

BY-LAW NO.144
THE SUMMER VILLAGE OF SUNDANCE BEACH

A BY-LAW OF THE SUMMER VILLAGE OF SUNDANCE BEACH TO AUTHORIZE THE WEST
CENTRAL PLANNING AGENCY TO UNDERTAKE SUBDIVISION PROCESSING WORK FOR THE
MUNICIPALITY

WHEREAS the Minister of Municipal Affairs has granted the Summer Village of Sundance Beach the authority to approve its own subdivisions from March 31st, 1995, and;

AND WHEREAS the West Central Planning Agency is prepared to administer the subdivision process on behalf of the Summer Village of Sundance Beach;

NOW THEREFORE pursuant to Sections 7(f) and 54 of the Municipal Government Act, M-26.1, R.S.A., 1994, and amendments thereto, the Council of the Summer Village of Sundance Beach duly assembled, enacts as follows:

1. THAT the administration of the subdivision approval process shall be delegated to the West Central Planning Agency including the authority to approve, approve with conditions, or refuse an application.

2. THE West Central Planning Agency is authorized to receive subdivision applications and endorsement fees, paid by the applicant for subdivision approval.

3. THAT the West Central Planning Agency is authorized to endorse plans of subdivision, separation documents, transfers of land and any other documents required to register an approved subdivision at the Land Titles Office on behalf of the Summer Village of Sundance Beach, and the Registrar of Land Titles is authorized to accept the West Central Planning Agency's endorsement as if it were that of the Summer Village of Sundance Beach.

4. THAT the Agreement attached as Schedule "A" to this By-Law outlining the

were that of the Summer Village of Sundance Beach.

4. THAT the Agreement attached as Schedule "A" to this By-Law outlining the services provided and fees to be charged is hereby ratified and approved, and the Mayor and Municipal Administrator are hereby authorized to execute that said Agreement on behalf of the Summer Village of Sundance Beach.

5. THIS By-Law comes into effect on April 1st, 1995.

6. UPON passing of this By-Law, By-Law No. 143 is hereby repealed.

BY-LAW NO 144

THE SUMMER VILLAGE OF SUNDANCE BEACH

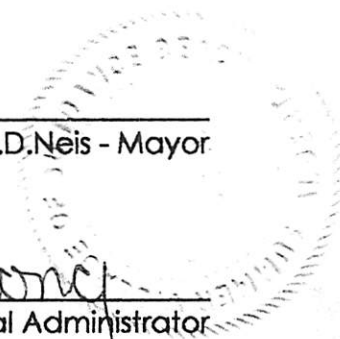
READ a first time this 21st day of March, 1995.

READ a second time this 21st day of March, 1995.

READ a third time and finally passed this 21st day of March, 1995.

R. D. Neis
R.D. Neis - Mayor

K.D. Armstrong
K.D. Armstrong, Municipal Administrator



**AN AGREEMENT between the Summer Village of Sundance Beach
and the West Central Planning Agency Concerning Municipal
Planning Services**

Pursuant to Sections 7(f) and 54 of the Municipal Government Act, Chapter M-26.1, R.S.A., 1994 and amendments thereto, the Council of the Summer Village of Sundance Beach (hereinafter called "the Municipality") and the West Central Planning Agency (hereinafter called "the Agency"), agree as follows:

Basic Service

1. The Agency will provide to the Municipality, the planning services described in Appendix "A" hereto.
2. In payment for the services described in Appendix A, the Municipality will pay to the Agency the sum of \$200.00 plus one dollar per privately owned lot within the corporate limits of the Municipality, payable each year within 30 days of the receipt of the Agency's invoice.

Extended Service

3. The Agency will undertake planning and land related work requested by the Municipality such as

Subdivision design work, where the Municipality is the developer
Advice on annexations
Park and recreation layouts
Land use bylaw drafting
Municipal census taking and analysis
Creation of custom data bases
Population projections
Traffic and parking studies
Economic development work
Development and maintenance of Geographic Information Systems
Custom maps
Intermunicipal work, such as fringe area studies or road studies

4. The work described above will be charged on a straight time basis and billed at a fixed price of \$60.00 per hour of professional time. The Agency will estimate the cost of each job and obtain municipal approval before starting work.

Subdivision Processing

5. The Municipality will pass a bylaw authorizing the Agency to process subdivision applications and to endorse plans and other subdivision documents on its behalf.
6. The Agency will bring to the municipal council a recommendation on each subdivision application, with the decision to be made by the Municipality.
7. The Municipality authorizes the Agency to charge fees to the applicants for subdivision approval on the following scale:

Application Fee: \$350 plus \$100 per lot

Endorsement Fee: \$100 per lot

No fee is chargeable for utility lots, reserve lots or roads.

Amendment of this Agreement

8. This Agreement may be amended at any time by mutual agreement of the parties.

Term of this Agreement

9. This Agreement continues in force indefinitely but may be terminated by either party upon twelve months' notice being given.

Ownership of Documents and Intellectual Property

10. It is agreed by both parties that all documents, files, maps and other information and things pertaining solely to the Municipality are the property of the Municipality and shall be returned to the Municipality promptly if this Agreement is terminated.

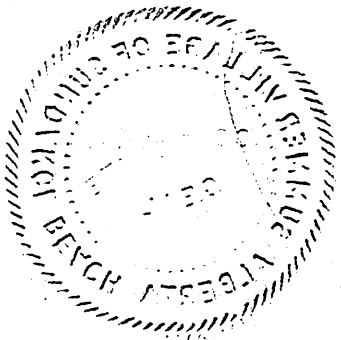
EXECUTED this 24th day of March, 1995

On behalf of the Summer Village of Sundance Beach

R. D. Deis
 Mayor


[Signature]
 Municipal Administrator





On behalf of the West Central Planning Agency


Chairman


Manager

Appendix A

Basic planning services

The Agency will:

Provide unlimited telephone access for day-to-day advice and guidance.

Maintain municipal base mapping: Keep copies of all registered plans, subdivisions, road plans, rights of way, etc.

Maintain an up-to-date municipal map (compiled plan) for use by the municipality, developers, builders, assessors, utility companies, electoral returning officers, census takers, government departments (eg Transportation), etc. Maps will be available in hard copy (paper or plastic base) or in digital form (computer disc).

Maintain maps of hazard areas: undermined areas, sour gas and oil fields, flood zones, unstable slopes, contaminated sites, etc.

Maintain* air photograph coverage, historical and latest.

Provide air photo overlays on legal base maps for assessors and emergency services.

Maintain* contour mapping; provide cadastral ties for new contours.

Provide unlimited access to data base, including but not limited to Canada census (population and economic data), highway traffic volumes, retail trade, census of agriculture, grain volumes, building permits, & school enrolments.

Provide advice by letter on changes in planning law and practice.

Maintain, interpret, and enforce deferred reserve caveats for municipalities which contract for subdivision processing services.

Attend Council meetings as necessary.

Protect municipal interests beyond current boundaries, for example, identifying future road and utility corridors, water sources, gravel, etc.

Represent the regional interest to outside organizations including government departments, recovering the cost, where possible, from these outside organizations.

*** Maintain means that the Agency will keep this information and make it available at no cost to members. However, the cost of flying new air photos, or creating new contours, will be a municipal expenses under Appendix B.**

Appendix B

Directly billed services

The Agency will undertake any land related work* requested by the municipality, such as:

Subdivision design work, where the municipality is the developer
Annexations
Ordering and organizing new air photography and contouring
Park and recreation layouts
Land use bylaw drafting
Municipal census taking and analysis
Creation of custom data bases
Population projections
Traffic and parking studies
Economic development work
Geographic Information Systems
Custom maps
Intermunicipal work, such as fringe area studies or road studies

This work will be available on a straight time basis and billed at a fixed price per hour of professional time. The Agency will estimate the cost of each job and obtain municipal approval before starting work.

Land-related advice to developers will be charged at full cost to them, with no charge to the municipality.

*** There may be some limitations due to professional licensing and liability; for example, the agency cannot do work reserved by law to Alberta Land Surveyors or Professional Engineers.**

Appendix C

Subdivision Processing

At the request of a member municipality, the Agency will undertake the following work in relation to subdivision applications:

Meet the landowner and discuss what he wants, what he needs, and what is possible.

Advise on parallel processes such as bylaw amendment or road closure.

Open a file on the application; draft a map showing all interests on title.

Compile title, air photo, legal plans, assessment etc, and determine which agencies the application must be referred to.

Check for conformity with provincial and municipal rules: Planning Act, MGA, Land Titles requirements, Highways, Public Health, etc

Inspect site. Check measurements, encroachments, servicing, conflicting uses.

Evaluate flood hazard and slope stability.

Evaluate access, encroachments, culverts, drainage.

Check easements for power, gas, sewer, etc.

Establish design criteria and servicing for multi-lot subdivisions.

Negotiate resolution if different agencies give conflicting advice.

Determine whether reserves are due from this or previous subdivisions (cash, land, municipal, environmental, school, deferral or combination).

Advise municipality of recommendations by staff and all agencies.

Formulate recommendations to municipality.

EITHER: Inform applicant of municipality's decision

OR: Make a decision and inform applicant, where this function has been delegated by the municipality.

Circulate decision to all affected parties; prepare legal ads, notices, rights of appeal; answer questions by landowner and neighbours.

Advise all parties on appeals.

Attend appeals and represent municipality if requested.

Provide appeal board with maps, charts, photos that illustrate the issues.

Process final documents (survey, lease, easement, description, descriptive plan, plan of survey) and advise on documents.

Ensure that easements, caveats, etc are registered concurrently to protect municipal interests.

Maintain a record of all applications in case of future disputes over development agreements, reserves, boundaries, or land values, and make this available to municipalities, landowners, assessors, appraisers, and tax authorities.

Ensure that the survey is done in accordance with the municipality's approval.

Update municipal maps once subdivision is completed.

Additionally, in rural municipalities, the Agency will:

Prepare air photo interpretation for soil, water, topography, etc.

Review title for ERCB, coal, drainage district, and other interests.

Assess hydrography for Environment or Public Lands interpretation.

Assess Livestock, MDS, and Certificates of Compliance.

Assess soil quality, ground water, percolation.

Assess groundwater safety, probability.

Application fees will be set to cover the agency's full cost; there will be no charge to the municipality.