

BYLAW NO. 13-2011
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA

A BYLAW OF THE VILLAGE OF WABAMUN TO ADOPT AN INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS, the Council of the Village of Wabamun has the authority pursuant to the Provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M26, and amendments thereto, to adopt an Intermunicipal Development Plan Bylaw;

WHEREAS, the Council of the Village of Wabamun deems it advisable to adopt such a Bylaw to solidify the terms of the Memorandum of Agreement dated November 4th, 2010 and provide a framework for the Village of Wabamun and Summer Village of Point Alison for decision making, development and communication between the two municipalities;

NOW THEREFORE, The Council of the Village of Wabamun in the Province of Alberta, duly assembled hereby enacts as follows:

1. THAT this Bylaw may be cited as "The Village of Wabamun and Summer Village of Point Alison Intermunicipal Development Plan Bylaw (IDP)";
2. THAT the Village of Wabamun and the Summer Village of Point Alison Intermunicipal Development Plan and its attachments, namely
 - i. Schedule "A" - Memorandum of Agreement Between the Summer Village of Point Alison and the Village of Wabamun
 - ii. Schedule "B" - Area location mapas attached hereto, forms part of this Bylaw; and
3. SHOULD any provision of this Bylaw be found invalid, the invalid portion shall be severed and the remaining Bylaw shall be maintained
4. ALL other Bylaws preceding this Bylaw, relevant to this matter and dated prior to the date of the final reading shall hereby be repealed
5. THAT this Bylaw shall come into force and effect on the day of third and final reading being passed.

READ A FIRST TIME IN COUNCIL THIS 15th DAY OF AUGUST, A.D. 2011

READ A SECOND TIME IN COUNCIL THIS 24th DAY OF OCTOBER, A.D. 2011

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 24th DAY OF OCTOBER, A.D. 2011

Oct 26, 2011
SIGNED BY THE CEO THIS DATE


CHIEF ELECTED OFFICIAL

Oct 25, 2011
SIGNED BY THE CAO THIS DATE


MUNICIPAL ADMINISTRATOR

MEMORANDUM OF AGREEMENT BETWEEN THE SUMMER VILLAGE OF POINT
ALISON (SVPA) AND THE VILLAGE OF WABAMUN (Village)

November 4, 2010

WHEREAS pursuant to the Municipal Government Act the Village has prepared an area structure plan for the Waterfront area South of the Railway within the Village boundaries, and

WHEREAS the Village of Wabamun would like to obtain the licenses of occupation for the bed and shore of Lake Wabamun that contain the cooling water inlet and outlet canals currently held by Transalta, and

WHEREAS the Village has determined that retaining the inlet canal dyke structures are necessary and desirable to the development of the Waterfront Area Structure Plan, and

WHEREAS the inlet and outlet canals are an integral part of the Village habitat replacement plan, and

WHEREAS the SVPA has expressed concern regarding the development proposed within the Area Structure Plan on lands East of the SVPA, and

WHEREAS the SVPA has expressed concern regarding leaving the inlet and outlet canals in place,

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the SVPA and the Village agree as set forth herein.

1. With respect to the 150 foot buffer zone ("Buffer Zone") as outlined in Caveat 6375 NE located within the approximately 65 acres east of Prospect Drive on Point Alison represented by Pod 3 in the Waterfront Area Structure Plan and as outlined on the attached Schedule "A", the Village agrees that, for the benefit of SVPA and the land owners within the SVPA, no development (as specifically defined in Section 616 1b(ii-iii-iv) of the Municipal Government Act) on the Buffer Zone or road access to or across the Buffer Zone shall occur or be permitted at any time in the future, and:
 - (a) The SVPA confirms that it is willing to massage the exact dimensions of the Buffer Zone where appropriate and by mutual agreement.
 - (b) The SVPA would be allowed to fence the Buffer Zone to conserve the area from encroachment.
2. The SVPA will provide expressions of support, including letters, to the Village in obtaining the LOC for the inlet canal and would also support some portion of the inlet dykes remaining in place. The portion to remain in place has been mutually agreed upon and is identified in the attached Schedule "A".
 - (a) The SVPA and the Village will review the results of the Environmental Study that is to be undertaken on the inlet canal. The portion of the dykes to remain may be adjusted upon mutual agreement dependent on the results of the study.

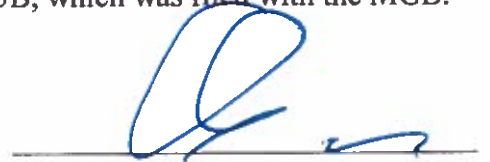
3. In the event that the Village of Wabamun acquires approximately 65 acre east of Prospect Drive on Point Alison, represented by Pod 3 in the Waterfront Area Structure Plan, the SVPA will not oppose the development of the internal and interconnecting canal system proposed subject to approval of the Villages Habit replacement program. The Village of Wabamun has confirmed that the internal canal on the east side of Point Alison is to be constructed on the land to be purchased from Transalta Utilities as detailed on Schedule "B".
4. The SVPA will provide expressions of support, including letters, to the Village in obtaining the LOC for the outlet canal and would also support the outlet canal dykes remaining in place, plus the proposed extension as outlined on the ASP.
5. With respect to the continuing existence of the Buffer Zone as defined in this Agreement the Village of Wabamun will amend, as necessary, any of its bylaws including:
 - (a) Municipal Development Plan Bylaw 06-2010;
 - (b) Land Use Bylaw 07-2010; and
 - (c) Waterfront Area Structure Plan 08-2010.

It is clearly understood by both parties that item 1 and 2 are preconditions to agreeing to items 3 and 4 by SVPA.

In consideration of the promises made in this Agreement by the Village the SVPA will withdraw their appeal with respect to the Villages MDP, ASP and LUB, which was filed with the MGB.

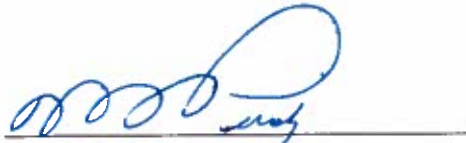


GORDON WILSON
Mayor



GARY ELLIOTT
COUNCILLOR

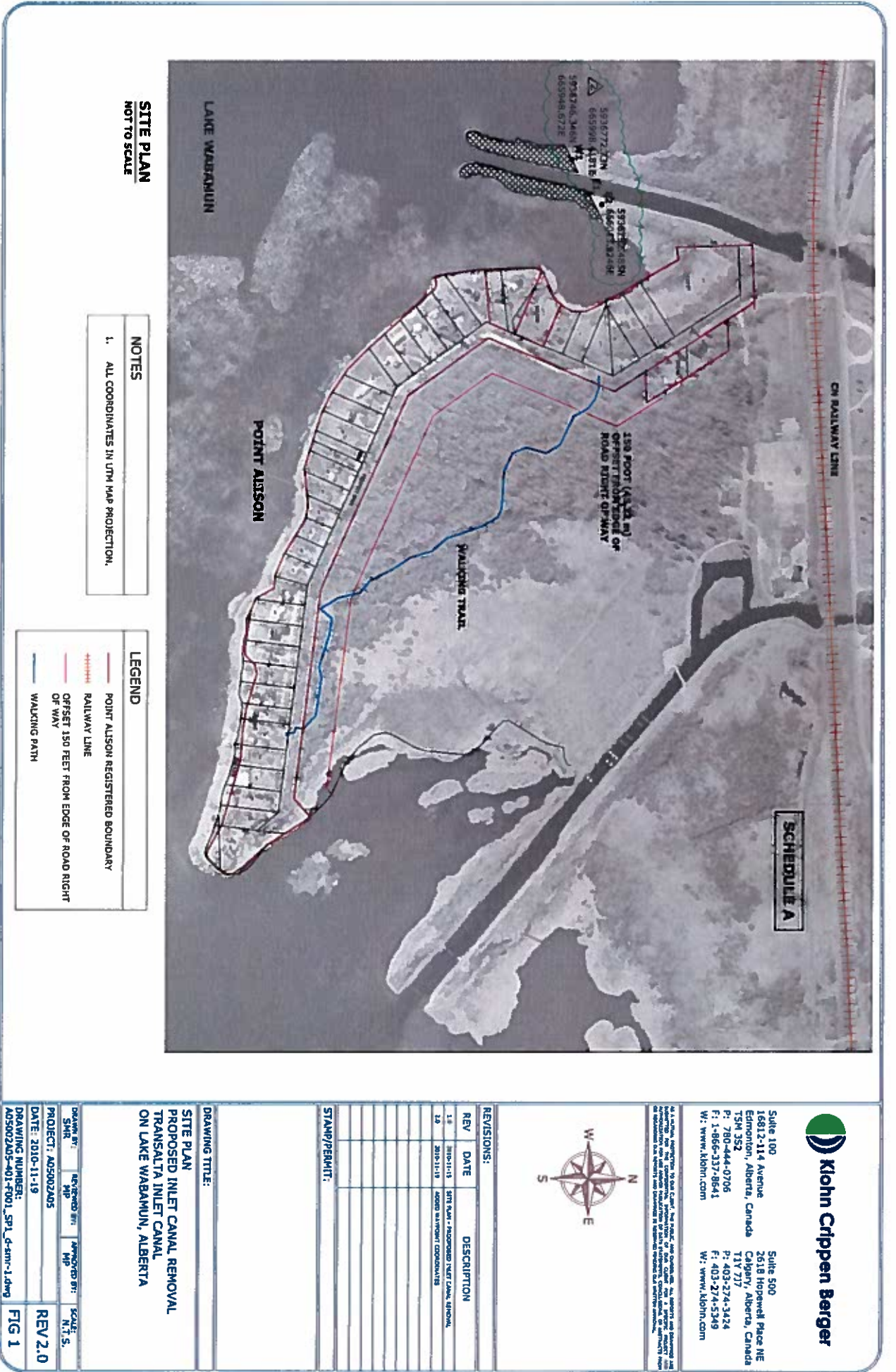
We have the authority to bind the Summer Village of Point Alison



BILL PURDY
Mayor

I have the authority to bind the Village of Wabamun

Agreed to and accepted this 05 day of NOVEMBER, 2010



SITE PLAN
NOT TO SCALE

- NOTES**
- ALL COORDINATES IN UTM MAP PROJECTION.

LEGEND

	POINT ALISSON REGISTERED BOUNDARY
	RAILWAY LINE
	OFFSET 150 FEET FROM EDGE OF ROAD RIGHT OF WAY
	WALKING PATH

SCHEDULE A

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REVISIONS:

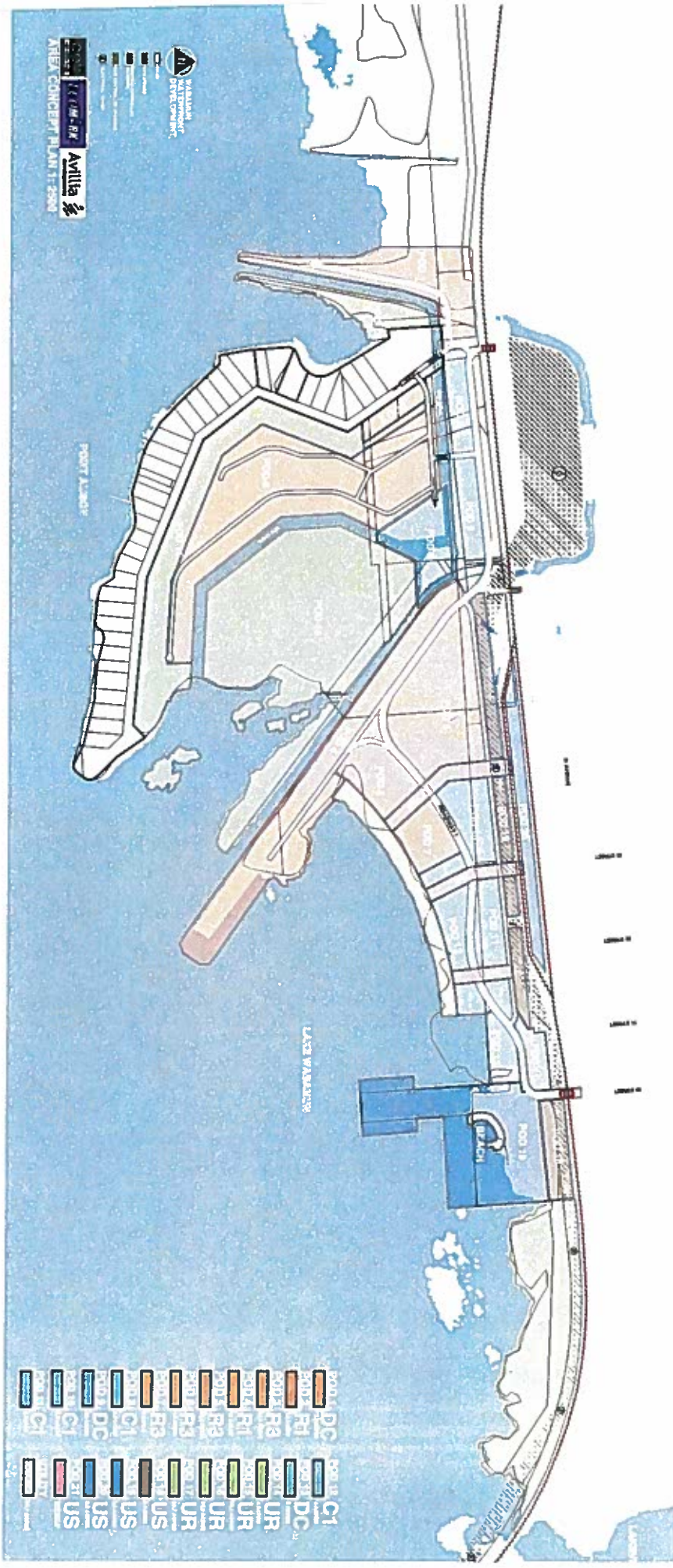
REV	DATE	DESCRIPTION
1.0	2010-11-19	5TH PLAN - PROPOSED 150 FT CANAL REMOVAL
2.0	2010-11-19	2000 METER COORDINATES

STAMP/PERMIT:

DRAWING TITLE:

**SITE PLAN
PROPOSED INLET CANAL REMOVAL
TRANSALTA INLET CANAL
ON LAKE WABAMOUN, ALBERTA**

DRAWN BY: SKH	REVIEWED BY: MJP	APPROVED BY: MJP	SCALE: N=1:S
PROJECT: A05002A05	DATE: 2010-11-19		REV: 2.0
DRAWING NUMBER: A05002A05-01-F001_SPL_0-0-0-1.dwg			FIG 1



Clear part

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