engagement information (attendance, format, etc.) as well as a summary of questions/comments posed by attendees, along with responses provided by MPS. These questions/comments and responses by MPS are included in Appendix D – What We Heard Reports.

From this feedback, MPS worked with Summer Village Administration to revise this annexation application to address potential concerns/issues raised by Summer Village community members (See Section 11.11 of this report).

5.2.3 County of Wetaskiwin Engagement

In addition to pre-2021 engagement, the County of Wetaskiwin has been notified of any updates to the Summer Village's proposed annexation application, including an invitation to attend the May 2021 online open house. No objections to the proposed annexation or requests for conditions have been received by the Summer Village.

6. Boundary Roads

The proposed annexation application affects one government road allowance as a boundary road, described as follows:

All that portion of the government road allowance (2nd Street) lying immediately north of:

ALL THAT PORTION OF THE NORTH HALF OF SECTION TWENTY EIGHT (28) TOWNSHIP FORTY SIX (46) RANGE ONE (1) WEST OF THE FIFTH MERIDIAN WHICH LIES SOUTH WEST OF THE SOUTH WESTERLY LIMIT OF ROAD PLAN 6542KS, CONTAINING 22.3 HECTARES (55 ACRES) MORE OR LESS.

EXCEPTING THEREOUT: HECTARES (ACRES) MORE OR LESS

EXCEPTING THEREOUT:		HECTARES	(ACRES) MORE OR LESS
A) PLAN 5128TR	SUBDIVISION	9.80	24.43
B) PLAN 7921318	SUBDIVISION	9.08	22.43
C) PLAN 9721788	SUBDIVISION	1.08	2.67
D) PLAN 9721790	SUBDIVISION	0.119	0.29

EXCEPTING THEREOUT ALL MINES AND MINERALS

The affected areas of this government road allowance are illustrated on the map on the next page of this report.

Affected Boundary Road

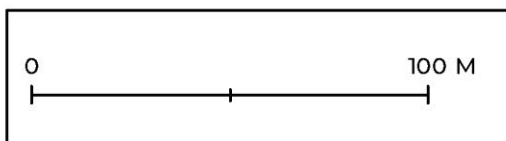


	Summer Village of Poplar Bay		County of Wetaskiwin		Affected Boundary Roads
	Proposed Annexation Area		Summer Village		

Mar. 2023



Digital Information:
Altalis, Open Data Alberta, MPS



7. Ownership

7.1 Land Title Certificate

A Land title certificate have been provided for the single parcel of land included within the proposed annexation area. This copy of certificate was issued on January 16, 2023 and includes the property's surface rights land title certificate.

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

Surface Title		
LINC	Short Legal	Title Number
27074046	NE, NW 28-46-1-5 (Referred to in this report as Pt. of NW 28-46-1-W5)	092 350 213

A copy of the land title is included on the following page of this report.

7.2 Landowner List

The following is a list identifying the only landowner within the proposed annexation area, as identified on the land title.

Landowner	Address	Type	Interest percentage
Paul J Pidde	2209-3 rd Avenue NW Calgary, AB T2N 0K7	Surface	100%

7.3 Landowner Consent

Written consent for the proposed annexation has been provided in the Landowner Consent Agreement (Appendix E of this Report), which was developed by the landowner and the Summer Village collaboratively.



LAND TITLE CERTIFICATE

S LINC SHORT LEGAL TITLE NUMBER
0027 074 046 5;1;46;28;NW,NE 092 350 213

LEGAL DESCRIPTION

ALL THAT PORTION OF THE NORTH HALF OF SECTION TWENTY EIGHT (28) TOWNSHIP FORTY SIX (46) RANGE ONE (1) WEST OF THE FIFTH MERIDIAN WHICH LIES SOUTH WEST OF THE SOUTH WESTERLY LIMIT OF ROAD PLAN 6542KS, CONTAINING 22.3 HECTARES (55 ACRES) MORE OR LESS.

Table with 4 columns: Plan, Subdivision/Descriptive, Hectares, Acres. Rows A) PLAN 5128TR, B) PLAN 7921318, C) PLAN 9721788, D) PLAN 9721790.

ESTATE: FEE SIMPLE

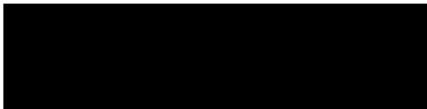
MUNICIPALITY: COUNTY OF WETASKIWIN NO. 10

REFERENCE NUMBER: 972 162 787 +1

Table with 5 columns: Registration, Date (DMY), Document Type, Value, Consideration. Row: 092 350 213, 29/09/2009, TRANSFER OF LAND, \$200,000, \$200,000.

OWNERS

PAUL J PIDDE



(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
092 350 213

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

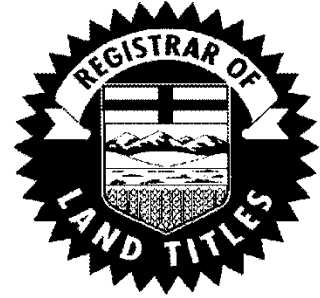
NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 16 DAY OF
JANUARY, 2023 AT 09:23 A.M.

ORDER NUMBER: 46256565

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

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

8. Proposed Effective Date

The Summer Village of Poplar Bay proposes that this annexation come into effect on April 1, 2023 (or the soonest possible date).

9. Identification of Special Conditions

9.1 Taxation and Assessment

The annexation has been proposed to facilitate access to the subject site through the Summer Village and enable future low density residential development within the subject lands. It is anticipated that this development will be initiated shortly after the finalization of the annexation.

The assessment category for the proposed annexation area is currently 'vacant residential' according to the County of Westaskiwin. The County's current assessed value will apply to the property until the next assessment cycle (following annexation), at which time the Summer Village of Poplar Bay's assessment of the property will be used.

9.2 Compensation

The Summer Village of Poplar Bay does not propose to provide compensation to the County of Wetaskiwin for the proposed annexation, as the affected area is currently undeveloped, and does not represent a significant loss in the County's population, total land area, or taxation base. No request for compensation has been made by the County.

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

9.3 Subject to Removal Clause

No 'Subject to Removal Clause' (or triggering event) effecting the proposed annexation application has been identified.

10. Other Relevant Matters

10.1 Agreed Upon Issues/Non-Agreement Issues

1. The Summer Village of Poplar Bay and the landowner have entered into a Landowner Consent Agreement (Appendix E) regarding the conditions of the proposed annexation. The Agreement identifies issues agreed upon by both parties.
2. There are no issues of non-agreement between the Summer Village and the Landowner regarding the proposed annexation.
3. There are no issues of non-agreement between the Summer Village and the County of Wetaskiwin regarding the proposed annexation.
4. The Summer Village of Poplar Bay and the County of Wetaskiwin agree to the annexation described in this report.
5. The Summer Village of Poplar Bay and the County of Wetaskiwin agree that the proposed annexation is consistent with the Land and Property Rights Tribunal's Annexation principles.
6. The Summer Village of Poplar Bay and the County of Wetaskiwin agree that the Summer Village will not pay the County any compensation for lost revenue for the annexation given the size of the proposed annexation area and that the proposed annexation does not compete with the County's growth aspirations.
7. The Summer Village of Poplar Bay and the County of Wetaskiwin agree that, subject to any mutually agreed upon servicing agreements, upon the effective date of the annexation, the Summer Village should be responsible for:
 - a. the control, management, and maintenance of all roads within and adjacent to the annexed land; and
 - b. providing municipal services within the annexed land.
8. The Summer Village of Poplar Bay and the County of Wetaskiwin agree that, as of the effective date of the annexation, the proposed annexed lands should be governed by the County's Municipal Development Plan and Land Use Bylaw until the Summer Village amends their Municipal Development Plan and Land Use Bylaw accordingly.
9. The Summer Village of Poplar Bay and the County of Wetaskiwin agree that all communications are to be confidential and without prejudice.



Fraser Hubbard
Mayor, Summer Village of Poplar Bay

Jan 20/23

Date



Josh Bishop
Reeve, County of Wetaskiwin

February 21/23

Date

10.2 Public Consultation Activities

See Section 5 of this report for a summary of public consultation activities and feedback.

10.3 Public Consultation Summary

See Section 5 of this report for a summary of public consultation activities and feedback.

10.4 Non-Agreement Issues

No non-agreement issues were deemed necessary by the Summer Village of Poplar Bay or the County of Wetaskiwin for the purpose of this annexation application.

10.5 Mediation Attempts

No mediation was necessary for the purpose of this annexation application.

10.6 Reasons Mediation Failed

No mediation was necessary for the purpose of this annexation application.

11. Other Information - 15 Annexation Principles

11.1 Intermunicipal Cooperation

The Summer Village of Poplar Bay and the County of Wetaskiwin have communicated openly regarding the proposed annexation, and to develop the resolutions in support of the proposed annexation.

The policies of the municipalities' Intermunicipal Development Plan were followed through this process.

11.2 Accommodation of Growth

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

11.3 Recognition of Local Autonomy

The proposed annexation recognizes the local autonomy of both the Summer Village of Poplar Bay and County of Wetaskiwin. The proposed annexation area (approximately 2.2 hectares (5.38 acres)) represents approximately 0.000007% of the County's total area. The annexation of the proposed annexation area by the Summer Village of Poplar Bay will not create a significant financial impact for the County of Wetaskiwin.

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

11.4 Land Requirement and Growth Projection Consideration

This proposed annexation does not stand to increase the population or number of residential lots or in the Summer Village or decrease the population of the County as the subject site is currently undeveloped.

Should residential development occur in the future, it is anticipated (based on current regulations in the Summer Village's Land Use Bylaw restricting maximum parcel sizes for lots located away from Pigeon Lake) that the future density of the proposed annexation will have a very minimal impact on the Summer Village's overall population.

11.5 Logical Extension of Growth Patterns, Transportation, and Servicing

The proposed annexation area is immediately adjacent to the current Summer Village of Poplar Bay municipal boundaries.

The proposed annexation will not alter the Summer Village of Poplar Bay's current levels of services to residents and landowners.

11.6 Administration of Services

The Summer Village has capacity to administer services to the proposed annexation area.

11.7 Environmental and Natural Features

Future development in the annexation area will proceed in accordance with environmental policies set out in the South Pigeon Lake Intermunicipal Development Plan (and as updated), the Summer Village of Poplar Bay Municipal Development Plan (once approved), the Summer Village of Poplar Bay Land Use Bylaw, and all provincial Acts and regulations respecting significant environmental and natural features.

11.8 Alignment with Plans

The County of Wetaskiwin and the Summer Village of Poplar Bay currently share an Intermunicipal Development Plan (along with three other Summer Villages). As of the time of this report's submission to the Land and Property Rights Tribunal, the municipalities are in the process of preparing a new Intermunicipal Development Plan. No estimate of completion is available at the time of this report's submission. If the annexation application is successful, the County and the Summer Village will ensure that the proposed annexation area is properly addressed in the new South Pigeon Lake Intermunicipal Development Plan.

The Summer Village's current Municipal Development Plan was approved in 2021. If the annexation application is successful, the Summer Village will amend its Municipal Development Plan to include the proposed annexation area in the Residential Development Area.

The Summer Village will also amend the Summer Village of Poplar Bay Land Use Bylaw to ensure that the proposed annexation area is included in the Land Use Districts identified in Section 3.2.2 of this report.

11.9 Financial Impact

The annexation area (approximately 2.2 hectares (5.38 acres)) represents approximately 0.000007% of the County of Wetaskiwin's total land area. The potential financial impact on the County's ability to collect tax assessment would be minimal.

11.10 Agency Consultation

See Sections 5 and 12 of this report for summaries of agency consultation and feedback.

11.11 Reasonable Solutions to Impacts on Owners/Citizens

Potential impacts/concerns raised by Summer Village community members through public engagement for this proposed annexation application have been addressed through the Landowner Consent Agreement (included as Appendix E of this report). The following is a summary of how these potential impacts/concerns have been addressed.

Potential Impact/Concern	Solution
Future extension of 2 nd Street to provide access to other lands in the County.	The Summer Village and the landowner acknowledge and agree that the extension of 2nd Street through the annexation lands for the purpose of providing road access to the County lands adjacent to the southern boundary of the site will not be allowed.
Future multi-lot subdivision of the proposed annexation area	The intended future land use of the proposed annexation area will be a two-lot subdivision. The Summer Village has committed to implementing this future use through amendments to its Land Use Bylaw to redistrict the proposed annexation area.
Infrastructure costs to upgrade 2 nd Street and to extend services to the proposed annexation area	<p>The landowner will be required to install a holding tank, and the Summer Village will install a connection line to the Summer Village's wastewater system to the holding tank at the landowner's sole cost, to bring the subject site into compliance with the Summer Village's Wastewater local Improvement levy Bylaw (No. 250) and the Municipal Wastewater Utility Bylaw (No. 253).</p> <p>The Summer Village and the Landowner have agreed that the landowner will be responsible for the costs of upgrading the access road to the lands, (2nd Street), to the standards mutually agreed to in the Landowner Consent Agreement.</p> <p>The provision of franchise utilities/services to the proposed annexation area (e.g. power, communications, etc.) will at the landowner's sole cost.</p>

Removal of trees, vegetation	The proposed annexation area will be subject to the policies of the Summer Village’s Intermunicipal Development Plan and Municipal Development Plan with respect to landscaping and the retention of vegetation.
Management of stormwater	The proposed annexation area will be subject to the ‘Site Drainage’ regulations of the Summer Village’s Land Use Bylaw which requires that any grading of a lot ensure that water flows into the lake, a soakaway, or the drainage system of a street/lane. The Summer Village’s Land Use Bylaw requires that a grading plan be included with an application for development of a new building.

11.12 Public/Landowner Consultation Process

See Section 5 of this report for a summary of public consultation activities and feedback.

11.13 Intermunicipal Revenue Sharing /Compensation

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

11.14 Rationale for Annexation

The annexation area (approximately 2.2 hectares (5.38 acres)) represents approximately 0.000007% of the County of Wetaskiwin’s total land area.

The land is not a significant revenue generator for the County; it is undeveloped and of marginal agricultural land due to:

- the parcel size;
- existing tree and vegetative cover;
- proximity to developed residential lots in the Summer Village and County;
- current road access via the Summer Village only.

This annexation application has been proposed because the proposed annexation area is only accessible via 2nd Street in the Summer Village of Poplar Bay. The future development and subdivision of the proposed annexation area will be connected to the existing wastewater collection system in the Summer Village and will not have a negative impact on the Summer Village’s provision of services to residents.

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

11.15 Conditions of Annexation

The Summer Village of Poplar Bay submits that the proposed annexation meets the condition that the annexation “must be certain, unambiguous, enforceable, and be time specific.”

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

The other conditions as set out in the annexation agreement are identified in Section 3 (and Appendix E – Landowner Consent Agreement) of this report.

12. Involvement of Public Interests

Copies of responses to the Summer Village of Poplar Bay’s proposed annexation application are included with this report as Appendix D – What We Heard Reports.

A complete list of public interests notified and consulted as a part of this annexation application is as follows:

Agency	Response(s)
Alberta Health Services	No Response
Alberta Transportation	No Objections
Canada Post	No Response
CP Railway	No Response
Alberta Culture and Status of Women	No Response
Telus	No Response
AltaGas	No Response
Fortis Alberta	No Response
Wetaskiwin Regional Public Schools	No Response
St. Thomas Aquinas Roman Catholic Separate Regional Division	No Response
County of Wetaskiwin	No Objections
Pigeon Lake Watershed Association	No Response

⁷ The South Pigeon Lake IDP is currently being updated by the County and four Summer Villages (including the Summer Village of Poplar Bay).

contractor under the tender process; the balance will be due upon completion of the project within 30 days of receipt of each invoice.

If the value of the tender is within the approved capital budget value, the project will be awarded. If the value is over the approved capital budget value, approval shall be required by participating municipalities within 30 days.

26. The Intermunicipal Development Plan Agreement may be amended if a new road is constructed and a cost sharing formula has been agreed upon between the municipalities with an interest in that road.
27. Reserves for capital projects (“Capital Reserves”) will be maintained by each municipality based on the capital forecast (the “10 Year Capital Plan”) as provided by the County and approved by each municipality. The transferring of funds from one road’s maximum target maintenance reserve fund to another maximum target maintenance reserve fund or approved capital project can only be done with the approval of the municipalities paying into the road from which the transferred reserves came. Any remaining funds will be allocated according to the cost sharing percentages found in Appendix “C.”

ANNEXATION

28. Land should remain in whichever municipality is best able to provide services and access to it and its owners. As a general rule, farmland and other lots over five (5) acres should be in the County and lots under five

(5) acres should be under the jurisdiction of whichever municipality provides legal road access.

29. Legal road access will be set out in the area structure plan for new development.

30. The County agrees not to contest annexation applications made by Summer Village party if:

- a. For lots that are already subdivided the lot or lots have legal access to the Summer Village road;
- b. For un-subdivided land
 - i. The land is the subject of an application to subdivide into two or more lots; and
 - ii. The lot or lots have legal access to the Summer Village road.

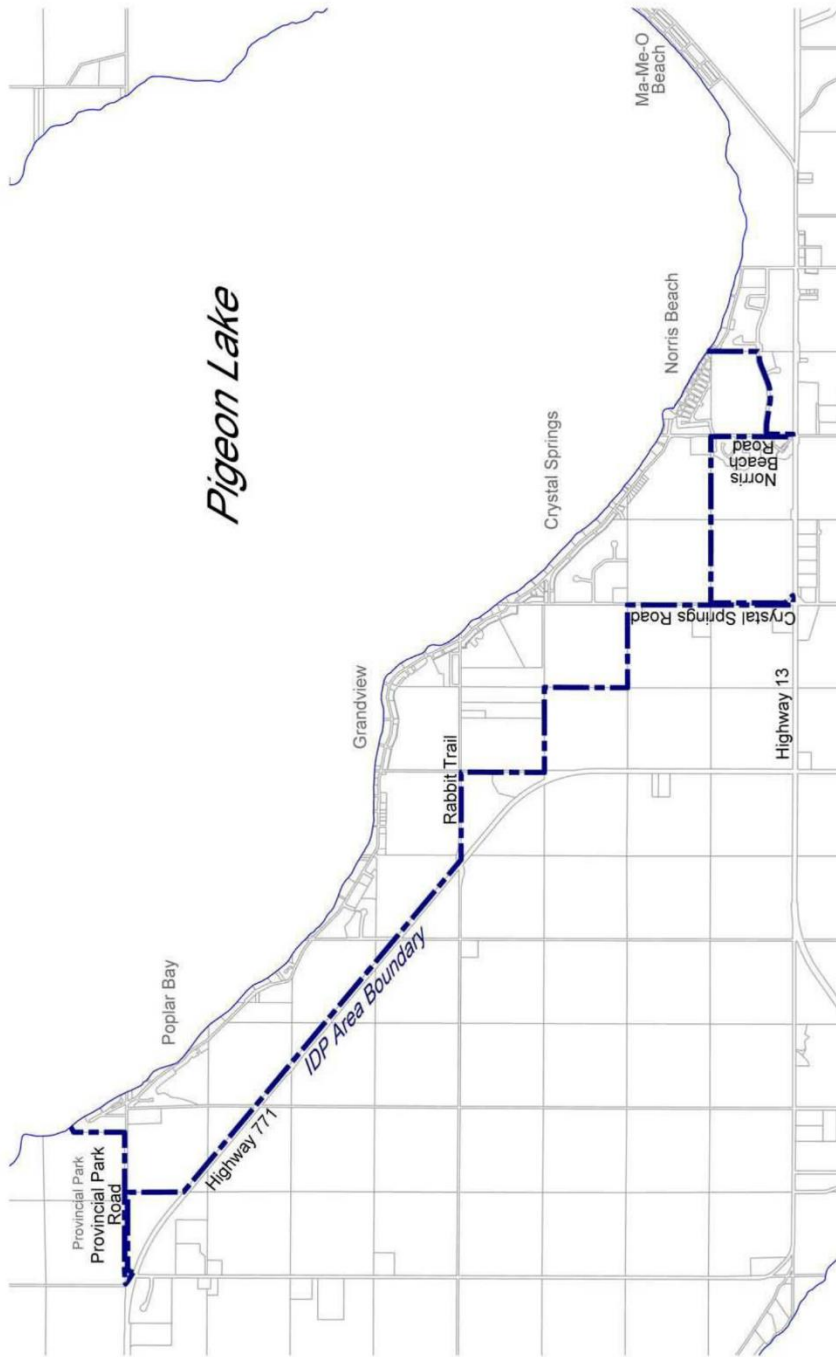
31. The Covenant Bay Bible Camp will be annexed to Poplar Bay under the following conditions:

- a. The parties agree that the annexation of this parcel is a one-time exception to the terms set out in this agreement;
- b. The owners of the parcel agree with the annexation and these conditions;
- c. Taxation will be the same under the jurisdiction of Poplar Bay as under the jurisdiction of the County;
- d. Poplar Bay will not contest an annexation application by the County:

Appendix B – County Planning Documents Excerpts

Includes excerpts from the County of Wetaskiwin Municipal Development Plan (Bylaw 2010-34)⁸ and Land Use Bylaw (Bylaw 2017-48), both as amended.

⁸ The County is currently in the process of updating its Municipal Development Plan; at the time of this report's submission, Bylaw 2010-34, as amended, is the County's applicable Municipal Development Plan.

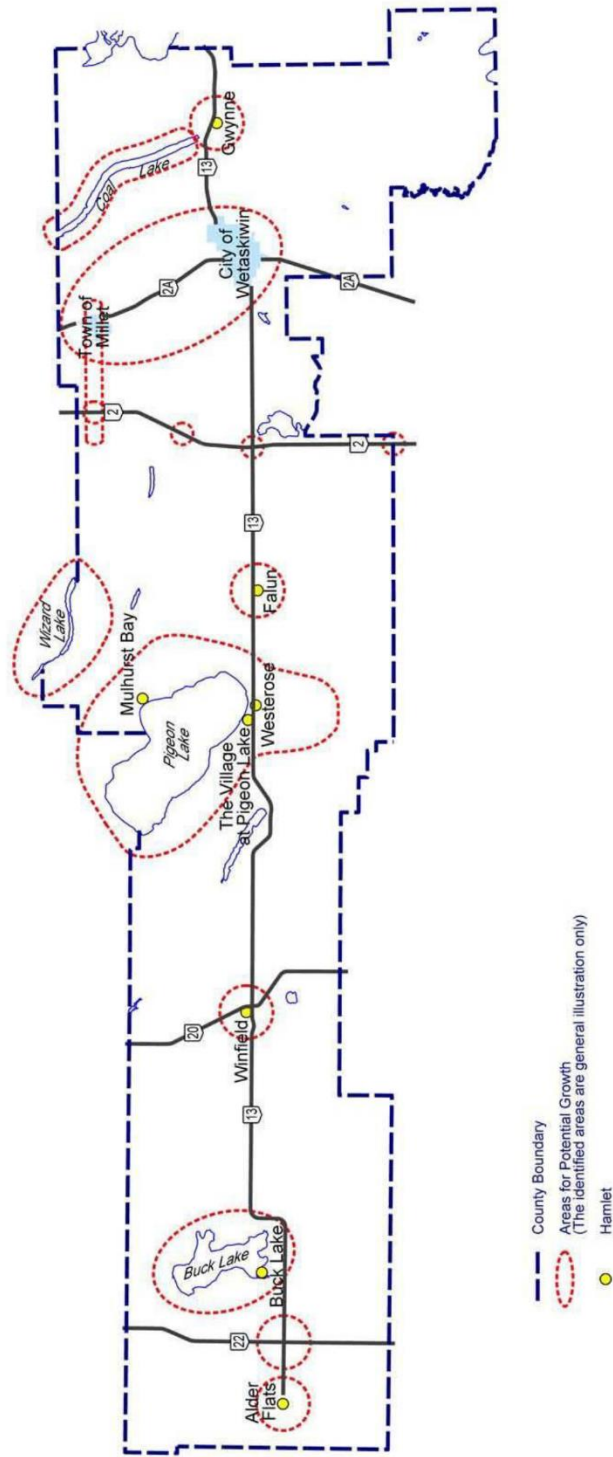


County of Wetaskiwin No. 10
Municipal Development Plan

Figure 8: IDP Areas - Pigeon Lake

Scale 1:50,000





County of Wetaskiwin No. 10
 Municipal Development Plan
Figure 9: Areas for Growth Potential

Scale 1:500 000



Objective 6.3 Support the designation of historic resources through the Provincial historic site designation

The development of historic sites as tourist attractions benefits the County's economic base and preserves the County's historical heritage for future generations.

6.3.1 Council may allow the subdivision of a parcel of land for a registered or Provincial historic resource.

6.3.2 Notwithstanding previous subdivision and soil quality, and subject to rezoning if necessary, Council may allow the subdivision of a parcel of land for a use that has the potential to be designated as a historic resource.

7 Intermunicipal

Adjacent municipalities to the County of Wetaskiwin are:

- Urban Municipalities: City of Wetaskiwin and Town of Millet;
- Rural Municipalities: Leduc County, Camrose County, Ponoka County, Clearwater County and Brazeau County;
- Summer Villages: Argentia Beach, Crystal Springs, Ma-Me-O Beach, Grandview, Ma-Me-O Beach, Norris Beach, Poplar Bay, and Silver Beach; and
- First Nation Indian Reserves: Samson, Pigeon Lake, Buck Lake (Paul), Louis Bull, and Ermineskin.

Many of the issues such as farmland protection programs, identifying areas for residential development, and lake shore development, require input from adjacent municipalities and First Nations.

Objective 7.1 Coordinate development in the fringe area with adjacent municipalities and First Nation Indian Reserves

Maintaining constant communication with adjacent communities is an important part of achieving well planned communities. Development near the municipal boundary influences both municipalities. Neighbouring communities should be properly informed regarding development activities within the fringe area.

7.1.1 Fringe area is established as 1.6 km (1 mile) from the municipal boundary, the established hamlet boundary, or the First Nation Reserve boundary.

7.1.2 All area structure plans, zoning bylaw amendment, subdivision, and discretionary development applications need to be referred to the adjacent municipalities and First Nations within the fringe area for their comment.

Objective 7.2 Preserve the lands adjacent to urban centres for long-term conversion to urban uses

The County adopted an Intermunicipal Development Plan with the City of Wetaskiwin in 1998 (Bylaw 98/66) and South Pigeon Lake Intermunicipal Development Plan in 2002 (Bylaw 2002/50) with Summer Villages of Crystal Springs, Grandview, Norris Beach and Poplar Bay. The areas for Intermunicipal development plans are shown in Figure 7 and Figure 8. The County has also completed the Millet-Wetaskiwin Acreage Study Area

Structure Plan with input from the town to determine areas for potential residential development.

- 7.2.1 Development adjacent to the City of Wetaskiwin and Summer Villages at Pigeon Lake will follow the respective Intermunicipal Development Plans.
- 7.2.2 With the absence of an Intermunicipal Development Plan, a development proposal in a fringe area of urban municipalities should allow eventual conversion of the subject lands to urban uses if the land is annexed.
- 7.2.3 Residential development in the fringe areas around the Town of Millet is required to meet the development standard that would not encumber potential future annexation of the County land.
- 7.2.4 Low density uses such as multi-lot residential development in agricultural land may be allowed in urban fringe areas if an approved area structure plan designates the land for such development.
- 7.2.5 For the subdivision in urban fringe areas, which are likely to be built with a higher density, the municipal reserve dedication should be made by land, not by cash in lieu payment. If the location of reserves cannot be determined, they will be deferred to the remainder of the land.

10.7 Lakeshore Residential District (LR)

10.7.1 Purpose

The purpose of the Lakeshore Residential District (LR) is to allow for the subdivision and development of residential uses adjacent to County lakes.

10.7.2 Lake Access

Through the planning process Council will ensure that public access to lakes is maintained and, where possible, enhanced.

10.7.3 Permitted Uses

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

10.7.4 Discretionary Uses

- a) Dwelling, Mobile – New
- b) Dwelling, Mobile – Used
- c) Dwelling, Modular – New
- d) Dwelling, Modular – Used
- e) Dwelling, Moved-in
- f) Dwelling, Secondary Suite
- g) Bed and Breakfast
- h) Guest Cabin - if a primary dwelling exists
- i) Public Utility
- j) Show Home
- k) Recreational Units Use (where no dwelling exists – maximum 3-year permit. If the landowner wants the use to continue, they may reapply for the use prior to the expiry of the development permit)
- l) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- m) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- n) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- o) Buildings and uses accessory to the above

10.7.5 Lot Sizes

- a) In a proposed subdivision served or to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 450.0 square meters (4857 square feet) and a minimum width of 15.2 meters (50 feet).
- b) In a proposed subdivision served or to be served by a municipal sewer service, but not by a municipal water service, each lot intended for residential use shall have an area of at least 929.0 square meters (10,000 square feet) and an average width of at least 21.3 meters (70 feet).
- c) In a proposed subdivision served or to be served by a municipal water service, but not by a municipal sewer service, each lot intended for residential use must have an area of at least 1,394.0 square meters (15,000 square feet) with a minimum width of 30.5 meters (100 feet).
- d) In a proposed subdivision not served or not to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 1,858.0 square meters (20,000 square feet) with a minimum width of 30.5 meters (100 feet).
- e) Irregular (i.e. pie-shaped) lots under (c) and (d) above must have a minimum average lot width of 30.5 meters (100 feet).

10.7.6 Setbacks

- a) No development can be located within 6.0 meters (20 feet) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 metres (8 feet) of any other property line. (*amended by Bylaw 2019/44*)

10.7.7 Site Coverage

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

10.7.8 Guest Cabin

Guest cabins must not contain kitchen or plumbing services and must fall under the requirements of the definition of this Bylaw.

10.7.9 Environmental Protection Measures

- a) See Section 9.3.
- b) No more than 50% of the area in a Lakeshore Residential parcel can be cleared of its natural vegetation.

10.7.10 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet)

10.7.11 Recreational Units

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

10.7.12 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.7.13 Utility Hookups

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

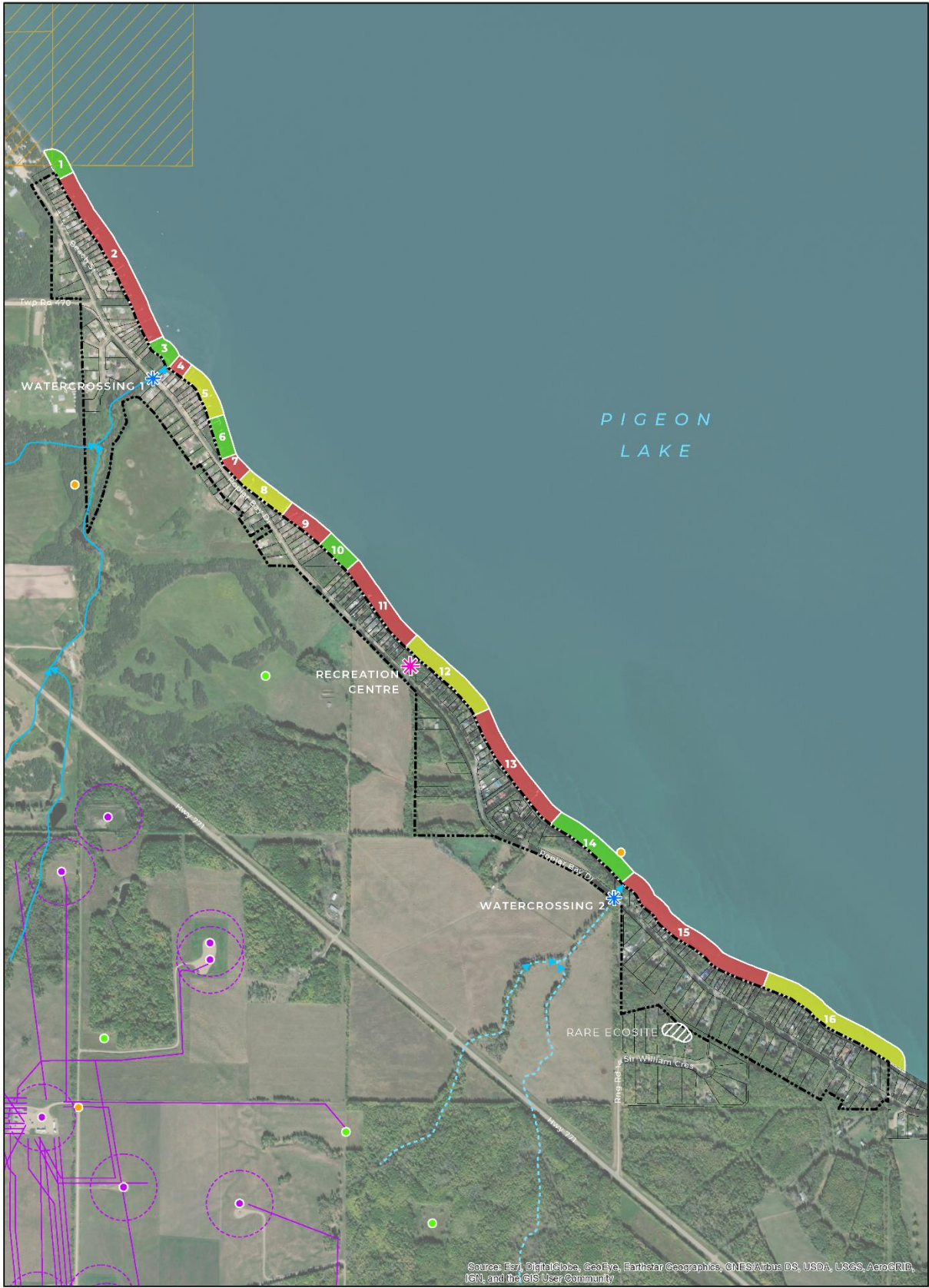
10.7.14 Enforcement

Offences and fines are outlined in Section 5, Contravention.

Appendix C – Summer Village Planning Document Excerpts

Includes excerpts from the Summer Village of Poplar Bay Municipal Development Plan (Bylaw No. 270) and Land Use Bylaw (Bylaw 161).⁹

⁹ Excerpts from the Land Use Bylaw include regulations for the Residential and Low Density Residential Districts, which are intended be to applied to the proposed annexation by a future amendment. The regulations of the Low Density Residential District are to be amended, as identified in Section 3.2.2 of this report.



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

Municipal Boundary	Intermittent stream	100m Setback	Shoreline Assessment
Recreation Centre	Permanent stream	Operating, Issued Oil & Gas Wells	
Rare Ecosite	Historic Resources	Reclamation Certified Oil & Gas Wells	
Watercourse Crossing	Oil & Gas Pipelines	Reclamation Exempt Oil & Gas Wells	

MAP A.1
LOCAL FEATURES

SV of POPLAR BAY
MUNICIPAL DEVELOPMENT PLAN

Digital Information: Ceogratis, Geodiscover, and Aiscalis
Projection: UTM NAD 83 12N



November 2020
0 100 200
M



Schedule C: District Regulations

1. Regulations for the Residential District

1.1 Permitted Uses

The following uses are permitted in the Residential District:

- 1.1.1 New single detached dwellings of conventional construction.
- 1.1.2 Public parks and recreation areas.
- 1.1.3 Guest houses.
- 1.1.4 Accessory buildings to the above uses (including recreational buildings).

1.2 Discretionary Uses

The following uses may be allowed in the Residential District at the discretion of the Development Authority:

- 1.2.1 Moved-in buildings (see Schedule B, section 2).
- 1.2.2 Mobile and modular homes.
- 1.2.3 Home businesses which, in the opinion of the Development Authority, are compatible with the residential purpose of the neighbourhood, and which have adequate on-site parking.
- 1.2.4 Repealed [Bylaw 166]
- 1.2.5 Gates, fences, walls, and other means of enclosure higher than 2.0 metres (7 feet) [Bylaw 166] in front yards and 2 metres (7 feet) elsewhere. *[Fences under that height do not need a development permit.]*
- 1.2.6 Unattended utility structures serving the immediate neighbourhood.
- 1.2.7 Municipal operations.
- 1.2.8 Buildings accessory to the above uses.

1.3 Minimum Lot Sizes

Every lot shall have a width of at least 30 metres (99 feet), a depth of at least 60 metres (197 feet), and an area of at least 1850 square metres (19,910 sq feet) *[to conform with plumbing regulations where sewage is disposed of on-site]*

1.4 Height of Buildings

1.4.1 Main buildings:

No main building shall exceed 8.5 metres (28 feet) above grade in height, measured from the grade of the street to the peak of the roof.

[Bylaw 195]

1.4.2 **Accessory buildings: No accessory building shall exceed 5 metres (16.5 feet) in height, measured from the grade of the street to the peak of the roof.** [Bylaw 195]

1.4.3 **Despite 1.4.2, a guest house built over a garage may be up to 8.5 metres (28 feet) in height, measured from the grade of the street to the peak of the roof.** [Bylaw 195]

1.5 **Density of Residential Development**

1.5.1 **No more than one main dwelling and one guest house shall be placed on a lot.**

1.5.2 **The combined ground coverage of all buildings on a lot shall not exceed 30% of the area of the lot.**

1.6 **Yards and Setbacks**

1.6.1 **Main buildings and guest houses shall be set back the following distances from property lines:**

Front: 6 metres (20 feet)

Side: 1.5 metres (5 feet), or half the height from the grade of the street to the eaves on that side of the building, whichever is greater [Bylaw 195]

Rear: 6 metres (20 feet)

Before any framing has commenced, a Real Property Report or a Letter of Assurance issued by an Alberta Land Surveyor must be provided to the Summer Village certifying that the footings are placed in accordance with the approved Development Permit. [Bylaw 195]

1.6.2 **Accessory buildings shall be set back the following distances from all property lines:**

Front: No accessory buildings shall be located in a front yard. [Bylaw 186]

Side: 1.5 metres (5 feet)

Rear: 1.5 metres (5 feet), except that where the vehicle doors of a garage face a road or lane abutting the lot, the garage shall be no closer than 6 metres (20 feet) to the road or lane.

Before any framing has commenced, a Real Property Report or a Letter of Assurance issued by an Alberta Land Surveyor must be provided to the Summer Village certifying that the footings are placed in accordance with the approved Development Permit. [Bylaw 166]

1.6.3 **All buildings shall be separated by a clear space of at least 3 metres (10 feet) unless a waiver has been obtained under the Alberta Building Code.**

- 1.6.4 Yard and setback requirements apply to decks constructed 300mm (twelve inches) or more above grade, but not to steps or patios.
- 1.6.5 Cantilevered extensions, bay windows, chimneys, eaves, and other features extending outside the building footings shall not intrude more than 0.5 metres (20 inches) into the side yards required by section 1.6.1.

1.7 Accessory Buildings

A guest house, garage, storage shed, or boathouse may be built on any lot provided that

- 1.7.1 all required yards and setbacks are maintained,
- 1.7.2 the combined ground coverage of all accessory buildings on the lot does not exceed 100 square metres (1075 sq feet), and
- 1.7.4 the combined ground coverage of all buildings on the lot conforms with the maximum set out in section 1.5.2 above.

1.8 Recreational Vehicles

Deleted [Bylaw 166]

1.10 Guest houses

- 1.10.1 Guest houses shall be of new, conventional construction and of good appearance. A mobile home or travel trailer shall not be used as a guest house.
- 1.10.2 Guest houses shall be constructed in the rear of the lot and behind the rear walls of the main buildings on the adjacent lots.
- 1.10.3 Guest houses shall contain only one storey unless they are built over a garage.
- 1.10.4 Guest houses shall not contain a kitchen.
- 1.10.4 Sleeping accommodation above a garage or other accessory building is deemed to be a guest house, and where such accommodation exists, no freestanding guest house shall be constructed on the lot.
- 1.10.5 The total usable floor area of a guest house shall be no more than 50 square metres (538 sq feet).

2. Regulations for the Low Density Residential District

No land will be zoned as LDR at present. This zone may be applied to land not yet annexed, where lakefront densities are inappropriate. Having the rules written now will help landowners outside the village plan their developments.

The regulations for the Low Density Residential District are identical with those for the Residential District except as follows:

- 2.1 Residential lots shall be at least 8,000 square metres (2 acres) in area with a minimum width of 60 metres (200 feet).**
- 2.2 The minimum front and rear yard for all buildings is 15 metres (50 feet) and the minimum side yard is 6 metres (20 feet).**
- 2.3 No more than 10% of the area of the lot shall be covered by buildings.**
- 2.4 At the discretion of the Development Authority, a recreational vehicle may be used as the main dwelling on a lot, but in that case no other recreational vehicle shall be parked on the lot whether occupied or unoccupied, and no guest house shall be constructed on the lot.**

Proposed Summer Village of Poplar Bay Annexation

Report to Council | 16 April 2021

Overview of 2021 Notification/Engagement

On March 10, 2021 a notice was published on the Summer Village of Poplar Bay website, providing residents and community members with a second notice regarding the Summer Village's intent to annex lands and provide an update on the proposed annexation of Pt. of NW-28-46-01-W5. Concurrently, letters were mailed to adjacent landowners of the proposed annexation area (both within the Summer Village and the County of Wetaskiwin). The letter copy included a brief questionnaire to gauge if adjacent landowners were in favour of the proposed annexation, and if there were any concerns, comments, or questions regarding the proposed annexation.

Feedback was requested to be submitted to MPS and/or the Summer Village by April 6, 2021.

As of April 12, 2021, MPS has received the following:

FEEDBACK FORMAT	NUMBER OF RESPONSES
Emails, Letters, Website Submissions	21
Phone Conversations	1
Emails/Letters forward from the Municipal Government Board	1

Note: MPS to confirm all feedback received by Summer Village Administration has been forwarded to MPS.

Feedback received as part of this phase of public notification has had a significantly higher response rate than what was reported as part of the Summer Village's Spring/Summer 2019 notification and public open house.

Several residents/community members have submitted (or copied) feedback to the Municipal Government Board.

Feedback provided to MPS is included as **Appendix A** to this Report.

Summary of Feedback Received

Of the responses received from residents/community members, 100% indicated that they have objections or did not provide support.

MPS has completed a review of the feedback provided to our office by Poplar Bay residents/community members via email and messaged forwarded by Summer Village Administration. The following is a list of common issues, concerns, and themes raised in these responses.

Note: 'Numbers of Mentions' are approximate, based on MPS staff reading through the responses and making note of when issues, concerns, and themes were identified.

PROCEDURAL ISSUES	NUMBER OF MENTIONS
Concerns about consultation, notification	11
No Response to questions posed to Council/Administration (2019, 2020)	3
Concern about land deal with wastewater facility lands	5

TRAFFIC/ROAD ISSUES	NUMBER OF MENTIONS
Location/development of 2 nd Street in current location	3
Increased traffic	12
Road/pedestrian safety	10

Road access could be provided from County/other location(s)	6
---	---

COMMUNITY ISSUES	NUMBER OF MENTIONS
Not in the best interest of the Summer Village/No benefit to Summer Village	11
Subject site has not contributed to wastewater facility costs to date, other community improvements	1
Concern about additional/future costs for the Summer Village	8
Potential for increased noise	6
Loss of property value	5
Future construction concerns	10
Impacts on the wastewater system	2
Impacts on public access to Pigeon Lake, boat mooring	9

ENVIRONMENTAL ISSUES	NUMBER OF MENTIONS
No environmental reports have been prepared	1
Impacts on Pigeon Lake Watershed/Local environment	11
Potential deforestation	6
Impacts on stormwater drainage, groundwater runoff	2

SUBDIVISION/FUTURE SITE DENSITY	NUMBER OF MENTIONS
Concern that more than two lots will be subdivided	13
If only two lots are subdivided, not a major concern	4
Multiple unbuilt subdivisions in the Pigeon Lake area, no need for more	2
Subdivision should be applied for within the County	1
Concern that this will lead to the development (or access via the Summer Village) of lands to the south of the proposed annexation area	6

Suggested Resolutions to Concerns (From Responses)

The following is a list of potential resolutions noted by residents/community members that provided feedback to MPS that may alleviate concerns or objections to the proposed annexation (or elements thereof).

Note: 'Suggested Resolutions' from responses identified below are not copied verbatim from the feedback responses; rather they have been edited for brevity and/or clarity.

SUGGESTED RESOLUTIONS
Provide certainty (e.g. caveat, bylaw) that only two lots may be subdivided from the proposed annexation area
Provide certainty that no vehicle access will be provided to County lands to the south of the proposed annexation area
Provide certainty that upgrades to local roads and wastewater servicing to service the proposed annexation area will be the financial responsibility of the landowner
Create a reserve boundary/buffer on the periphery of the proposed annexation area from Summer Village properties
Hold a public meeting between the Summer Village Council/Administration, the proposed annexation area landowner, and residents/community members to: <ul style="list-style-type: none"> • Share information about the purpose/history/process of the proposed annexation application • Answer questions from residents/community members

- Discuss opportunities to address residents/community members' concerns

MPS Recommendations

MPS notes the significantly higher response rate to the recent public notification process, particularly compared to the reported response rate to the 2019 public engagement process (open house and notification) conducted by the Summer Village's previous project consultant.

The feedback summarized in this report (included unedited in Appendix A) identifies several key issues/themes of objection:

- Lack of notification/information about the annexation application's purpose/history/process;
- No benefits to the Summer Village to have the subject lands annexed into the Summer Village have been provided;
- Concern about future costs to the Summer Village associated with this annexation (road maintenance, upgrades to roads/servicing, use of wastewater system);
- Concern about the intended future use/density of the proposed annexation area and lands to the south;
- Concern and questions about the location/development of 2nd Street in its current location;
- Concerns regarding pedestrian safety, traffic, use/access to nearby public lands, boat mooring congestion, noise, future construction;
- Environmental concerns regarding impacts on the watershed, surface water runoff, tree/vegetation clearing;

We also note that several residents/community members have provided the Municipal Government Board with letters of objection to the proposed annexation (based on our having received copies of emails/letters from residents/community members, and responses provided by the Municipal Government Board to residents/community members). Should the Summer Village submit a completed annexation application to the Municipal Government Board, a hearing will be a required component of the Municipal Government Board's review/decision making process. It is highly likely that one or more residents/community members may be represented at the Municipal Government Board's hearing by legal counsel.

Of note, several responses provided to MPS indicated that the application may be supported (or, no longer objected to) if sufficient assurances can be provided that:

MPs **recommends** that Summer Village Council (if you wish to proceed):

- Consider engaging its legal counsel to discuss representation in this application process (including the Municipal Government Board Public Hearing);
- Hold a 2nd Public Open House with local residents/community members to:
 - convey the purpose of the proposed annexation;
 - identify what work has been completed to date;
 - clarify the status of the proposed application;
 - answer questions posed by residents/community members; and
 - discuss potential solutions/conditions for the proposed annexation that address resident/community member concerns;
- Discuss potential solutions/conditions for the proposed annexation with the landowner of the proposed annexation area.

Alternatively, Council could determine that sufficient evidence has not been provided to demonstrate that there are benefits to proceeding with the annexation, and withdraw the notice of intent.

Appendix A- Notification Responses from Residents and Community Members

Send Via Email

March 10, 2021

Dear Ms. Roy and Mr. MacDonald,

We are owners of two properties in Poplar Bay. We are opposed to this annexation.

We have concerns that appropriate consultation has not taken place. Proper, and sufficient notice to residence has not been provided, and cancelation of a pre-application engagements, for whatever reason, without rescheduling is improper conduct.

Sincerely,

Clive and Heidi Oshry

Send via Website

March 10, 2021

If the Summer Village of Poplar Bay annexes the Covenant Bay Bible Camp, will that organization be required to pay property taxes or will they get a religious exemption from taxes?

If they are connected to the sewer system do they pay the annual connection fee?

If they are not paying taxes, why bother with the annexation?

Jim Hutton

Send via Email

March 11, 2021

To the CAO Sylvia Roy and Council members of the Summer Village of Poplar Bay,

Please find attached a copy of this objection letter and past letter to the proposed annexation within Poplar Bay.

All details are contained within, should you have any questions please feel free to contact me by replying to this email.
Thank you for your time and consideration.

Sincerely,

Kyle & Karen Thorsell and residents of Poplar Bay

Summer Village of Poplar Bay
Chief Administrative Officer – Sylvia Roy
Box 100, Ma-Me-O Beach, Alberta
T0C 1X0

March 12, 2021

Kyle & Karen Thorsell

[REDACTED]
[REDACTED]
[REDACTED]

Objection to annexation of: SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5IN THE COUNTY OF WETASKIWIN

To: Sylvia Roy – CAO Summer Village of Poplar Bay,
Brad McDonald – Planner Municipal Planning Services

I recently received the latest annexation information you sent out in reference to the above mentioned property and annexation process.

I as a property owner of # [REDACTED] Poplar Bay am very dissatisfied with these actions. I have objected to this annexation and the development of 2nd street in mention many times now with no response from you or the council. I have included my last objection letter to you again for reference after you sent out the last notice if there were any objections in 2019. This letter never got any response either.

So my question is how as a landowner and tax payer in the SV, why is the due process not being followed, and why are my rights as said owner being ignored in this process? Our objections to this whole process of the development of 2nd Street and this annexation started many years ago, with little to no response from the Summer Village and past councils.

I would like to have proof that proper notices were sent out to adjacent land owners about this annexation, and the proposed development because I have not been able to find any accurate information that this was completed. I have spoken to all the adjacent land owners and this was all news to them. Their responses to me were they were also very dissatisfied with this annexation and this process once they found out it had proceeded this far to date. So to be clear we stand very united as adjacent land owners as to our objection to this annexation, and will proceed as such.

I happen to know that letters from my neighbours have also been sent to the SV stating their objections to this development and annexation with no response. Plus I am aware that an objection letter was also sent to the Municipal Government Board concerning this annexation as well. To date none of the proper hearings or processes have been followed in regard to these objections. The council is aware that in 2019 there were 3 objection letters put forth about this annexation and to my knowledge the council states this process has gone uncontested so far which a complete lack of the truth.

I too plan on now writing the MGB stating my distrust in this process and my very clear objections and how they have been ignored. I am sure you will also be hearing from my adjacent land owners about their concerns and objections as we are going to be preparing a group complaint as well to be followed up very soon.

My other question to you and council is to what benefit does the annexation of this land have to Poplar Bay and it's residences? It is understood that the SV exchanged land for the pump station location in return this land would be annexed. The future development of this property has nothing but detrimental effects to the current residences affected. The way we see it the only person who stands to benefit from this annexation is the landowner requesting the annexation and not the residences of Poplar Bay.

There are no guarantees this property with remain as only 2 lots. It may if it were in writing and bound by an agreement that the annexed property would forever remain as only 2 lots you may get some buy in from the adjacent land owners. But it is very clear this is not the case and future development of this land into a larger subdivision may occur.

This annexation will only increase traffic and safety issues, construction issues, and an even greater strain to the Pigeon Lake Watershed which is already compromised, not to mention the negative affect it will have to the public access lot and shoreline adjacent to the entrance of 2nd street. All of which was stated clearly in my last objection letter.

Another question is why does the SV have to provide access to this property at the location of 2nd street. If access is the problem to this property it is very clear that access can be made through the landowners current property and lane way alleviating the need for 2nd street all together. Which may also alleviate many issues we face.

I certainly would like to have some input from yourselves about this matter and what your response is to this in a prompt manner. I hope yourself and council will be able to have the fortitude and compassion to view this as we do as land owners so that a positive resolution may come to light for all parties.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

Kyle & Karen Thorsell

Summer Village of Poplar Bay
Chief Administrative Officer – Sylvia Roy
Box 100, Ma-Me-O Beach, Alberta
T0C 1X0

June 7, 2019

Kyle & Karen Thorsell - Owners of [REDACTED] Poplar Bay
[REDACTED]
[REDACTED]
[REDACTED]

**Objection to the proposed restructure plan for the land listed as
Pt of NW-28-46-1-W5 (title no. 092 350 213)**

Attn: Sylvia Roy, CAO

As per the letter you sent out on 23 May 2019 in regard to the proposed restructure of the property mentioned above, consider this letter as our formal written objection.

The reasons for this objection is as follows:

- There is no benefit to add this property to the Summer Village of Poplar Bay, it has the potential to increase the traffic at the intersection of 2nd Street and Lakeview Drive, increasing the potential for an accident with the many children and pedestrians that use Lakeview Drive. This will also add considerable traffic & noise to my and adjacent properties which will devalue the property.
- With the size of the property in mention being 2.22ha (5.48 acres) it has the potential of being further subdivided adding more residences to the area which bring noise, a further strain on our sewer system and extra garbage. If not divided further the owner has the ability to have a small acreage or farm that has the potential for large equipment operation adding to the increased noise and traffic as 2nd Street is the only access.
- The addition of this property has the potential to add extra stress and use to the lakeshore on the public access land near this property should the new landowner choose to utilize this right of way. This area is already being extensively used and would get further diminished.
- Further to this we would like to see the council minutes and agenda and development permits that approved the building of 2nd street at its current location. Many of the local residents along this stretch of road never received any notice of the plan or construction of the road in its current location. The development plan from years past has 2nd street located to the west of its current location, so the validity of the road is in question.

- The owners of the property in question have had no investment of time or money into the SV with the development of our sewer system or any other improvements that have taken place to date. Not to mention the additional stress this size of property will have on the Pigeon Lake Watershed further adding problems to the already diminished lake quality.

If you should require any further clarification on these issues, we will certainly respond in due prudence to resolve the question.

Regards,

Send via Website

March 23, 2021

I am a resident of [REDACTED] Poplar Bay Drive, and am writing concerning the proposed annexation which is near my Poplar Bay residence. I have two concerns with the proposed annexation. One is the upgrade of 2nd Street to serve the proposed annexation area. I am not sure who bears the cost of that upgrade, but it seems to me it should be the owner of the annexed property, since the road does not appear to serve any other property in the Summer Village. The second concern is with the density of the proposed property to be annexed. Looking at the maps only, the property does not seem well suited to more than one property, since entry and exit roads will consume most or all of the area near 2nd Street. Accordingly, and because a high density use of the site would be a serious issue for traffic on Poplar Bay Drive (both a walking path and vehicle access for all residents) it seems to me it should be possible to insist on a limit for the number of separate housing units that can be applied for, at least for some significant time into the future, I doubt anyone will have difficulty with one or two properties using the roads, but more than that would be an issue for me at least.

Mel Lerohl

Send via Email

March 23, 2021

See attachment

Earl Knox



Summer Village of Poplar Bay

P.O. Box 100 (605 - 2nd Avenue)
Ma-Me-O Beach, Alberta T0C 1X0
Phone: (780) 586-2494 Fax: (780) 586-3567
Email: Information@svofficepl.com
Website: www.poplarbay.ca

Adjacent Landowner Questionnaire

A summary of all feedback received will be included in the report prepared by the Summer Village and submitted to the Municipal Government Board. The Municipal Government Board will review the annexation application and provide a recommendation to the Province. Note that no personal information will be included within the summary.

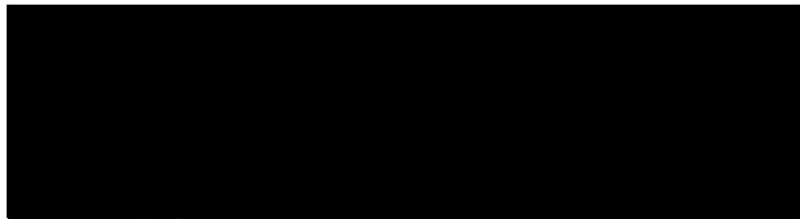
Legal Description of Lands:

EARL KNOX

Mailing Address:

Name:

Email Address:



1. Are you in favour of the proposed parcel of land being annexed to the Summer Village of Poplar Bay?

Yes

No

Please explain your reasons below (or in a separate letter).

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

When completed, Please return this completed questionnaire via email or mail by April 6, 2021 to:

Sylvia Roy | Summer Village of Poplar Bay Chief Administrative Officer

Email: Sylvia.Roy@svofficepl.com

P.O. Box 100 (605-2nd Avenue)

Ma-Me-O Beach, Alberta T0C 1X0

Note: The personal information requested on this form is being collected under the authority of Section 33(c) of the *Freedom and Information and Protection of Privacy Act* (FOIP). The information collected will be used as required for public consultation purposes regarding the Summer Village's annexation application.

1) THERE ARE A NUMBER OF SUBDIVISIONS IN THE LAKE AREA ALREADY THAT ARE NOT BEING BUILT ON AND HAVE BEEN THAT WAY FOR QUITE SOME TIME. WE DO NOT NEED ANY MORE DEVELOPMENTS AT THIS TIME.

2) THE APPLICANT ATTEMPTED TO SUBDIVIDE THIS PARCEL OF LAND A NUMBER OF YEARS AGO INTO MULTIPLE LOTS. WHAT SAFEGUARDS WILL BE IN PLACE TO PREVENT THIS FROM HAPPENING IN THE FUTURE?

3) WITH THE CONSTRUCTION OF THE NEW ROADWAY ON 2ND STREET THE LAKE ROAD WILL BE IMPACTED GREATLY. IS THE APPLICANT TAKING RESPONSIBILITY FOR THE COST OF ROAD REPAIRS AND CONSTRUCTION OF 2ND STREET?

4) WITH THE DEVELOPMENT OF A NEW SUBDIVISION THERE WILL BE THE IMPACT OF STORM DRAINAGE AND GROUND WATER RUN OFF ON THE PRESENT INFRASTRUCTURE INCLUDING THE NATURAL DRAINAGE THAT DRAWS INTO THE LAKE NOW. WHAT PROVISIONS HAS BEEN TAKEN TO ADDRESS THIS ISSUE AND WHO IS RESPONSIBLE FOR COST NOW AND LATER?

Send via Email

March 23, 2021

Please consider the attached letter to MGB as additional points of my prior March 13 2021 objection for our two properties, and in support of a large group of impacted local objecting residents to the proposed annexation/subdivision, and 2nd street access by the Summer Village of Poplar Bay.

Dave and Gail Terriff

March 13, 2021

Dave Terriff MBA, P. Eng
Property Owner [REDACTED] Poplar Bay

To: Summer Village of Poplar Bay
Box 100, Ma-Me-O Beach, Alberta T0C 1X0

Attn: Sylvia Roy, Chief Administrative Officer
cc: Brad MacDonald, Planner

Subject: Objection to annexation of: **SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5 IN THE COUNTY OF WETASKIWIN**

Dear Sylvia,

Thank you for allowing Kyle Thorsell and myself to listen in to your Friday March 12th council meeting. Our interest in attending was regarding the proposed annexation plans for the property mentioned in the subject, and using 2nd street for this proposed development and construction. These 5.38 acres and 2nd street are immediately behind, beside and in front of our Poplar Bay properties.

For clarity, please explain how it came to be that the Village purchased lands for the wastewater pump station, in exchange for an agreement to annex this additional property from this landowner. Identify how, according to your recent website notice, there is reasonable, effective and efficient benefit to Poplar Bay.

I'd like to remind our council that I called the Village Office approximately a year ago to see if there was any truth to the rumor that such actions might be planned. I was told that absolutely not, that there was no such annexation planning or action being taken. However, the Village notice states that this proposal by the Village was initiated in 2019. My faith has been shaken.

Upon review, as a rate payer on 2 impacted Poplar Bay properties that adjoin this proposed annexation and subdivision, I formally object to the proposed annexation and subdivision, now and in the future. From discussions with other impacted rate payers, I am confident that the "No General Agreement" to this annexation applies, as per your Village notice.

The justification behind my objection is as follows:

1. Prior requests to annex and develop this parcel, through the 2nd street access, have been refused. The Village notice states that there is no access to this proposed subdivision from the County of Wetaskiwin; however, there is 100% existing roadway access to this property via the County, and the landowners existing property. I would recommend that this proposal be

rejected, and should the property owner of these 5.38 acres choose to subdivide, it be requested through the County of Wetaskiwin (with no 2nd street access).

2. Further, to state that 2nd street will be for basic vehicle access is also untrue. If 2nd street is intended to be used for development and construction vehicles; that traffic is not basic vehicle access.
3. The benefit of this annexation and development is ultimately for the subdivision property owner. However, this is to the detriment of Poplar Bay rate payers and impacted adjoining and nearby property owners. Any additional Village taxes are offset by significant maintenance costs on existing Poplar Bay roads due to construction vehicle use and additional public traffic.
4. Further, due to the increased construction and related traffic in future years, I have significant safety concerns for our residents (young and old). There will also be issues related to public lands lake access and boat mooring congestion for additional piers and boats, accessible only through the existing, nearby public reserve access.
5. I have not received any personal formal notice for either of my Poplar Bay properties, and was unaware (until two days ago) of any major plans to annex these 5.38 acres. In your council meeting, you confirmed that the Municipal Planner has already sent out notices regarding such annexation. As my properties are directly impacted by this proposal, the lack of notice and consult is unacceptable. For my review and records, please provide me with a copy of such letter or notification, as well as a list of all properties where notices have, or will, be sent.
6. Should this subdivision be ultimately approved, despite the objections of myself and others, I am greatly concerned of the potentially misleading statement that the intent is to subdivide into only 2 residential lots. The property owner of this 5.38 acres has stated to me his express intent to further subdivide this property (and this might extend to 10 or more lots). If it is indeed the true intent of this annexation to allow development of only 2 properties, then this should be put in formal writing and notice, with future covenants that this will never be changed; and that access for any development, construction and occupancy be through the existing County access to his properties – and not the 2nd street access.

Again, my recommendation is that, should the property owner choose to subdivide, that it be done with the County of Wetaskiwin, with roadway access through the County and his existing property (not 2nd street). This proposal is not in the best interests of Poplar Bay and existing rate payers, and should therefore be rejected.

I look forward to receiving your response so we can pursue this matter to a successful close to the benefit of all Poplar Bay residents.

Dave Terriff MBA, P. Eng

March 22, 2021

From: Dave Terriff MBA, P. Eng
Property Owner [REDACTED] Poplar Bay

To: Municipal Government Board

2nd Floor
Summerset Business Centre
1229 91 Street
Edmonton, Alberta T6X 1E9

Attention: Michael Kahn
Municipal Planning Advisor
Michael.kahn@gov.ab.ca
(780) 644 1575

Cc Richard Duncan – MGB
Richard.duncan@gov.ab.ca

Re: Formal objection to annexation of NW-28-46-01-W5 within the County of Wetaskiwin

Dear Mr. Kahn,

I have been advised by Mr. Nixon that you are the proper party to hear this formal complaint and objection. The above-mentioned proposed annexation has been “accepted” by our Village of Poplar Bay Council without proper notice to and consent of immediately affected/adjacent/impacted/rate payers. I hope that you can accumulate this objection along with all others received on this issue from recent and previous years and are able to intervene on our behalf for a proper resolution.

There seem to be certain improprieties that are of major concern to myself and many immediate neighbours who are also objecting to the cloak and dagger way this annexation is proceeding, and not to the benefit of residents and rate payers of Poplar Bay.

The Landowner worked a deal with the County of Wetaskiwin and the Village of Poplar Bay that allowed the County of Wetaskiwin to purchase a site on another part of his lands to build the local regional sewage wastewater treatment plant, but **only** on the condition that the Village of Poplar Bay also agree to annex another parcel of his lands immediately south of the undeveloped 2nd street access off Poplar Bay Drive.

The current landowner owns 147 acres of land within the County of Wetaskiwin that is immediately south of and connected to the southern Village of Poplar Bay Boundary. This entire ¼ section of agricultural land has been rezoned “Residential” by the landowner, and he has made previous requests in prior years to annex and access his County of Wetaskiwin land via 2nd street, and those requests have been denied.

In August 2018, in conjunction with his agreement for selling his other property for the regional wastewater treatment plant lands, the landowner advised the Poplar Bay Village Council that he wants to have 5.38 acres annexed, with access through 2nd Street, and that he “may” subdivide it into a 0.8 site for storage, and a 4.2 acre site for a house. It has since been stated this is only his “preliminary” interest. Our council quietly agreed to this annexation on Feb 1, 2019.

None of our objecting group believes that once annexed, that the landowner intends to stop with a two property subdivision. We believe the landowner's true intention is just to gain access through 2nd street as a corridor to and from Poplar Bay Drive and our Pigeon Lake waterfront for his more ambitious future developments, and it is this that I/we are objecting to.

His recent and prior generation subdivision activities and subdivision plans for this same annexation area support his much larger intent, all with access through 2nd street. What is frustrating is that he already has access through his existing nearby County of Wetaskiwin 13041 Range Road 12A roadway for any such developments.

In short, none of us believe his stated intention. Also, our Village Council has not been forthright in providing us any background explanations, confirmations, or responses to our questions, so we also do not trust their motivations and actions to be in our best interests.

Consequently, I and "we" object to any annexation, subdivision, and access to Poplar Bay through 2nd street, unless it is put in writing that the landowner will restrict his development to his stated two property subdivision, with some type of reserve peripheral boundary or restrictive covenant to prevent future growth and access, encroachment, and overloading of our community through our little 2nd street access because of any of his future subdivision plans.

We have concerns with development construction and other traffic and personnel. It impacts the security and safety of our residents, (old and young) that use Poplar Bay Drive as a social corridor for outdoor walks.

2nd Street provides direct access to the Pigeon Lake waterfront through the immediately opposite reserve access. Our waterfront is already burdened and taxed, and future access in this area will continue this negative impact to our shoreline, with increased problems related to excessive piers and boat mooring issues already existing.

We already have flooding and drainage issues resulting from run off to our properties from his lands, so clearing of bush and tress during development will significantly amplify these problems.

For your reference I have attached copies of the Village website notice, my letter of objection to the Village of Poplar Bay, their slightly modified letter to me after receipt of my letter, and details on some prior development plans for this same area.

I hope the Municipal Government Board of Alberta has the willingness to identify that this is "not what it is being presented to be", and consequently is not in the best interests of residents of Poplar Bay or the local watershed management, and that you will intervene immediately on our behalf to prevent this from proceeding further.

Thank you for your attention and action in this matter.

Yours Truly,

Dave Terriff M.B.A., P.Eng.

Send via Email

March 23, 2021

Good afternoon Sylvia and Brad,

Please find attached a copy of the notice you sent out on March 10, 2021, in regard to the annexation proposal in Poplar Bay. In this attachment you will find another one of my official objection letters as well as the previous two letters for your reference. Thank you for your consideration in this matter.

Sincerely,

Kyle & Karen Thorsell

MPS Note: In addition to new letters, letters submitted previously were also attached. MPS has not duplicated for the purpose of this report.



Summer Village of Poplar Bay
 P.O. Box 100 (605 - 2nd Avenue)
 Ma-Me-O Beach, Alberta T0C 1X0
 Phone: (780) 586-2494 Fax: (780) 586-3567
 Email: Information@svofficepl.com
 Website: www.poplarbay.ca

Adjacent Landowner Questionnaire

A summary of all feedback received will be included in the report prepared by the Summer Village and submitted to the Municipal Government Board. The Municipal Government Board will review the annexation application and provide a recommendation to the Province. Note that no personal information will be included within the summary.

Legal Description of Lands:

[Redacted] # [Redacted] POPLAR BAY
 [Redacted]
 [Redacted]
KYLE + KAREN THORSELL
 [Redacted] [Redacted]

1. Are you in favour of the proposed parcel of land being annexed to the Summer Village of Poplar Bay?

Yes

No

Please explain your reasons below (or in a separate letter).

PLEASE SEE ATTACHED LETTERS.

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

YES PLEASE SEE ATTACHED LETTER

When completed, Please return this completed questionnaire via email or mail by April 6, 2021 to:

Sylvia Roy | Summer Village of Poplar Bay Chief Administrative Officer

Email: Sylvia.Roy@svofficepl.com

P.O. Box 100 (605-2nd Avenue)

Ma-Me-O Beach, Alberta T0C 1X0

Summer Village of Poplar Bay
P.O. Box 100 (605-2nd Avenue)
Ma-Me-O Beach, Alberta, T0C 1X0
information@svofficepl.com

March 22, 2021

Kyle & Karen Thorsell
[REDACTED]
[REDACTED]

To: Sylvia Roy -CAO Summer Village of Poplar Bay
Brad MacDonald – Planner Municipal Planning Services

RE: Summer Village of Poplar Bay Proposed Annexation of Pt. Of NW-28-46-01-W5 in the county of Wetaskiwin; notice letter sent out to adjacent property owners on March 10, 2021.

Please accept this letter in response to your notice letter mentioned above for the stated date.

This will be my third letter describing my objections and thoughts on this proposed annexation. I have also included my previous two letters for your reference as per question #1. & 2. in your latest Notice dated March 10, 2021.

In those two previous letters the objections and concerns I have are very clearly explained as per your request from the two previous notices the SV issued. So to properly supply answers to your question #1.&2. please refer to my past two letters.

Below is a summary of the main points from those letters as the objections and concerns that I have.

- A significant increase in the amount of traffic to supply the proposed annexed lands, causing safety concerns, noise issues, and ultimately lowering the value of my and my neighbours property.
- The land size being annexed holds the potential of further being developed into far more smaller properties thus increasing the amount of construction traffic and noise to the area, and a further demand on 2nd street access. The potential to further access the lands to the south of the annexation for even further development of the remaining 147 acres that are within the county of Wetaskiwin.
- A large increase in the amount of people wanting to access the public reserve lot to have access to the lakeshore. This will damage an already fragile watershed area and environmentally sensitive waterfront. Along with a significant deforestation of the annexed lands causing stress to the watershed environment due to the construction and development of homes.
- The current position of 2nd street was in my opinion placed there without the proper due process being followed by the council of the time. There was no notice to adjacent landowners or consultation held at the time of its construction. The SV also did not pass a “Bylaw” stating the change to this road at the time or get Ministerial approval at the time of its change.
- One of my biggest concerns is that these objection letters have all been submitted to council and the CAO with no response or recognition whatsoever. This has led me to feel that the due process has been adjusted to fit more in line with what the council and other invested parties want as opposed to what the ratepayers and adjacent landowners feel is appropriate.

Just to reiterate that my concerns to this proposed annexation have been solely expressed to the MGB of Alberta, along with several of my neighbours. It has always been my wish to have the council, the CAO, and the planner with MPS, show the affected residences some truth and compassion in dealing with this annexation process. Myself and my fellow neighbours are sure there is a fair solution to this annexation and would like the opportunity to be heard on those points.

Thank you for your time and consideration once again.

Sincerely

Kyle & KarenThorsell

[REDACTED] Poplar Bay

Send via Email

March 23, 2021

Hi Sylvia,

Another objection for our two impacted properties.

Dave Terriff

March 23, 2021

Dave Terriff MBA, P. Eng.
Property Owner [REDACTED] Poplar Bay

To: Summer Village of Poplar Bay
Box 100, Ma-Me-O Beach, Alberta T0C 1X0

Attn: Sylvia Roy, Chief Administrative Officer

cc: b.macdonald@munplan.ab.ca

cc: Michael.kahn@gov.ab.ca

cc: Richard.duncan@gov.ab.ca

Subject: Objection to annexation of: **SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5 IN THE COUNTY OF WETASKIWIN**

Dear Sylvia,

I am writing again as an owner of two impacted properties, and also a part of a larger group of Poplar Bay residents objecting to this annexation/subdivision/2nd Street access for the "Pidde" lands parcel. Please also consider and add the following objections to my previous letters.

1. the SV has not demonstrated any need for this land, and it appears that the sole purpose is to accommodate a private developer's desire to develop this land.
2. the SV has not provided any studies or other information that sets out the impact of this annexation on existing SV property owners.
3. the SV has not provided any studies that demonstrate that this land can be properly serviced by the SV and that the transportation network is adequate to handle development on this land.
4. the SV has not addressed any environmental considerations.

I look forward to receiving your response so we can pursue this matter to a successful close to the benefit of all of the involved parties.

Dave Terriff MBA, P.Eng.

Send via Email

March 23, 2021

Hello everyone,

We have been advised that it would be best for each of you to individually send in your objections to the following people.

I have attached several of our prior objection letters, along with the notice and objection forms the Village office has sent out.

Please feel free to copy or pick and choose any items to include in your own objections. We have been advised to also include the items shown in my objection #3.

Send it to sylvia.roy@svofficepl.com

And

cc b.macdonald@munplan.ab.ca

cc: Michael.kahn@gov.ab.ca

cc: Richard.duncan@gov.ab.ca

and also feel free to cc all of our “objection group” members if you are comfortable doing this.

Your objection must be received by the Village office before April 6.

Dave Terriff

MPS Note: 7 Attachments included with the email – copies of previously submitted letters that are included with this report.

Send via Email

March 24, 2021

Hello,

This is to serve as notice of formal objection to:

SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5IN THE COUNTY OF WETASKIWIN

Please let me know if you require any further detail and/or information for this to be recorded as formal notice.

Owner of:

■ Poplar Bay

████████████████████

■ Poplar Bay

████████████████████

Clive and Heidi Oshry

Regards,

Clive

MPS Note: A reply to this email by Heidi Oshry stated: "I also object."

Send via Email

March 25, 2021

Hello

Please find attached Subject: Objection to annexation of: SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5 IN THE COUNTY OF WETASKIWIN.

If you have any issues viewing this document, please let me know.

Thank You

Erroll Magas

March 25, 2021

Erroll and Carol Magas

██████████ Poplar Bay

████████████████████

██████████

████████████████████

To: Summer Village of Poplar Bay

Box 100, Ma-Me-O Beach, Alberta TOC 1X0

Attn: Sylvia Roy, Chief Administrative Officer

cc: b.macdonald@munplan.ab.ca

cc: Michael.kahn@gov.ab.ca

cc: Richard.Duncan@gov.ab.ca

Subject: Objection to annexation of: **SUMMER VILLAGE OF POPLAR BAY PROPOSED ANNEXATION OF Pt. of NW-28-46-01-W5 IN THE COUNTY OF WETASKIWIN**

Dear Sylvia,

I am writing as an owner of my impacted property, and also as a part of a larger group of Poplar Bay residents objecting to this annexation/subdivision/2nd Street access for the “Pidde” lands parcel. Please consider following objections Carol and I have regarding the annexation of the above mentioned land:

- The benefit of this annexation and development is ultimately for the subdivision property owner. However, this is to the detriment of Poplar Bay rate payers and impacted adjoining and nearby property owners. Any additional Village taxes are offset by significant maintenance costs on existing Poplar Bay roads due to construction vehicle use and additional public traffic.
- A significant increase in the amount of traffic to supply the proposed annexed lands, causing safety concerns, noise issues, and ultimately lowering the value of My and adjacent properties. Also, concern that the entire Village of Poplar Bay will be affected by this increase in traffic.
- The land size being annexed holds the potential of further being developed into far more smaller properties thus increasing the amount of construction traffic and noise to the area, and a further demand on 2nd street access. The potential to further access the lands to the south of the annexation for even further development of the remaining 147 acres that are within the county of Wetaskiwin. Should this subdivision be ultimately approved, despite the objections of myself and others, I along with others affected, are concerned of the potentially misleading statement that the intent is to subdivide into only 2 residential lots. I am also concerned with the information I have heard that the property owner of this 5.38 acres has stated, his express intent to further subdivide this property (and this might extend to 10 or more lots). If it is indeed the true intent of this annexation to allow development of only 2 properties, then this should be put in formal writing and notice, with future covenants that this will never be changed.

- A large increase in the amount of people wanting to access the public reserve lot to have access to the lakeshore. This will damage an already fragile watershed area and environmentally sensitive waterfront. Along with a significant deforestation of the annexed lands causing stress to the watershed environment due to the construction and development of homes.
- Finally, I am concerned that the SV only extended this to adjacent properties and did not include the entire Poplar Bay Village Tax Rate Payer, as this certainly affects the entire Village.

We look forward to receiving your response so we can come to an amicable solution to the benefit of all of the Parties involved.

Thank You for your consideration in this matter.

Erroll and Carol Magas

Send via Email

March 29, 2021

Sylvia,

Please accept my attached objections to the proposed annexation.

Len Denham

To: Summer Village of Poplar Bay

P.O. Box 100 (605-2nd Avenue)
Ma-Me-O Beach, Alberta, T0C 1X0
information@svoofficepl.com

March 29, 2021

From : Len and Shirley Denham
■ Poplar Bay

To: Sylvia Roy - CAO Summer Village of Poplar Bay - Sylvia.Roy@svoofficepl.com
cc: b.macdonald@munplan.ab.ca
cc: Michael.kahn@gov.ab.ca
cc: Richard.duncan@gov.ab.ca

RE: Summer Village of Poplar Bay Proposed Annexation of Pt. Of NW-28-46-01-W5 in the County of Wetaskiwin

Please accept the following points as my objections to your website notice on this topic.

- A significant increase in the amount of traffic to supply the proposed annexed lands, causing safety concerns, noise issues, and ultimately lowering the value of my and my neighbours property.
- The land size being annexed holds the potential of further being developed into far more smaller properties thus increasing the amount of construction traffic and noise to the area, and a further demand on 2nd street access. The potential to further access the lands to the south of the annexation for even further development of the remaining 147 acres that are within the county of Wetaskiwin.
- A large increase in the amount of people wanting to access the public reserve lot to have access to the lakeshore. This will damage an already fragile watershed area and environmentally sensitive waterfront. Along with a significant deforestation of the annexed lands causing stress to the watershed environment due to the construction and development of homes.

Thank you for your consideration of my objections.

Sincerely,

Len and Shirley Denham
■ Poplar Bay

Send via Website

March 29, 2021

Sylvia

Here is my formal objection to the proposed annexation

Bill Wilson

To: Summer Village of Poplar Bay

P.O. Box 100 (605-2nd Avenue)
Ma-Me-O Beach, Alberta, T0C 1X0
information@svoofficepl.com

March 29, 2021

From : Bill and Irene Wilson
■ Poplar Bay

To: Sylvia Roy - CAO Summer Village of Poplar Bay - Sylvia.Roy@svoofficepl.com
cc: b.macdonald@munplan.ab.ca
cc: Michael.kahn@gov.ab.ca
cc: Richard.duncan@gov.ab.ca

RE: Summer Village of Poplar Bay Proposed Annexation of Pt. Of NW-28-46-01-W5 in the County of Wetaskiwin

Please accept the following points as my objections to your website notice on this topic.

- A significant increase in the amount of traffic to supply the proposed annexed lands, causing safety concerns, noise issues, and ultimately lowering the value of my and my neighbours property.
- The land size being annexed holds the potential of further being developed into far more smaller properties thus increasing the amount of construction traffic and noise to the area, and a further demand on 2nd street access. The potential to further access the lands to the south of the annexation for even further development of the remaining 147 acres that are within the county of Wetaskiwin.
- A large increase in the amount of people wanting to access the public reserve lot to have access to the lakeshore. This will damage an already fragile watershed area and environmentally sensitive waterfront. Along with a significant deforestation of the annexed lands causing stress to the watershed environment due to the construction and development of homes.

Thank you for your consideration of my objections.

Sincerely,

Bill and Irene Wilson
■ Poplar Bay

Send via Website

March 31, 2021

Hello Sylvia,

Attached please find my completed copy of the 'adjacent landowner questionnaire' as well as a list of comments, questions and concerns that I have.

Thank you,

John Porter



Summer Village of Poplar Bay

P.O. Box 100 (605 - 2nd Avenue)
Ma-Me-O Beach, Alberta T0C 1X0
Phone: (780) 586-2494 Fax: (780) 586-3567
Email: Information@svofficepl.com
Website: www.poplarbay.ca

Adjacent Landowner Questionnaire

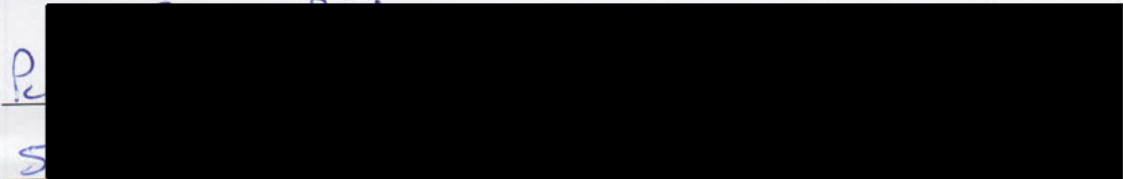
A summary of all feedback received will be included in the report prepared by the Summer Village and submitted to the Municipal Government Board. The Municipal Government Board will review the annexation application and provide a recommendation to the Province. Note that no personal information will be included within the summary.

Legal Description of Lands:

Mailing Address:

Name:

Email Address:



John Porter



1. Are you in favour of the proposed parcel of land being annexed to the Summer Village of Poplar Bay?

Yes No

Please explain your reasons below (or in a separate letter).

THERE IS SEVERAL LOCATIONS THAT HAVE BEEN DEVELOPED THAT SHOULD BE FINISHED + SOLD BEFORE DESTROYING MORE WILD LIFE HABITAT

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

When completed, Please return this completed questionnaire via email or mail by April 6, 2021 to:

Sylvia Roy | Summer Village of Poplar Bay Chief Administrative Officer

Email: Sylvia.Roy@svofficepl.com

P.O. Box 100 (605-2nd Avenue)

Ma-Me-O Beach, Alberta T0C 1X0

Note: The personal information requested on this form is being collected under the authority of Section 33(c) of the Freedom and Information and Protection of Privacy Act (FOIP). The information collected will be used as required for public consultation purposes regarding the Summer Village's annexation application.

Re: Summer village of Poplar Bay proposed annexation of Pt. of NW-28-46-01-W5 in the County of Wetaskiwin

The following outline my household's comments, questions and concerns regarding the proposed annexation:

1. It is of great concern that the annexation will increase the traffic on the main road causing possible healthy and safety risks for the children, pet and pedestrians who use the road on a daily basis not only for vehicle use but for personal enjoyment and access to the lake
2. It is also a great concern that the annexation will cause the need for 2nd street to be completely rebuilt. This will cause multiple issue such as:
 - a. The storage and usage of construction equipment
 - b. The financial burden that the community will have to assume for the constriction of this communal road
 - c. And the probable damage to the main road due to heavy equipment transport
3. As a community member, I am interested in hearing how the Summer village of Pigeon lake believes this annexation will benefit the community as a whole
4. It's difficult to believe that the only access point the proposed subdivision would be able to use is 2nd street road, there are multiple entry points that could better serve the location without causing disruption to 2nd street and its main residents
5. I would like further information on the original land swap deal that took place between the Summer Village of Pigeon Land the proposed subdivision owner
6. I would also like to understand the justification behind only believing that the 6 properties that touch the proposed subdivision section will be affected by this development. How can you ensure that no one else will be affected by this development?
7. The destruction that this development would cause to the wildlife that lives around the lake would be astronomical and we cannot in good faith allow the destruction of forestry and wildlife.
8. The gentrification of the Summer Village will greatly affect its residents for years to come, and what is the benefit?

Re: Summer village of Poplar Bay proposed annexation of Pt. of NW-28-46-01-W5 in the County of Wetaskiwin

The following outline my household's comments, questions and concerns regarding the proposed annexation:

1. It is of great concern that the annexation will increase the traffic on the main road causing possible healthy and safety risks for the children, pet and pedestrians who use the road on a daily basis not only for vehicle use but for personal enjoyment and access to the lake
2. It is also a great concern that the annexation will cause the need for 2nd street to be completely rebuilt. This will cause multiple issue such as:
 - a. The storage and usage of construction equipment
 - b. The financial burden that the community will have to assume for the constriction of this communal road
 - c. And the probable damage to the main road due to heavy equipment transport
3. As a community member, I am interested in hearing how the Summer village of Pigeon lake believes this annexation will benefit the community as a whole
4. It's difficult to believe that the only access point the proposed subdivision would be able to use is 2nd street road, there are multiple entry points that could better serve the location without causing disruption to 2nd street and its main residents
5. I would like further information on the original land swap deal that took place between the Summer Village of Pigeon Land the proposed subdivision owner
6. I would also like to understand the justification behind only believing that the 6 properties that touch the proposed subdivision section will be affected by this development. How can you ensure that no one else will be affected by this development?
7. The destruction that this development would cause to the wildlife that lives around the lake would be astronomical and we cannot in good faith allow the destruction of forestry and wildlife.
8. The gentrification of the Summer Village will greatly affect its residents for years to come, and what is the benefit?

Send via Email

March 31, 2021

My name is Scot Berglund and I am the owner of [REDACTED] Poplar Bay. I see no reason for the proposed annexation of the above-mentioned property. I feel if it solely for the financial benefit of the current property owner.

Allowing the county property to be annexed into two parcels in the Summer Village would just be step one to future applications for more subdivision of the said property. I do not see one advantage to the Summer Village allowing this to proceed.

Regards

Scot Berglund

Send via Email

April 3, 2021

Attn: Sylvia Roy,

Please see attached formal letter of objection for the above mentioned subject.

Thank You

Ken Johner

March 30, 2021

Kenneth Johner / Patricia Norrie
Property Owners - [REDACTED] Poplar Bay

To: Summer Village of Poplar Bay
Box 100, Ma-Me-O Beach, AB T0C 1X0

Attn: Sylvia Roy, Chief Administrative Officer
c.c. bmacdonald@munplan.ab.ca
c.c. michael.kahn@gov.ab.ca
c.c. richard.duncan@gov.ab.ca

Subject: Objection to Annexation of Summer of Pt of NW-28-46-01-W5 in the County of Wetaskiwin

Dear Sylvia,

We, as property owners and residents of Poplar Bay, are objecting the above mentioned proposed annexation for the following reasons:

1. The proposed access off 2nd street will increase traffic and wear and tear on our existing roads resulting in higher taxes to maintain. We saw evidence of this during the new wastewater construction with excess equipment on our roads.
2. The SVPB has not provided any detailed information on number of lots being added in future development and if the existing wastewater system can accommodate.
3. The SVPB has not presented any environmental reports.

Thank you in advance for addressing our concerns and we appreciate any response to this subject.

Kenneth Johner/Patricia Norrie
[REDACTED] Poplar Bay
[REDACTED]

Send via Website

April 5, 2021

Good Morning! As we have not received a response to date from you, we just want to emphasize our concern in regard to the proposed annexation and it's future use. We object to any annexation unless it is put in writing that the landowner will restrict his development to his stated two property subdivision. Our concerns are based on plans we have seen where previously the landowner proposed a 14 lot development in that location. There should also be some type of reserve peripheral boundary or restrictive covenant to prevent future growth and access, encroachment, and overriding of our community through 2nd street access because of any of his future subdivision plans.

We love our community and need assurance from the Village that guarantees are received from the landowner in writing instead of "his intentions are", which guarantees nothing. Also the Village needs to ensure that they are protecting the interests of their residents and the Lake which includes the necessary peripheral boundaries or restrictive covenant as we do not know his future plan.beyond the two "proposed" lots.

Wayne & Corinne Chichak, Candace Reilly

Send via Email

April 5, 2021

I would like to express my concern and opposition to the proposed annexation of Pt. of NW-28-46-01-W5 in the County of Wetaskiwin by the Summer Village of Poplar Bay.

There are several reasons that I object to this:

-The owner of this piece of property has repeatedly expressed in the past that he wishes to subdivide and create at least 14 separate lots. To ignore this fact is being unrealistic.

This would lead to a huge increase in the traffic in the area during construction and beyond which would endanger pedestrians and create an increase in the use of the fragile reserve land which accesses the lake in front of 2nd street

This would cause significant maintenance costs to the existing Poplar Bay roads from both the construction vehicles which are very hard on the road system and the increase in public traffic.

- There is no benefit to the Summer Village of Poplar Bay.

-This land already has an access road to 771 so there is no need for the traffic to spill out onto Poplar Bay Road.

This would change the whole nature of the tranquility and safety to neighbouring residents like myself.

I strongly oppose this annexation and feel that it would negatively affect my life at the lake.

Yours truly,

Doreen Dyck

Send via Website

April 5, 2021

Dear Sylvia,

As the owner of [REDACTED] Poplar Bay, I am writing this message to add my objection to those of many of my neighbours to the proposed restructure plan for the land listed as Pt of NW-28-46-1-W5 (title no. 092 350 213).

My objection is based largely upon the following concerns

- The 5.48 acre property may
- be further subsidized. I recognize that the current proposal does not indicate an intention to subdivide the property into more than two plots, however as there have been previous attempts to subdivide the property into 14 separate plots I must object to the
- proposal unless a more formal and binding commitment to limit the subdivision to two plots is made.
- Significant development
- off of what is now 2nd street would be a substantial traffic burden to the SV community. It would add traffic to the existing roadway, as well as to the public lake access area. This would be especially destructive in the case of substantial construction traffic
- for dwellings to occupy new lots.
- New lots utilizing the new
- wastewater system installed in the SV would add to the load on these utilities and increase the need for maintenance and the likelihood of failures. This is especially worrisome considering the vulnerable state of the Pigeon Lake Watershed.
- Established due process
- for the approval of this annexation does not appear to have been adhered to, limiting the opportunity for appropriate review and assessment of the proposal.

If you have any questions or require further clarification regarding my objection to the restructure plan for the indicated land, please feel free to contact me via this email address.

Respectfully,

Christopher Hayne

Send via Email

April 6, 2021

As per the information package sent to us, attached please find our comments.

Darrell and Sarah Waltz



Summer Village of Poplar Bay

P.O. Box 100 (605 - 2nd Avenue)
Ma-Me-O Beach, Alberta TOC 1X0
Phone: (780) 586-2494 Fax: (780) 586-3567
Email: Information@svofficepl.com
Website: www.poplarbay.ca

Adjacent Landowner Questionnaire

A summary of all feedback received will be included in the report prepared by the Summer Village and submitted to the Municipal Government Board. The Municipal Government Board will review the annexation application and provide a recommendation to the Province. Note that no personal information will be included within the summary.

Legal Description of Lands:

Mailing Address:

Name:

Email Address:

[Redacted]
[Redacted]
Darrell & Sarah Waltz
[Redacted]

1. Are you in favour of the proposed parcel of land being annexed to the Summer Village of Poplar Bay?

Yes

No

Please explain your reasons below (or in a separate letter).

It is difficult to say whether we are opposed or supportive of the initiative when we don't have details around development plans, subdivision plans, etc. Is the annexation proposal intended to provide the landowner with easier access to the property or is there some other rationale in play that has not been disclosed at this time?

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

If the annexation is approved, it states "the Summer Village's approving authorities will be responsible....". Does this mean that we, as adjacent landowners ^{in the County,} would have no opportunity to participate in public engagement, even though it is in our back yard? Are development/subdivision approvals/requirements easier through the Summer Village than the County?

Sylvia Roy | Summer Village of Poplar Bay Chief Administrative Officer

Email: Sylvia.Roy@svofficepl.com

P.O. Box 100 (605-2nd Avenue)

Ma-Me-O Beach, Alberta TOC 1X0

Based on the lack of information provided on why this is proposed at this time and on future plans for the property, we would have to say that we are opposed at this time. We have already been impacted negatively by the wastewater transfer station that is located in our subdivision for the residents. Further impacts to our lives.

Note: The personal information requested on this form is being collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act (FIPPA). The information collected will be used for the purposes of the Summer Village's annexation application.

Send via Website

April 7, 2021

I would like to have my name added to a list to object to an agreement between Paul Pidde and Village Council to annex and subdivide a 5.28 parcel immediately to our south boundary, with access through 2nd street.

I would appreciate if you could please redirect this email to be included in the Poplar Bay Annexation Objectors Group.

Thank you, Ingrid Shields

Proposed Summer Village of Poplar Bay Annexation

'What We Heard' Report to Council | 7 May 2021 | Prepared by Municipal Planning Services for Council

Overview of 2021 Notification/Engagement

On March 10, 2021 a notice was published on the Summer Village of Poplar Bay website, providing residents and community members with a second notice regarding the Summer Village's intent to annex lands and provide an update on the proposed annexation of Pt. of NW-28-46-01-W5. Concurrently, letters were mailed to adjacent landowners of the proposed annexation area (both within the Summer Village and the County of Wetaskiwin). The letter copy included a brief questionnaire to gauge if adjacent landowners were in favour of the proposed annexation, and if there were any concerns, comments, or questions regarding the proposed annexation.

Feedback was requested to be submitted to MPS and/or the Summer Village by April 6, 2021. Municipal Planning Services (MPS) notes that a small number of responses were provided following the requested submission deadline. This report includes all responses provided as of May 3, 2021.

As of May 3, 2021, MPS has received the following:

FEEDBACK FORMAT	NUMBER OF RESPONSES
Emails, Letters, Website Submissions	22
Phone Conversations	1
Emails/Letters forward from the Municipal Government Board	1

Feedback received as part of this phase of public notification has had a significantly higher response rate than what was reported as part of the Summer Village's Spring/Summer 2019 notification (three responses) and June 2019 public meeting (one person attended).

Questions about the proposed annexation provided to MPS are included as **Appendix A** to this Report. Where possible, these questions have been combined/edited for brevity and clarity. Unedited copies of questions and feedback were shared with Summer Village Administration and Council. MPS has provided responses to these questions in **Appendix A**.

Summary of Feedback Received

MPS has completed a review of the feedback provided to our office by Poplar Bay residents/community members via email and messages forwarded by Summer Village Administration. The following is a list of common issues, concerns, and themes raised in these responses.

Note: 'Numbers of Mentions' are approximate, based on MPS staff reading through the responses and making note of when issues, concerns, and themes were identified.

PROCEDURAL ISSUES	NUMBER OF MENTIONS
Concerns about consultation, notification	11
No Response to questions posed to Council/Administration (2019, 2020)	3
Land sale regarding wastewater facility lands	5

TRAFFIC/ROAD ISSUES	NUMBER OF MENTIONS
Location/development of 2 nd Street in current location	3
Increased traffic	12
Road/pedestrian safety	10
Road access could be provided from County/other location(s)	6

COMMUNITY ISSUES	NUMBER OF MENTIONS
Not in the best interest of the Summer Village/No benefit to Summer Village	11
Subject site has not contributed to wastewater facility costs to date, other community improvements	1
Concern about additional/Future costs for the Summer Village	8
Potential for increased noise	6
Loss of property value	5
Future construction concerns	10
Impacts on the wastewater system	2
Impacts on public access to Pigeon Lake, boat mooring	9

ENVIRONMENTAL ISSUES	NUMBER OF MENTIONS
No environmental reports have been prepared	1
Impacts on Pigeon Lake Watershed/Local environment	11
Potential deforestation	6
Impacts on stormwater drainage, groundwater runoff	2

SUBDIVISION/FUTURE SITE DENSITY	NUMBER OF MENTIONS
Concern that more than two lots will be subdivided	13
If only two lots are subdivided, not a major concern	4
Multiple unbuilt subdivisions in the Pigeon Lake area, no need for more	2
Subdivision should be applied for within the County	1
Concern that this will lead to the development (or access via the Summer Village) of lands to the south of the proposed annexation area	6

Suggested Resolutions to Concerns (From Responses)

The following is a list of potential resolutions noted by residents/community members that provided feedback to MPS that may alleviate concerns or objections to the proposed annexation (or elements thereof).

Note: 'Suggested Resolutions' from responses identified below are not copied verbatim from the feedback responses; rather, they have been edited for brevity and/or clarity.

SUGGESTED RESOLUTIONS
Provide certainty (e.g. caveat, bylaw) that only two lots may be subdivided from the proposed annexation area
Provide certainty that no vehicle access will be provided to County lands to the south of the proposed annexation area
Provide certainty that upgrades to local roads and wastewater servicing to service the proposed annexation area will be the financial responsibility of the landowner
Create a reserve boundary/buffer on the periphery of the proposed annexation area from Summer Village properties
Hold a public meeting between the Summer Village Council/Administration, the proposed annexation area landowner, and residents/community members to: <ul style="list-style-type: none"> • Share information about the purpose/history/process of the proposed annexation application • Answer questions from residents/community members • Discuss opportunities to address residents/community members' concerns

MPS Recommendations to Council

The response rate to the recent public notification process was significantly higher than the reported response rate to the 2019 public engagement process (open house and notification) conducted by the Summer Village's previous project consultant.

MPS **recommends** that Summer Village Council:

- Hold a 2nd public meeting with local residents/community members to:
 - convey the purpose/status of the proposed annexation;
 - identify what work has been completed to date;
 - explain the annexation process;
 - answer questions posed by residents/community members; and
 - discuss potential solutions/conditions for the proposed annexation that address resident/community member concerns.

MPS **further recommends** that the public meeting be held virtually via Zoom in order to comply with current local and provincial gathering restrictions due to COVID-19, and to provide community members who may be unable to attend a local meeting an opportunity to be present.

Appendix A - Questions from Feedback

Questions about the proposed annexation provided to MPS are included below. Where possible, these questions have been combined/edited for brevity/clarity. Questions are identified in **blue bold** text; responses provided by Municipal Planning Services (MPS) are provided in regular black text.

Note: questions are not copied verbatim from the feedback responses; rather they have been edited for brevity and/or clarity. Where similar questions were posed, these have been combined into one question.

1. Has proper public engagement taken place?

Public consultation is a requirement for all annexation applications. The consultation process is normally determined by the municipality. The Municipal Government Board requires that all annexation applications include:

- The results of the consultation;
- Identification of public concerns;
- How the concerns are resolved (if resolved); and
- A list of conditions agreed to resolve concerns (if any).

The Summer Village has now undertaken two rounds of consultation for this proposed annexation. The current consultant assisting with this process (MPS) was not involved in the first round of consultation. **This second round of consultation is still ongoing.** Additional steps will be required to clarify the areas of public concern and to identify proposed resolutions to these concerns.

2. Please provide details of the public meeting in June 2019. Can you also identify how many objections have been received from both the public meeting and the recent annexation notification?

A public meeting was held on Wednesday, June 26, 2019 at the Summer Village of Poplar Bay's municipal office (605-2nd Street, Summer Village of Ma-Me-O Beach). It was hosted by Summer Village Administration and the Summer Village's previous consultant for this proposed annexation. Public notification for the meeting was done by the Summer Village.

MPS is unable to confirm with confidence the extent of the public notification list in 2019. This is one of the reasons why MPS recommended to Council that additional public engagement be undertaken.

The Summer Village indicated to MPS that the 2019 meeting was attended by one person, who noted that they did not support the proposed annexation. Three letters were provided by Summer Village residents indicating objections and/or concerns with the proposed annexation.

Twenty-four responses were provided to MPS and the Summer Village in response to the March 2021 annexation update notice (which was mailed to all adjacent landowners from tax roll addresses, and posted on the Summer Village's website). Most responses indicated objections or concerns with the proposed annexation.

3. What benefit does this annexation provide the Summer Village of Poplar Bay?

Benefits to the Summer Village by annexing the proposed annexation area include:

- Having jurisdictional control over the future subdivision and development of the proposed annexation area; and
- Increased taxation and assessment base.

4. The draft Pigeon Lake South Intermunicipal Development Plan (being prepared by MPS for the County of Wetaskiwin and the Summer Villages of Crystal Springs, Grandview, Norris Beach, and Poplar Bay) identifies the proposed annexation area and the 147 acres of land to the south of it as ‘Residential.’ Can you provide information as to when and why this land was rezoned from Agricultural to Residential?

The proposed annexation area (and the parcel to the south of it which is to remain in the County) is identified as within the ‘Residential Area’ on Map 2 – Future Land Use Concept of the most recent draft Pigeon Lake South Intermunicipal Development Plan. The reason for this is that these lands (the proposed annexation area, and the larger parcel to the south) are currently within the Lakeshore Residential Land Use District and the Country Residential Land Use District (respectively) in the County of Wetaskiwin’s Land Use Bylaw (Bylaw 2017/48). Map 2 of the Draft Intermunicipal Development Plan includes this land within the ‘Residential Area’ to be consistent with current zoning in the County’s Land Use Bylaw.

5. How did 2nd Street come to be in its current location? Did the landowner (of the day) construct the road?

2nd Street was included in the original plan of subdivision for this area (Plan 5128 TR) in 1974. At the time of subdivision, this area was within the County of Wetaskiwin. An annexation in 1976 brought this area into the boundaries of Summer Village of Poplar Bay.

In 1996, as part of a new subdivision application which was proposed to facilitate the development of two side-by-side lots that would have otherwise been separated on either side of 2nd Street, the road (2nd street) was closed and the lands were incorporated into a new residential lot. A new 2nd Street was registered proximately 50 metres to the southeast of its original location to ensure continued access to the remainder parcel through the Summer Village. The process for closing a road is outlined in the *Municipal Government Act* and requires Ministerial approval. The process also involves:

- Council approval of a bylaw;
- Notification of adjacent landowners; and
- A non-statutory public hearing.

Ultimately, a road cannot be closed without Ministerial approval. The road closure and registration of the relocated road were completed in 1996 concurrently with the approval by the Summer Village’s Subdivision Authority of the subdivision which created the new residential lot and relocated road. These processes have been complete for 25 years and have no bearing on the current annexation application.

MPS understands that 2nd Street was constructed by the original subdivision applicant, likely as a condition of their subdivision approval which is common practice. Costs associated with the development of infrastructure, including roads, are normally the responsibility of the developer. The person or firm contracted to undertake the work is normally determined by the developer.

The roadway is not developed to current municipal standards. For development of any kind to occur that requires access from 2nd Street the road will have to be improved at the cost of the benefiting developer(s).

6. Why does the Summer Village have to provide access to this property at the location of 2nd street?

Direct legal road access to this property from 2nd Street has been in place since 1974, during which time it (and surrounding properties to the north within Subdivision Plan 5128 TR) were part of the County of Wetaskiwin. A Subdivision Authority

cannot approve a subdivision that would result in the creation of a lot, including the remainder, without ensuring that the lot(s) have legal access. This requirement is identified in the *Subdivision and Development Regulation*.

7. Is Summer Village Council aware of a previous subdivision application for the proposed annexation area?

A subdivision application was made to the County of Wetaskiwin's Subdivision Authority (West Central Planning Agency) in 2004. As an adjacent municipality, the Summer Village would have been circulated notice of the proposed subdivision. The Summer Village has no authority or jurisdiction over subdivision decisions made within another municipality. From the information that is available today we can confirm that no such subdivision was ever registered with Alberta Land Titles.

If the objection to the annexation is related to the potential for a multi-lot country residential subdivision to occur within these lands, then the Summer Village may wish to consider identifying, as a condition of annexation approval, that the Summer Village will amend the Summer Village of Poplar Bay Land Use Bylaw to create a new residential district for these lands that does not provide for similar residential density within the subject lands as is provided for in the rest of the Summer Village.

8. What could the future residential density of the proposed annexation area (i.e. number of subdivided lots) be if the annexation is approved? How could the Summer Village ensure that only one or two lots would be created from the proposed annexation area?

If the annexation is approved, the maximum number of residential lots that could be subdivided from the proposed annexation area would be as determined by the Summer Village Land Use Bylaw. The Land Use Bylaw would need to be amended to include the proposed annexation area in an appropriate Summer Village Land Use District. At that time, Council may determine that an existing Land Use District is appropriate, or may choose to have Administration develop a new Land Use District that applies different density and use regulations to the proposed annexation area. An amendment to the Summer Village's Land Use Bylaw requires public notification and a public hearing process so Summer Village residents would have the opportunity to provide their comments and feedback during that process as well.

9. Are there agreements between the landowner of the proposed annexation area and the Summer Village related to the wastewater treatment plant land purchase?

The landowner of the proposed annexation area does not have agreements with the Summer Village of Poplar Bay relating to this annexation in consideration of the wastewater treatment plant land purchase.

10. How would the proposed annexation impact traffic safety and public access to (and use of) reserve parcels adjacent to Pigeon Lake?

The owner(s) of the proposed annexation area is currently able to use and access the public reserve parcel, regardless of whether the property is within the County or Summer Village. If the property is annexed into the Summer Village in the future and a proposal for subdivision were to be provided to the Summer Village, the capacity of local infrastructure and community amenities (parks, roads, etc.) would be a consideration of the Subdivision Authority when evaluating the suitability of the proposed redistricting and subdivision application.

11. How might noise, dust, pollution, and traffic from the future development of the proposed annexation area impact the Summer Village?

Today, with approvals from the County of Wetaskiwin the proposed annexation area could be developed in accordance with the regulations of their Land Use Bylaw. Noise and traffic concerns would be addressed to the County, rather than the Summer Village. If the proposed annexation is approved, concerns about noise, dust, pollution, and traffic related to development and use of the site would be subject to the Summer Village's Land Use Bylaw, and would be addressed/enforced by the Summer Village's Development Officer and other approving authorities.

12. How would the proposed annexation impact the Pigeon Lake Watershed?

The proposed annexation would not have a noticeable impact on the Pigeon Lake Watershed. If the annexation is approved, future subdivision and development of the property would be required to be consistent with the Summer Village's Municipal Development Plan and Land Use Bylaw. The Summer Village's Municipal Development Plan, adopted in 2020, incorporates recommendations from the 2018 Pigeon Lake Watershed Management Plan regarding environmental management and site development. Further, once the Pigeon Lake South Intermunicipal Development Plan is approved, any proposal for subdivision or development will have to be consistent with that plan as well.

13. There are a large number of undeveloped or unsold residential properties in the Pigeon Lake Area. Does the Summer Village need more development?

The status of other subdivisions and developments in the Pigeon Lake area is not relevant to the proposed annexation, and is not a consideration of the Summer Village's (or the County's) Subdivision Authority when assessing a subdivision application.

14. Council agreed to add conditions to the proposed annexation (Council Resolution 19-189). Is Council willing to add additional restrictions that will prevent further subdivision of these lands beyond two residential properties with access through 2nd street? Who will be responsible for the construction of 2nd Street?

An annexing municipality typically identifies conditions of an annexation as part of its report to the Municipal Government Boards. Until such time as a formal annexation report is submitted to the Municipal Government Board for their consideration, the Summer Village may consider addition or revised conditions as part of the annexation application. The conditions that had been identified in 2019 as part of Council Resolution 19-189 are:

- That once the property owner has installed a holding tank on the property, the Summer Village of Poplar Bay will install the service connection line from the cc valve on 2nd Street to the holding tank and connect the line into the holding tank at cost plus 5%.
- A Local Improvement Levy will be applied to the property when the pump is installed.
- Any improvements to 2nd Street roadway will be at the property owner's cost.
- Utilities such as power, gas, etc. are at the property owner's cost.

Council has indicated that they are open to including conditions in the annexation application. Further, access to the County lands could be restricted at time of future subdivision by:

- Not allowing a subdivision design that connects to the southerly adjacent quarter section and;
- Requiring the provision of a reserve parcel along the southern boundary of the subject lands.

15. Who will be responsible for costs associated with storm drainage and groundwater runoff if the proposed annexation area is developed/subdivided in the future? Can the Summer Village restrict how many trees are cleared as part of a future development on the site?

If the proposed annexation area is annexed into the Summer Village, proposals for subdivision and/or development will be required to address stormwater management, lot grading, and drainage. Additionally, tree and vegetation clearing will have to be consistent with the policies in the Summer Village’s Municipal Development Plan and Land Use Bylaw (and the draft Pigeon Lake South Intermunicipal Development Plan, when approved). The Summer Village’s Municipal Development Plan, adopted in 2020, incorporates recommendations from the 2018 Pigeon Lake Watershed Management Plan regarding environmental management and site development. If annexation does not occur, these matters would be addressed in accordance with the County’s Municipal Development Plan, Land Use Bylaw and the Pigeon Lake Watershed Area Concept Plan.

16. Has the Summer Village prepared any environmental reports in support of the proposed annexation?

Due to the small parcel size of the proposed annexation area, no environmental reports have been prepared. If the proposed annexation area is annexed into the Summer Village in the future, the Summer Village’s approving authorities may require specific environmental reports in support of a Development Permit application or subdivision application if it is determined that significant environmental site considerations are present.

17. Can the local wastewater system accommodate the proposed annexation area?

The local wastewater system has capacity to support the proposed annexation area.

18. At the March 2021 Council meeting, Council decided that the Summer Village of Poplar Bay would develop a roadway to extend Range Road 14 from its current location within the County of Wetaskiwin to connect with Poplar Bay Drive. What is the purpose and benefit of this construction to Poplar Bay residents? Is this related to the annexation request and wastewater treatment plant?

The development of this roadway, which is intended to provide emergency access to the Summer Village within an existing government road allowance, is entirely unrelated to the proposed annexation application or the wastewater treatment plant.

19. If the Summer Village of Poplar Bay annexes the Covenant Bay Bible Camp, will that organization be required to pay property taxes or will they get a religious exemption from taxes?

Please note that the Bible Camp is not part of the proposed annexation.

Proposed Summer Village of Poplar Bay Annexation

'What We Heard' Report to Council | 16 August 2021 | Prepared by Municipal Planning Services for Council

Overview of May 2021 Online Engagement Session/Public Meeting

On May 20, 2021 Municipal Planning Services (MPS) hosted an online engagement session/public meeting (via Zoom) for residents and community members of Poplar Bay. Persons could attend via a mobile/computer device, or call in via their phone. The meeting was led by planners Jane Dauphinee and Brad MacDonald of MPS, and was attended by approximately 25-30 persons.

MPS gave a presentation to attendees that provided information about:

- What annexation is, and the annexation process in Alberta;
- The Summer Village's proposed annexation of a property current in the County of Wetaskiwin;
- A summary of public engagement that had occurred to date (by the previous consultant and MPS)
- Answers to questions, comments, and suggestions provided by residents and community members following the notice sent to adjacent landowners and posted on the Summer Village's website.

During (and after) the presentation, MPS answered questions/comments asked by attendees through the platform's chat function. Following the session, a recording was hosted on MPS' YouTube channel and shared with the Summer Village for residents unable to attend the session live. The recording is available at: <https://www.youtube.com/watch?v=wP-gW4poYGw>.

The following is a summary of the questions/comments asked by attendees, and the responses provided by MPS. Please note: some questions/comments and answers provided are edited for brevity/clarity, and/or combined with similar questions/comments. In some instances, further clarification is provided by MPS.

If the existing Low Density Residential District (zone) in the Summer Village's Land Use Bylaw is applied to the proposed annexation area, can it be changed (redistricted, or re-zoned) in the future?

Yes. A decision of the Council of the day do not prevent future Councils (or the same Council) from making changes to a bylaw. A Land Use Bylaw can be amended at any time. However, an amendment to a Land Use Bylaw will require (at minimum) a public hearing.

The proposed annexation area is an irregularly shaped lot. What are its front, side, and rear yards?

Typically, the front yard of a property is the side that faces the roadway that provides legal road access. Currently, this would be the side that faces 2nd Street/Pigeon Lake. Were the proposed annexation area subdivided in the future, the specific yards would be dependent on the configuration of the subdivision.

Is it possible to have a buffer along the southern boundary of the proposed annexation area?

It is a possibility, but a complicated process. The Summer Village cannot insist on a buffer that would result in the creation of an undevelopable portion of the proposed annexation area (e.g. the eastern portion).

Can you explain/clarify how 2nd Street came to be in its current location, and how it became a legal road access to the proposed annexation area?

2nd Street was included in the original plan of subdivision for this area (Plan 5128 TR) in 1974. At the time of subdivision, this area was within the County of Wetaskiwin. An annexation in 1976 brought this area into the boundaries of Summer Village of Poplar Bay.

In 1996, as part of a new subdivision application which was proposed to facilitate the development of two side-by-side lots that would have otherwise been separated on either side of 2nd Street, the road (2nd street) was closed and the lands were incorporated into a new residential lot. A new 2nd Street was registered proximately 50 metres to the southeast of its original location to ensure continued access to the remainder parcel through the Summer Village. The process for closing a road is outlined in the Municipal Government Act and requires Ministerial approval. The process also involves:

- Council approval of a bylaw;
- Notification of adjacent landowners; and
- A non-statutory public hearing.

Ultimately, a road cannot be closed without Ministerial approval. The road closure and registration of the relocated road were completed in 1996 concurrently with the approval by the Summer Village's Subdivision Authority of the subdivision which created the new residential lot and relocated road. These processes have been complete for 25 years and have no bearing on the current annexation application.

MPS understands that 2nd Street was constructed by the original subdivision applicant, likely as a condition of their subdivision approval which is common practice. Costs associated with the development of infrastructure, including roads, are normally the responsibility of the developer. The person or firm contracted to undertake the work is normally determined by the developer.

How can the Summer Village apply for an Environmental Reserve designation?

Normally, this occurs at the time of subdivision. Environmental Reserve (ER) can only be applied to lands that have attributes that indicate they are environmentally significant lands (e.g. wetlands, lakes, watercourses, steep slopes, or lands adjacent to these).

If these lands have these features, they may qualify for ER if a subdivision application is made. Additionally, a municipality can, by bylaw, can alter the title of lands already owned by the municipality to identify the land as ER.

Can the proposed annexation area be accessed through lands to the south?

Legal road access (which all lots in Alberta must have) to the proposed annexation area is through 2nd Street in the Summer Village of Poplar Bay.

Have any studies (e.g. Traffic, Financial, Environmental, Watershed, Wildlife) been undertaken in regard to the proposed annexation?

Reports of this nature are common for annexation applications that involve a large area of land (e.g. quarter sections) adjacent to urban municipalities. Given the small size of the proposed annexation area, these studies have not been required.

If the proposed annexation area is annexed into the Summer Village, technical studies/reports may be requested by the Summer Village's Development Authority or Subdivision Authority to assess a future application for development and/or subdivision.

The Summer Village has undertaken several annexations since 1967. Are there any plans for further annexations by the Summer Village?

MPS is not aware of any plans for future annexations. The draft South Pigeon Lake Intermunicipal Development Plan (to which the Summer Village is a participating municipality) identifies criteria for when/why an annexation application may be considered in the future.

The proposed annexation area is in the southeast portion of the Summer Village; residents of the Summer Village of Grandview may be affected. Has noticed been provided to Grandview?

It is not a common practice to notify a municipality that is not adjacent (or, is not the ‘annexed’ municipality) to a proposed annexation application. MPS can share information about the proposed annexation with the Summer Village of Grandview.

(Note: information about the proposed annexation was shared by MPS with Summer Village of Grandview Council in May 2021).

Would the landowner of the proposed annexation want to incur costs associated with improvements to the road and servicing for two lots?

MPS cannot speak to the landowner’s opinion. Servicing/infrastructure Costs to develop/subdivide undeveloped land are common, especially in municipalities like a Summer Village.

Who is responsible for unlicensed vehicles (e.g. ATVs and motorcycles) on 1st and 2nd Street?

MPS cannot answer this question. This would be the person responsible for the Summer Village’s roads and/or bylaw enforcement.

Is the planned emergency access along Range Road 14 (addressed in the May 7, 2021 What We Heard Report) going forward?

MPS is not involved in this undertaking by the Summer Village; it is not associated with the proposed annexation application. Questions regarding it should be directed to Council and Administration.

(Note: Concerns/questions about the proposed emergency access project by the Summer Village were shared with Summer Village Administration).

Can Aspen Acres become a Village? Can residents of Aspen Acres initiate an annexation application?

MPS is not familiar with the process of creating a new Village in the Province; we are unfamiliar with recent examples. Aspen Acres is a country residential subdivision in the County of Wetaskiwin. Only municipalities can initiate an annexation application.

Can the existing wastewater line handle future development?

MPS is not aware of any limitations to the Summer Village’s wastewater system that would limit connections to the proposed annexation area.

Given that concerns regarding this proposed annexation have been raised by residents/ratepayers, why is this application continuing to proceed?

MPS cannot answer this question, as it should be directed to Council. From a planning perspective, there does appear to be benefits to the Summer Village, such as jurisdictional control over when/how the proposed annexation area may be developed in the future, and contributions through taxation and it would provide the Summer Village with greater control over future subdivision and development within this parcel of land.

If the annexation was approved today (hypothetically), how long could it take for a subdivision to go through to split the property into two lots?

An application for subdivision for the proposed annexation area could be submitted today without annexation approval, if applied for to the County of Wetaskiwin. The landowner could go to the County’s subdivision authority and apply to subdivide the lot; the application could be approved if it meets the requirements of the county planning documents.

If the annexation process is complete and the land is annexed into the Summer Village, normally the subdivision process takes approximately six months. For this property, if the annexation is approved, it would require an amendment to the Summer Village’s Municipal Development Plan and Land Use Bylaw, which may increase the length of time required to complete the subdivision.

What costs have been incurred by the Summer Village with this annexation application to date?

MPS does not have this information; this question should be directed to Summer Village Council and Administration.

Why is a subdivision application/plan not part of the annexation application?

It is not required as part of an annexation application. Approval of a subdivision is provided by the Summer Village's Subdivision Authority, rather than the Summer Village's Council.

However, the landowner has provided information about their intentions for future subdivision. The maximum density they have indicated that they wish to develop on this site is two lots.

Would the Municipal Government Board consider feedback of Summer Village residents when making their decision regarding the proposed annexation application?

If there is no general agreement from community members, the Municipal Government Board will consider this in the decision-making process as to whether to approve or not approve the application. This application will likely go to a hearing before the Municipal Government Board, where testimony/submissions can be presented at the hearing by any affected by the proposed annexation.

Could a permanent caveat be put on the title of the property to ensure that it never subdivided into more than two lots?

No, that is not possible. The current Council is not allowed to fetter or bind a future Council. The Summer Village does not have authority to place such a restriction on the property.

Any indication about how soon development would occur once annexed?

MPS cannot answer that question. Development within the proposed annexation area (if/when the annexation is approved) would require the approval of development permits from the Summer Village's Development Authority.

LANDOWNER CONSENT AGREEMENT

THIS AGREEMENT entered into as of the 21 day of December, 2022.

BETWEEN:

THE SUMMER VILLAGE OF POPLAR BAY
(the "Summer Village")

-and-

PAUL PIDDE
(the "Landowner")

WHEREAS:

- A. The Landowner is the registered owner of lands located in the County of Wetaskiwin No. 10 (the "County"), which are adjacent to the Summer Village.
- B. The Landowner and the Summer Village wish to submit a proposal, pursuant to section 116 of the *Municipal Government Act*, to annex the lands owned by the Landowner from the County (the "Annexation Application"). The Landowner and the Summer Village have agreed to submit the Annexation Application in accordance with the terms of this Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSES THAT the parties hereto, in consideration of the mutual covenants and agreements hereinafter set-forth, the receipt and sufficiency of which is hereby acknowledged, covenant and agree as follows:

1. The Landowner is the registered owner of lands located in County as described in Schedule "A" to this Agreement (the "Lands").
2. The Landowner agrees to fully support the Annexation Application and to cooperate with the Summer Village in submitting the Annexation Application. The Landowner agrees to provide written confirmation to the Land and Property Rights Tribunal that the Landowner consents to and supports the Annexation Application, as well as provide any further assistance the Summer Village might reasonably request in relation to the Annexation Application.
3. The Landowner acknowledges and agrees that the Summer Village cannot guarantee the success of the Annexation Application and that the final discretion for the granting of the Annexation Application lies with the Lieutenant Governor in Council, in accordance with section 125 of the *Municipal Government Act*.
4. The Landowner further acknowledges and agrees that the Summer Village shall not be liable for any costs, damages, losses, or fees incurred by the Landowner in relation to the Annexation Application or complying with the Landowner's obligations under this Agreement, regardless of the result of the Annexation Application, and further agrees to indemnify the Summer Village for any costs, fees, charges, damages, or expenses incurred by

the Summer Village in relation to any claims, causes of action, or demands made against the Summer Village by the Landowner in relation to the same.

5. The Summer Village further acknowledges and agrees that the Landowner shall not be liable for any costs, damages, losses, or fees incurred by the Summer Village in relation to the Annexation Application or complying with the Summer Village's obligations under this Agreement, regardless of the result of the Annexation Application, and further agrees to indemnify the Landowner for any costs, fees, charges, damages, or expenses incurred by the Landowner in relation to any claims, causes of action, or demands made against the Landowner by the Summer Village in relation to the same.
6. Should the Annexation Application be accepted, and the Lands be annexed by the Summer Village, the Landowner and the Summer Village acknowledge and agree as follows:
 - i. The Summer Village acknowledges that it is a term and agreed to condition of the Landowners consent to the within annexation that the Summer Village agrees to act in good faith and allow the Landowner to submit an application for subdivision for the Lands to the subdivision authority of the Summer Village (the "Subdivision Authority"), which would, if successful, subdivide the Lands into two parcels as shown on Schedule "C" attached hereto (the "Subdivision Application").
 - ii. In the event the Annexation Application is successful, the Landowner shall submit the Subdivision Application to the Subdivision Authority.
 - iii. The Landowner acknowledges and agrees that the Subdivision Authority is an external entity which assesses all subdivision applications on behalf of the Summer Village, and that the Summer Village cannot guarantee the success of the Subdivision Application. However, the Summer Village agrees to act in good faith and support, in principle, the Subdivision Application. The Landowner further acknowledges and agrees that the Summer Village cannot take any steps to influence the outcome of the Subdivision Application beyond acknowledging its support, in principle, of the Subdivision Application in this Agreement.
 - iv. The Landowner acknowledges and agrees that any costs required to connect any development on the Lands to existing utilities will be the sole responsibility of the Landowner or any successor Landowner of the Lands.
 - v. The Landowner acknowledges and agrees that, in the event the Subdivision Application or development permit application is submitted with regards to any proposed development or subdivision of the Lands, as part of the conditions of said development permit or subdivision approval, the Landowner or any successor Landowner will be required to install a holding tank, and the Summer Village will install a connection line to the Summer Village's wastewater system to the holding tank at the landowner's sole cost, to bring the subject site into compliance with the Summer Village's Wastewater Local Improvement Levy Bylaw (No. 250) and the Municipal Wastewater Utility Bylaw (No. 253).

- vi. The Summer Village and the landowner acknowledge and agree that the extension of 2nd Street through the annexation lands for the purpose of providing road access to the County lands adjacent to the southern boundary of the site will not be allowed.
- vii. The Summer Village and the landowner acknowledge and agree that the property assessment category for the property will be 'vacant residential.' The County's current assessed value will apply to the property until the next assessment cycle (following annexation), at which time the Summer Village of Poplar Bay's assessment of the property will be used.
- viii. The Landowner acknowledges and agrees that, in the event the Subdivision Application or development permit application is submitted with regards to any proposed development or subdivision of the Lands, as part of the conditions of said development permit or subdivision approval, the Landowner may be responsible for the costs of upgrading the access road to the Lands, municipally described as 2nd Street and legally described as set out in Schedule "B" to this Agreement (the "Road"), as follows:
 - 1. Applying at least 6 inches of gravel (of at least 20 mm size) to the entire surface of the Road, as it extends from Harbour Road to the Road's termination at the Lands;
 - 2. Ensuring the surface of the Road is cleaned of trees and shrubs;
 - 3. The Landowner shall not be responsible for any other upgrades to the Road except as described in paragraphs 1 and 2 above;
 - 4. The Landowner shall not be responsible for ongoing maintenance of the Road.
- 7. The Parties acknowledge and agree that the terms of this agreement are not intended to nor shall be construed as fettering or restricting the lawful authority of any board, tribunal, other quasi-judicial entity, or elected municipal Council (or member of the Council), or development authority in the exercise of discretion vested in it by law, and that any clause in this Agreement which constitutes a fettering of discretion or restricting of lawful authority is null and void.

GENERAL

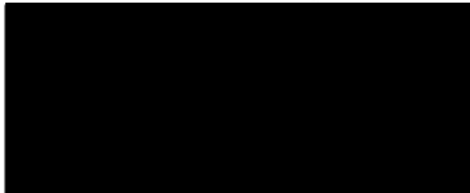
- 8. This Agreement may not be assigned by the Landowner without the express written consent of the Summer Village.
- 9. Nothing in this Agreement shall constitute the granting by the Summer Village of any approval or permit as may be required pursuant to the *Municipal Government Act*, RSA 2000, c M-25, as amended from time to time, and any other legislation in force in the Province of Alberta.
- 10. This Agreement shall be governed by and interpreted in accordance with the laws of the Province of Alberta. The courts of the Province of Alberta shall have exclusive jurisdiction with respect to all matters relating to or arising out of this Agreement.

11. This Agreement constitutes the sole and entire agreement between the parties as to its subject matter. Any amendments hereto shall be in writing duly executed by the parties.
12. If any provisions of this Agreement are invalid, illegal, or incapable of being enforced by reason of any rule of law or public policy, all other provisions of this Agreement shall, nevertheless, remain in full force and effect. No provision of this Agreement shall be deemed dependent on any other provision unless expressly so stated herein.
13. All schedules attached to this Agreement form part of this Agreement.
14. All notices, documents or other communications required under this Agreement shall be given to the parties as follows:

a. The Summer Village:

Box 100
605-2nd Avenue
Ma-Me-O Beach, AB T0C 1X0
Sylvia.roy@svofficepl.com
information@svofficepl.com

b. The Landowner:

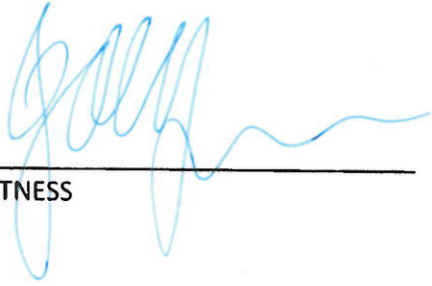


15. This Agreement shall be binding upon and enure to the benefit of the parties and their respective successors.
16. The Parties agree that this Agreement may be executed in counterparts by facsimile, by electronic communication, or by original document, and all the executed counterparts shall together constitute one agreement.

IN WITNESS WHEREOF the parties hereto acknowledge and agree that they have read and understand the terms of this Agreement, and that they have had an opportunity to seek independent legal advice prior to entering into this Agreement, and that they have executed this Agreement with full force and effect from the date first written above.

**THE SUMMER VILLAGE OF POPLAR
BAY**

PER:


_____

WITNESS



PAUL PIDDE