
Summer Village of Ghost Lake Annexation Application

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Notice of Annexation Application

Application of the Summer Village of Ghost Lake to Annex Land from the Municipal District of Bighorn No. 8

Executive Summary

The Summer Village of Ghost Lake (SVGL), the initiating municipality, is applying to annex approximately 42.4 ha of land (about 104.7 acres) from the Municipal District of Bighorn No. 8 (MD of Bighorn), the responding municipality. All of the land involved in the application is deeded land owned by TransAlta Corporation and is part of the Ghost Reservoir, which is used for hydro power generation and Bow River flood control. The water level covering the subject 42.4 ha changes over the course of the year, but an area along the Summer Village's southern boundary typically remains above the reservoir's highest water level. This area has been leased from TransAlta by the Summer Village for decades and used for recreational purposes. Recently, though, it was recognized that such lease and recreational development creates many issues under the Municipal Government Act that must be addressed. This is because the land is within the boundaries of the Municipal District of Bighorn. The proposed annexation is seen as the easiest way to rectify these Municipal Government Act issues.

There is agreement between the two municipalities that the annexation should proceed. The land to be annexed is not intended for population growth and the taxation value is minimal. The proposed new municipal boundary has been agreed to by both municipalities because it creates a straight line between two points that can be easily identified and recognized by the public. The landowner, TransAlta Corporation, has no objection to the change in municipal boundary. The adjacent private landowners also have no objection to the change in municipal boundary. Some Summer Village of Ghost Lake residents had questions about the proposal during public engagement sessions but appeared generally satisfied with the answers.

However, the Stoney Nakoda First Nations have provided a written objection to the proposed boundary change, meaning there is no "general agreement" to the annexation proposal. The Summer Village acknowledges the First Nations' opposition but believes that none of the matters raised in the First Nation's letters of objection are affected by the boundary change.

A Clear Statement that the Initiating Municipality Wishes to Proceed

Please see Attachment 'A', which also serves as the covering letter for this application.

Letter of the Responding Municipality Certifying Agreement to the Annexation

The responding municipality, the Municipal District of Bighorn, agrees to the annexation proposal. It sees no need for any special annexation conditions. Please see Attachment 'B'.

Application Fee

The annexation application fee is being sent to the Land and Property Rights Tribunal separately.

Up-to-Date Map of Existing and Proposed Municipal Boundaries and Each Parcel to be Annexed

Attachment 'C.1' illustrates the area proposed for annexation as circulated in the Notice of Intent. This figure shows the existing municipal boundary, lot lines within and adjacent to the Summer Village including Highway 1A and other public roads, and the proposed area to be annexed. The base air photograph was taken when the Ghost Reservoir water level was low, typical of the spring and early summer.

Attachment 'C.2' illustrates the area proposed for annexation on an air photograph taken when the Reservoir level is high. It shows the same annexation area as in Attachment 'C.1' as well as the two TransAlta Corporation lots that are affected by the proposal. Note that these lots are contained on one Certificate of Title as described later in this Application.

The 42.4 ha annexation area comprises portions of two original 1899 river lots that are now largely under water: Lots 6 and 7, Plan 89B. To help illustrate this, Attachment 'D.1' shows subdivision Plan 89B, and Attachment 'D.2' shows subdivision Plan 9199EJ. Together they illustrate the subdivision history of the Ghost Reservoir's boundary - that is, the land owned by TransAlta - in the SVGL area. The two subdivision plans show that the Reservoir and what is now the Summer Village of Ghost Lake were subdivided from the southern portions of Lots 6 and 7, Plan 89B in 1932. The north boundary of the Reservoir became the south boundary of SVGL when that municipality was created by the Government of Alberta.

Regarding the proposed annexation area, the north side of the annexation boundary corresponds to the northern edge of TransAlta's land, which is the Reservoir's boundary. The south side of the proposed annexation boundary shown in the Attachment 'C.1' and 'C.2' figures does not coincide with any property line. Instead, that proposed new boundary has been selected to be easily identifiable by the public. It links two pieces of shoreline using a straight line. It also offers the benefit of including some TransAlta land the Summer Village currently uses for the marina development that is above the Reservoir's usual high water level but outside the current lease boundary (see Attachments 'C.1' and 'F' imagery). Meanwhile, the southern portions of the remaining

parts of Lots 6 and 7 extend to the former Bow River water course. This area is well below even the lowest Ghost Reservoir water level.

TransAlta expressed that it would prefer its property not be subdivided as part of the annexation because of the increased complexity such subdivision would bring, both due to the subdivision process and the resultant increase in number of TransAlta properties within the reservoir area. In any case, such a subdivision could not be properly surveyed and staked (conceptually, the Plan 9199EJ information could be used). We understand from Alberta Land Titles that there is precedent for having properties in Alberta that span municipal boundaries, and ask the Tribunal to extend that favour here. However, if the Tribunal believes a subdivision is necessary, SVGL will initiate the subdivision process with TransAlta's consent.

All Relevant Sections of Statutory Planning Documents

Attachment 'E.1' and 'E.2' contain, respectively, excerpts from the MD of Bighorn and SVGL Municipal Development Plans as they pertain to intermunicipal and annexation policies. Neither of the two Municipal Development Plans directly supports this application. The MD of Bighorn's Municipal Development Plan states in Policy 15.4.1 that "Annexation discussions should be based on the demonstrated need to secure land for urban growth in the foreseeable future and should not be made for financial reasons or to gain long-term jurisdictional control." This is directly contrary to the subject application where there is no urban growth contemplated and the reason for the annexation is purely for long-term jurisdictional control. Similarly, the SVGL Municipal Development Plan states "Amongst other issues, the Intermunicipal Development Plan and the Intermunicipal Collaboration Framework will explore possibilities for sharing services and regulation of development on the lands SVGL leases from TransAlta." Instead, the annexation proposal avoids the need to prepare special shared service arrangements and regulatory control of the leased TransAlta lands. Furthermore, no Intermunicipal Development Plan was ever prepared by the two municipalities. Attachment "E.3" provides a copy of an agreement that forms part of the Intermunicipal Collaboration Framework between the two municipalities, which states their belief that a Intermunicipal Development Plan was not required. On the basis of that agreement, a Ministerial waiver of the Municipal Government Act's usual Intermunicipal Development Plan requirement was granted.

There is an explanation for this lack of statutory plan support for the proposed annexation now being sought by SVGL and supported by the MD of Bighorn. It is that both Municipal Development Plans were prepared and adopted before the Intermunicipal Collaboration Framework was negotiated and completed. It was during the Framework discussions that the two municipalities agreed that an Intermunicipal Development Plan was not needed because neither municipality wanted any significant change to the current land uses in the SVGL fringe. Certainly, neither wanted growth. It was also during those discussions and, especially, at subsequent inter-municipal meetings held pursuant to the Intermunicipal Collaboration that the two municipalities agreed to an annexation application. They decided that an annexation was the best way

to deal with the municipal governance and servicing problems that resulted from SVGL having a land lease located in the MD of Bighorn. The land transfer between the municipalities would solve the problematic municipal governance and service issues for the long term. It would also allow the land's long-standing recreational use and development to continue but under the auspices of the Summer Village. In short, an annexation made more practical sense to the two municipal councils than the earlier MDP policies.

A Description of the Intended Uses and Servicing of the Annexation Area

SVGL intends that the annexed land would be used in the same way as it has in the past. Only a small portion of the land included in the application is typically above water, and the intended use for most of this area is reflected in Attachment 'F', the Municipal Development Plan's Recreation and Open Spaces figure. That figure shows the intended uses for the area leased from TransAlta, those being for recreational, environmental protection and environmental preservation purposes. The recreational uses include a marina, small beach area and paths. Notice that some of the marina that has been developed over the years is within the proposed annexation area but outside of the lease area, which is why both TransAlta and SVGL wish to amend the lease. However, the majority of the area to be annexed would remain outside the lease. It would continue to function as part of TransAlta's active reservoir, with its dramatically alternating water levels. Attachment 'F' shows the amount of reservoir bottom that can be exposed when water levels are low. When it is high, that being most of the year, the boats can float into the marina slips (see Attachment 'C.2').

There are no municipal water or sanitary sewage services extending to the leased TransAlta land and no intention to provide such service. The leased land can only be used by Summer Village residents and their guests - it is not public - and SVGL residents and guests use the plumbing services available in their dwellings or cottages. On occasion, SVGL may place portable, pump-out toilets in the lease area for the convenience of marina users. Municipal garbage bins are located nearby, within the Summer Village. Stormwater percolates into the substantial grass area existing in the lease area or flows into the reservoir.

The major municipal service provided to the proposed annexation area involves municipal emergency response. SVGL and the MD of Bighorn have an agreement for the provision of this emergency service (i.e., fire trucks and personnel sourced from the MD) within the Summer Village but it does not include the proposed annexation area because that area is within the MD. The MD of Bighorn is already responsible for emergency services within the lease area, including the marina. This is one of the oddities resulting from the current municipal boundary location.

Up-to-Date Copies of Land Title Certificates of all Parcels include in Annexation

There is only one property involved in this annexation proposal and a copy of the Land Title Certificate is attached (Title Number 121 314 058 +5). Please see Attachment 'G.1'. Also attached is a copy of Land Titles Office Order Number 121314058, which corrects a minor error on the title. Please see Attachment 'G.2'.

Signed Consent of each Owner of Land within the Annexation Area

There is only one land owner within the annexation area: TransAlta Corporation. Communication with TransAlta has occurred several times between inception of the annexation initiative and now, but TransAlta has not provided a written position on the proposal. Verbally and in brief emails, TransAlta has suggested that it does not oppose the annexation provided it is able to amend its lease with the Summer Village. That lease allows the Summer Village and its residents to use the land along the south side of current Summer Village boundary for recreational purposes, while also clarifying that the land may be subject to occasional flooding because of the changing level of the Ghost Reservoir. The Summer Village agrees to the proposed updating of the lease.

During discussions, TransAlta has also indicated that it would prefer not to have the property subdivided along the relocated municipal boundary. That would be the simplest solution in terms of TransAlta's land management and record keeping. However, TransAlta was not entirely sure of what would be best in this regard, and also suggested that the annexed land should be subdivided so that the existing parcel was not within both municipalities. The Summer Village has no objection to such subdivision if that is TransAlta's ultimate preference.

Signed Acknowledgement of each Owner of Land within the Annexation Area Regarding Assessment and Taxation Conditions

As noted above, TransAlta Corporation is the landowner directly involved in the proposed annexation. TransAlta has not provided anything in writing expressing a position on assessment or taxation issues. Verbally it indicated that because of the small value of assessment and property taxation of the property, it does not require any related conditions as part of an annexation approval.

Letter of Initiating Municipality Regarding Known Objections

Please see Attachment 'H' for the Summer Village's letter acknowledging known objections. In addition to that letter, the objections and the issues raised are addressed below.

There are two known objections to the annexation proposal, both involving the Stoney Nakoda First Nations (Iyarhe Nakoda). Those First Nations comprise the Bearspaw First Nation, Chiniki First Nation and Goodstoney First Nation. They are adjacent neighbours

through Indian Reserves 142, 143, and 144. The two attached letters outline the reasons for their objections. Attachments 'I.1' is from the First Nations and Attachments 'I.2' is from Woste Igic Nabi Ltd., a private company owned by those First Nations.

As stated in the attached SVGL letter (Attachment 'H'), the position of the the Summer Village is that the proposed annexation will have no effect on the issues of concern raised in the two letters of objection. SVGL's position is explained below.

Stoney Nakoda First Nations letter - six issues:

1. Claim of reversion of ownership. The TransAlta land continues to be used for hydroelectric generation purposes and all of the land involved in the annexation proposal is subject to periodic inundation as a result. That includes the land leased by TransAlta to SVGL. This will continue to be the case for the foreseeable future given the Alberta Government's recent decision regarding construction of a new, replacement dam a short distance below the existing Ghost Reservoir dam. Hence any reversion claim is not applicable at this time. In any case, the annexation will not affect any First Nation's ownership claim as the land will either be in the MD of Bighorn or the Summer Village, and the mandate and responsibilities assigned to the two municipalities under the Municipal Government Act are the same.
2. Assertion of bed and shore ownership, and mineral rights. First, the old Bow River watercourse, bed and shore are not included in either the proposed annexation area or the TransAlta property subject to the proposal. Second, reservoirs are man-made and do not have bed and shore properties, as evidenced by TransAlta's land ownership. Third, ownership of mineral rights is not affected by municipal jurisdiction.
3. Claim to share of money paid to TransAlta. Any claim by the First Nations to money paid to TransAlta for flood control or other reasons will not be affected by whether the proposed annexation area is within the MD of Bighorn or SVGL. A change in the municipal authority governing the proposed annexation area will have no bearing on this type of claim.
4. Effect of proposed new Ghost Dam. As mentioned above, the Alberta Government has recently rendered a decision about replacement of the existing Ghost Reservoir dam. The Stoney Nakoda First Nations, the MD of Bighorn and SVGL and were all consulted about this project. A change in municipal responsibility for the proposed annexation area lands will neither affect nor be affected by the decision related to the new dam.
5. First Nations consultation is required. The Summer Village and its consultant tried several times to consult the Stoney Nakoda First Nations. For approximately six months there was no response from the First Nations. After a second effort was made by SVGL and its consultant, the responding First Nation's representative said that SVGL should register its interest using the First Nation's standard on-line consultation form and pay the First Nations' standard consultation fee (at the time, \$3,000 plus on-going consultation expenses). This consultation effort is addressed in detail elsewhere in the application.
6. Stoney Nakoda Nations are an 'affected person'. SVGL agrees.

Woste Igic Nabi Ltd. letter - five issues:

1. Ownership of mineral rights. Municipal jurisdiction and mandate do not involve ownership of mineral rights. Thus mineral right ownership is not affected by any municipal boundary change that would result from annexation.
2. Claim of share of money paid to TransAlta. Any claim by Woste Igic Nabi Ltd. to money paid to TransAlta for flood control or other reasons will not be affected by whether the proposed annexation area is within the MD of Bighorn or SVGL.
3. Effect of proposed new Ghost Dam. As mentioned above, the Alberta Government has recently rendered a decision about replacement of the existing Ghost Reservoir dam. The Stoney Nakoda Nations were consulted by the Alberta Government during the multi-year dam planning process.
4. First Nations consultation. The Summer Village and its consultant tried several times to consult the Stoney Nakoda First Nations. This is addressed elsewhere in the application.
5. Woste Igic Nabi Ltd. is 'affected'. SVGL does not have a position on this. However, Woste Igic Nabi Ltd. is owned by the Stoney Nakoda First Nations and an attempt was made on several occasions to consult with the First Nations. On none of those attempts was it suggested by the First Nations that SVGL should consult Woste Igic Nabi Ltd. as well as the First Nations.

An Explanation of the Consultation Process Followed

Stakeholder and public engagement began early in the annexation proposal process and has involved four groups:

- the affected landowner, TransAlta Corporation
- Summer Village landowners and residents;
- adjacent landowners; and
- affected local authorities.

The consultation varied with each group in terms of method and frequency. This is discussed below, along with the results of that consultation.

As landowner of the property involved in the annexation proposal, TransAlta was contacted early in the process, in July 2021. There were email and telephone discussions about the proposal, with TransAlta indicating that it had no objections to the proposal but wanted to amend its land lease with the Summer Village. TransAlta also indicated that it may want to have the subject property subdivided along the line of any new municipal boundary so that the property was not in two municipalities, but it was less certain of this request and ultimately decided it would prefer not to have more titles created. Regarding taxation, TransAlta stated that under the current lease the Summer Village pays the property taxes owed to the MD of Bighorn. It was noted that this would have to be addressed differently if the Summer Village was the taxing authority.

Email and/or telephone communications with TransAlta have occurred on several occasions since then to ensure TransAlta was informed of significant activities. The first occurred in January 2022 after the Notice of Intent was circulated. TransAlta was contacted again in April 2022 after the Stoney Nakoda First Nations' objections were

received, informed that the Summer Village and MD of Bighorn had decided to proceed with the annexation application notwithstanding those objections because a municipal boundary change did not seem to have any bearing on the First Nations' concerns, and asked if the company's position had changed. TransAlta said that it would involve its lawyers and get back to SVGL. Subsequent communication occurred in June 2022, in November 2023, over the December 2023 - January 2024 period, and in December 2024. In not all cases did TransAlta respond, and its initial position and interests have never been confirmed in writing. The most recent effort occurred in February 2025, just before this application was completed. No response was received.

Consultations with Summer Village residents and landowners was formally undertaken twice. An open house, with a presentation and then question and answer period, was held in November 2021. It was advertised on the Summer Village's website, on a notice board located near the community hall, and by email through the municipality's email list. Attendance was considered good, at about 35 people. There were many questions raised, mostly about why this was necessary, whether or not this was the best way to deal with the legislative issues, what the effect of the Ghost Dam relocation/rebuilding decision might have if the maximum level of the reservoir was increased, TransAlta's position, and what land use planning control changes might come with the change of municipal responsibility. The primary concern raised, though, was that the ability to maintain the lease for the TransAlta land not be lost.

Given the delay in the annexation process, a second public engagement session was held in August 2023. This took the form of a presentation followed by a question and answer period. The questions raised were similar to that of the first community meeting, with the addition of concerns about the First Nations' objections. Some members present expressed support for the matters raised by the First Nations and there was discussion about what role the annexation might play in that regard, but no one suggested that the annexation process be discontinued. Again the main focus was on the desire to retain the ability to use the land leased from TransAlta. The marina and larger waterfront access it allows is seen as a major benefit to Summer Village residents and landowners.

There are four adjacent landowners, all with long term ownership interests in the area. The three private landowners were contacted in the summer and fall of 2021. The landowner to the immediate north indicated no concerns. The landowner to the northwest expressed interest and inquired as to how the annexation might affect its residential subdivision approval and on-going, phased development (called Carraig Ridge). Again, no objection was received. The landowner to the west and south of Highway 1A was concerned about the possibility that the annexation would lead to more residential development in the Summer Village. They were also interested in the history of TransAlta's ownership of the land. After discussion, they indicated support for the annexation application proceeding. All three landowners were also invited to both of the Summer Village engagement sessions described above. The owner of the property to the immediate west attended the first open house and presentation session. Given that interest, this landowner was notified in January 2025 of SVGL's intention to submit the annexation application. They indicated that their original position was unchanged.

The fourth adjacent landowner is the Stoney Nakoda First Nations. While comprising three separate Nations, each Nation elects a chief and four councillors who together form the Stoney Tribal Council. The Stoney Tribal Council and its administration acts as a coordinating government body for the three Nations, and this was the focus of the effort to involve the First Nations.

The first attempt to consult with the First Nations about the annexation proposal was in July 2021. In the months of July and August, several efforts (six documented, plus others) were made to contact the Tribal Administration's CAO. This involved emails and telephone calls to the CAO and, at the suggestion of the receptionists, his assistant. It included a description of the annexation initiative and the area involved. No response was ever received. Nonetheless, the Stoney Nakoda First Nations were sent an invitation to the November 2021 SVGL community open house and presentation regarding the annexation proposal. No representatives attended.

The Notice of Intent was sent to the Stoney Nakoda First Nations at the end of October 2021, as it was to other affected parties. Another email and telephone attempt was made to engage the First Nations in January 2022. This resulted in contact with the Nations' Consultation Office, through email and then telephone. The Summer Village was advised to file the annexation proposal using the established consultation process set out on the First Nation's website. This involves a registration fee and may generate additional fees associated with any meetings, etc. as described in a fee schedule. When it was explained that the Summer Village did not have the money to pay such on-going fees and the Consultation Office was asked if those fees could be waived, the answer was that consideration of that would be made only after the project was first on file as per the process. The Summer Village was familiar with this consultation requirement because it had encountered the same system when it adopted its Municipal Development Plan (MDP) a few years earlier. At that time the Summer Village made a similar effort to seek comments on its MDP from the First Nations and was similarly told that it must first pay a registration fee and then pay for any subsequent meetings. During that MDP-related contact there was no willingness to waive the fees, the argument being made that just as the Summer Village paid a consultant to undertake work for it, it should pay the First Nations to undertake consultation work. As was the case with the MDP, for this annexation application the Summer Village decided it could not afford the potential fees that might result from the First Nations' formal consultation process. The Summer Village believes that such inter-governmental discussions and referrals should not have fees attached. Consequently, the Summer Village decided it would continue to work with the First Nations as it did with other governments and landowners, by use of telephone calls, emails and postal service or couriers.

In March 2022, the Summer Village received copies of two letters of objection to the annexation proposal that were addressed to the Land and Property Rights Tribunal. One letter described the position and concerns of the Stoney Nakoda First Nations. The second letter described the position and concerns of Woste Igic Nabi Ltd. Both originated from the law firm Rae and Company, and this changed the Summer Village's

communication plan. Subsequent communication was directed to that law firm rather than the Stoney Tribal Council and its administration.

In May 2022 there was communication from Rae and Company asking the Tribunal whether or not the annexation application had been submitted. The Tribunal replied no, and referred Rae and Company to SVGL's consultant. The consultant responded that SVGL's annexation initiative had been slowed so that the First Nations' objections could be considered. Additionally, the consultant indicated that SVGL would be interested in discussing the First Nations' concerns with them provided there were no fees. This communication was by email. There was no response.

In July 2023, Rae and Company inquired as to whether or not SVGL was intending to continue with its annexation proposal. A letter was sent by the consultant in response, indicating the annexation proposal was continuing and stating SVGL's belief that changing the municipal boundary would have no effect on the First Nations' or Wostegic Ltd.'s interests. The letter also asked for consultations about those First Nations' interest provided there was no fee involved. No response was received.

In December 2024, Rae and Company were notified of the Summer Village's intention to submit the annexation application in early 2025. That communication also stated the Summer Village's continued interest in consultation with the First Nations provided no fees were required. This communication (an email) was copied to the First Nations Consultation Office. No response was received from either party.

The fourth group contacted by SVGL and its consultant were the affected local authorities and government departments that might be interested in the application. No concerns were raised in the initial consultation with the list of affected local authorities, or in response to the mailed Notice of Intent. Consequently, there was no subsequent communication with those local authorities. There was a further attempt to communicate with Alberta Transportation and Economic Corridors. This was because that Alberta Government department was seen as having a possible interest related to the proposed Highway 1A upgrade and SVGL boundary in general, even though the land proposed for annexation is not adjacent to the highway. An email advising of SVGL's intention to file the annexation application was sent in December 2024 and an effort made to contact the department representative by telephone. There was no response to either. Meanwhile, the Letter of Intent notification list was updated to ensure the contact information was correct.

The MD of Bighorn was also kept apprised of the status of the annexation proposal on a regular basis. This was especially important in the period from fall 2022 to spring 2023. During this period the MD had several CAO and planner changes, and its administration questioned the need for the annexation. They were especially interested in having the Summer Village join the MD of Bighorn. It took discussion between senior council members of the two municipalities to correct that perception. The staff persons involved are no longer with the MD, and its administration is again aligned with the direction of the two councils. This did, though, slow down the annexation process.

An Explanation of any Differences in Public Consultation Undertaken versus the One Proposed in the Notice

The stakeholder and public consultation process undertaken for this annexation proposal was very similar to that proposed in the Letter of Intent. The differences that occurred were primarily related to complications that were encountered along the way that slowed down the process.

One of those complications involved the difficulties encountered in planned consultations with the Stoney Nakoda First Nations. It had been hoped that this would have followed the route used in most governmental consultations but it did not. Initially there was no response from the First Nations, and then there was the request that the Summer Village follow the First Nations' established consultation process. This included payment of fees that the Summer Village believed could easily exceed its capacity to afford. Then there was the receipt of formal objection letters from the First Nations' lawyers. While the Summer Village repeated its offer to consult without the requirement to pay fees, this offer was never acknowledged or accepted.

There were also changes to the consultation process that resulted from delays in getting the application completed on the originally-foreseen schedule. The Summer Village and its consultant wanted to ensure the public and, especially, key stakeholders were kept up to date. Of note in this regard were the on-going communication with TransAlta Corporation, the affected landowner, and the second community engagement meeting.

The need to engage the MD of Bighorn again in 2022-2023 period was also unplanned. The changes in the MD's senior administrative staff required several telephone and video calls, and a second round of meetings to ensure that the MD, the responding municipality, continued to be in support of the proposal. The MD returned to its original position of support when those individuals left and new administrative personnel were hired by MD of Bighorn Council.

And finally, there were the additional emails sent in December 2024 to: the MD of Bighorn; TransAlta (plus a telephone message); the Stoney Nakoda First Nations and its private company, with copies to the First Nation's Consultations Office; Alberta Transportation and Economic Corridors (plus a telephone message); and the owner to the land west of SVGL because of their earlier interest in the initiative. The intention with this communication was to inform the parties known to be interested in the annexation proposal that the application package was being finalized for submission to the Tribunal.

A Clear Identification of Boundary Roads Included or Excluded in the Annexation

This annexation proposal does not involve any boundary roads, including township or range roads.

The southern boundary of the Highway 1A right-of-way aligns with the northern municipal boundary of SVGL along parts of its length, but the highway is within SVGL in other parts (see Attachment 'C.1' map). The Highway 1A situation is made more complex because the Alberta Government has stated its intention to re-align and upgrade the highway in the future. A tentative new highway alignment for the Summer Village area has been made public but there is no certainty of the land area needed for that alignment. Regardless, the Summer Village has expressed an interest in having the southern edge of the new Highway 1A right-of-way used consistently as SVGL's northern municipal boundary once the final highway alignment has been determined.

List of Names and Mailing Addresses of each Landowner or Other Person Known to have an Interest in Annexation Proposal

Attachment 'J' contains the requested list of names and mailing addresses of landowners and other persons known to have an interest in this annexation proposal in addition to the initiating and responding municipalities. It includes:

- TransAlta Corporation - Attn: Joan E. Allen (the owner of the land proposed for annexation).
- McKendrick Ranches Ltd. - Attn: Ann McKendrick-McNabb (an adjacent landowner who expressed an interest in being kept informed when contacted about the proposal).
- Stoney Nakoda First Nations - Attn: L. Douglas Rae, Rae and Company (an adjacent landowner which has written the Tribunal expressing opposition to the proposed annexation).
- Woste Igic Nabi Ltd. - Attn: L. Douglas Rae (a company owned by the Stoney Nakoda First Nations that has written the Tribunal in opposition to the proposed annexation).

Proposed Effective Date of Annexation

The two municipalities agree that the effective date of this annexation should be January 1, 2026 for assessment, taxation and budgeting reasons. However, the taxation effect of this annexation is negligible and a July 1, 2025 or July 1, 2026 date is also suitable.

Identification of any Special Conditions being Requested

There are no special conditions being requested. It is noted that the affected landowner, TransAlta, wants to adjust its lease agreement with the Summer Village of Ghost Lake in association with the proposed municipal boundary change but that is viewed as a separate issue. In any case, SVGL believes such lease adjustment is appropriate.

Reference to any Other Relevant Matters which Arose

The Summer Village believes the only matter of note with the annexation proposal is the objection of the Stoney Nakoda First Nations. While the Summer Village recognizes the importance of the issues raised by the First Nations as they pertain to historic land ownership and claims, it cannot see how the location of municipal boundary lines will

have any bearing on those interests. Only senior governments or the courts can address the issues the Stoney Nakoda First Nations raise, and municipal boundaries will not play a role.

The other matter of relevance was uncertainty about the proposed Ghost Dam relocation or reconstruction. Some options being considered had the potential to raise the maximum water level of the Ghost Reservoir, potentially causing flooding in parts of the Summer Village. This matter was put to rest by the recent Alberta Government decision that the dam be relocated to a site a little downstream of the present dam.

Confirmation of Involvement of other Public Interests (AT&EC, Schools, Regional Service Commissions, etc.)

The Summer Village consulted all affected local authorities as required by legislation as part of the Notice of Intent process. They are listed in the Cc: line of the Notice of Intent (which the Tribunal already has) and in the list provided in the next section.

Only one of the listed parties showed any interest in the annexation proposal, that being Alberta Environment and Protected Areas. SVGL's planning consultant had discussions with the department in 2021 that involved two items. The first was that this waterbody is a regulated reservoir that both generates electricity at the Ghost Dam, and serves to buffer spring runoff flows and help protect downstream municipalities from flooding risks. There was agreement that the annexation would not affect those functions. The second item of discussion was the then-proposed, now decided relocation or reconstruction of the Ghost Dam. Alberta Environment and Protected Areas expressed the concern that some of the options being considered at the time (notably, increasing the elevation of the existing dam structure) might affect the Summer Village in terms of flood risk. Ultimately there was agreement that the Summer Village and the MD of Bighorn were both members of the planning committee investigating the dam relocation or reconstruction, and so both would have input and be aware of the decision being made. Furthermore, it was decided that the change in municipal boundary location would not have any bearing on whether or not existing properties or buildings were at increased risk of flooding. In conclusion, while Alberta Environment and Protected Areas had an interest and wanted to know more about the annexation proposal, the department had no objections to the annexation proposal nor recommended conditions of approval.

None of the other listed agencies expressed any concern regarding the proposal. This was not unexpected. The annexation would not add any economic growth or population that would impact service level requirements in the region, and the subject land is mostly under water for much of the year.

Between the Notice of Intent and this Annexation Application being made, additional outreach by email and telephone message to Alberta Transportation and Economic Corridors was undertaken in the thought that they may have changed their level of interest. This was because the northern part of the current SVGL municipal boundary

extends across Highway 1A in places, and also because the transportation department is planning a realignment of Highway 1A. However, there was no response back from the department. This is likely because the proposed annexation area does not adjoin Highway 1A or any part of the contemplated re-alignment route, so the annexation would not seem to affect the department or its activities.

List of Affected Local Authorities as Defined in the Act

The list of local authorities as defined in the Municipal Government Act (s. 1(1)(m)) is as follows:

- Municipal District of Bighorn No. 8
- Rocky View County
- Alberta Health Services, Calgary Zone
- Rocky View Schools
- Calgary Catholic School District

For the Notice of Intent, a mailing list that included those authorities as well as other parties thought to be affected or interested was prepared. That list has been updated for use by the Land and Property Rights Tribunal in the event it might be useful for this annexation application. Please see Attachment ‘K’ for those contact names and mailing addresses as necessary.

Explanation of How the Proposed Annexation Addresses the Tribunal’s Appendix “B” (Fifteen) Annexation Principles

1. Intermunicipal Cooperation

The problems posed by the SVGL’s lease and the associated, longstanding recreational use of this land - adjacent to SVGL’s municipal boundary but in the MD of Bighorn - became an important part of the discussions the two municipalities had when preparing their Intermunicipal Collaboration Framework. This discussion became a focus of subsequent talks held pursuant to the Framework. The two municipalities agreed that seeking to have the subject land incorporated within SVGL rather than in the MD of Bighorn would be the best long term solution for addressing the municipal governance and servicing issues posed by the lease.

The matter was again discussed in late 2022 and early 2023 when the MD of Bighorn had an interim Chief Administrative Officer (CAO). The interim CAO did not have any history of the earlier co-operative effort and wanted to have the issue revisited by MD of Bighorn Council. This delayed the annexation application process for several months. When the two municipalities did get together again to discuss the matter they both agreed that the annexation should occur. In short, this annexation application is a direct result of active and on-going intermunicipal cooperation.

2. Accommodation of Growth by all Municipalities

The purpose of the proposed annexation is to incorporate within SVGL an area of leased land that is contiguous to the SVGL boundary and used by SVGL and its residents, but situated in the MD of Bighorn. The existing situation causes several jurisdictional and governance problems that have only been recognized in the past few years. If it persists, addressing those problems will result in municipal inefficiencies. The annexation proposal is seen as an easy and effective way of avoiding these inefficiencies. Neither municipality views the proposed annexation as a means of accommodating growth.

The Summer Village decided several years ago that it does not want to grow in any substantial manner. SVGL's Municipal Development Plan's (p.9) vision statement and goals illustrate this:

Vision

In 10 to 15 years, the Summer Village of Ghost Lake will remain a small, cohesive and self-reliant municipality where commitment to the community is readily apparent, and where people take advantage of retained open spaces and direct access to the Ghost Reservoir for recreation and relaxation.

Goals

Based on the input obtained through public engagement, a set of goals has been developed to help the community achieve its future vision. Those goals are:

- To enhance cohesiveness and volunteerism in order to build a strong, self-supporting community with relatively low taxes.*
- To limit future growth, in terms of subdivision and development, to the privately owned properties that currently exist.*
- To preserve the undeveloped, municipally owned land in a natural state while being cognizant of the need for occasional fire hazard risk reduction activities.*
- To maintain direct access to the Ghost Reservoir from SVGL through the TransAlta Corporation lease and improve upon the recreational opportunities this access allows.*
- To limit commercial development to activities that are undertaken in private residences, are not readily apparent and do not adversely impact neighbouring property owners, and do not attract tourists or the travelling public to the community.*

- *To maintain the current rural characteristics of SVGL, namely: reliance on private water and sewer systems; low density development and lot coverage; narrow, multi-purpose road surfaces; and self-reliance rather than extensive government service levels.*

The MD of Bighorn is similarly uninterested in extensive population growth, especially in its rural areas. This is best summarized in one of its Municipal Development Plan's (p. 14) eight guiding principles:

Managed Growth and Compatible Land Uses

Growth will primarily be accommodated within existing hamlet boundaries and other identified growth nodes which will provide opportunities for appropriate residential and economic development. The nature, scale, intensity, location and design of new development will be compatible with the site and the surrounding land uses. A mix of land uses, including agriculture, industry, tourism, natural areas and residential uses will be considered.

These growth nodes are identified on page 4 of the MD's Municipal Development Plan:

The MD of Bighorn is primarily a low-density, rural municipality that contains several nodes of higher density in a more urban-style environment. These nodes include five hamlets, one country residential subdivision, the Kananaskis Settlement and the Horseshoe Lands Planning Area. Each of these nodal communities is unique and has differing needs and aspirations that the MD of Bighorn recognizes and considers in its planning and development decisions.

In other words, the Summer Village is not seeking to accommodate any population growth through this annexation. Similarly, the annexation will not affect the MD's growth. The MD is not seeking to grow its population in any significant fashion near the Summer Village, having instead established growth nodes elsewhere.

3. Recognition of Local Autonomy

This annexation proposal is based on local autonomy, and its efficiency and effectiveness. Moving the subject portion of the TransAlta property into the Summer Village will allow the governance and servicing issues that are currently the responsibility of the MD of Bighorn to instead be managed by SVGL. The alternative, discussed earlier, is to have the MD of Bighorn managing issues that directly involve and result from the activities of the Summer Village and its residents. Those include such things as issuing development permits (with a corresponding need to adjust the MD's Municipal Development Plan and Land Use Bylaw), and providing other municipal services for the TransAlta lands leased by SVGL. The Section 72 requirements of the Municipal Government Act must also be addressed. This alternative would seem to be a lessening of local autonomy as contrasted against the annexation option which enhances local autonomy.

4. Land Requirement Considerations

The annexation is not linked to growth. Instead, the land requirement identified in this annexation proposal has two other purposes. First, the objective is the incorporation within SVGL of the TranAlta lands that are above the normal high water level of the Ghost Reservoir and used by SVGL and its residents, but situated in the MD of Bighorn. This area extends beyond (south of) the current TransAlta lease area, as can be seen in Attachments 'C.2' and 'F'. The second objective is to select a new boundary that is easily identifiable to the public. This has been accomplished by drawing a straight line between two shoreline points that are located on existing property lines.

5. Logical extension of Growth Patterns, Transportation and Infrastructure Servicing

The proposed annexation does not have any effect on growth patterns, transportation or infrastructure servicing. The goal is simply to achieve municipal government efficiency in addressing an existing land use situation.

6. Cost Effective, Efficient and Coordinated Approach to the Administration of Services

This is the main objective of the annexation proposal. There are unusual and convoluted ways of dealing with the Summer Village's longstanding lease and active use of the land owned by TransAlta that is within the Ghost Reservoir area and outside SVGL's municipal boundary. The Municipal Government Act s. 72 requirement regarding acquisition of land outside the municipality could be met by an MD of Bighorn Council resolution. The MD could amend its Municipal Development Plan and Land Use Bylaw to acknowledge the existing use of the TransAlta land. The MD could issue any necessary development permits and ensure Safety Code Act approvals for the leased land on an on-going basis. And the MD could recognize its responsibilities for provision of emergency and other common municipal services on the leased land, and provide those services by driving through the Summer Village. However, the two municipalities have discussed these issues during and following preparation of their Intermunicipal Collaboration Framework, and agreed that the proposed annexation would be the most cost effective, efficient and coordinated approach to the administration of services. The no-annexation alternative requires ongoing involvement of the MD of Bighorn in Summer Village of Ghost Lake issues; and vice versa. It would have to be coordinated but would certainly not be an effective or efficient approach to the administration of services.

7. Sensitivity and Respect for Key Environmental and Natural Features

The Ghost Reservoir is a man-made waterbody and so many of the usual environmental requirements one might anticipate for a lake do not apply. However, environmental protection is important to the Summer Village and its residents, and SVGL's Municipal Development Plan established policy direction for dealing with the TransAlta lease area even though this land is outside its boundaries. These MDP policies were intended to guide use and activity of the area by the Summer Village as lessee. This can be seen in

Attachment 'F'. To summarize the Municipal Development Plan policy, there are three types of land use allowed in the leased area. They go from a Recreational Activity Area (the marina and beach) through a Protected Area with Limited Development (native grasslands and shoreline wetlands) to a Preservation Area with Restricted Development (a natural spring with surrounding wet, marshy area). In contrast, the MD of Bighorn's Municipal Development Plan considers the lease area's future use to be Rural Conservation, which allows a broad range of potential uses. In fairness to the MD, it did not understand that the TransAlta lease and SVGL marina were within its boundaries when its Municipal Development Plan was prepared.

8. Alignment with Statutory Plans, Infrastructure Plans, and Economic Development Plans

As can be seen from the above Section 7, use of the TransAlta lease area is in alignment with the applicable parts of the SVLG Municipal Development Plan even though that statutory plan has no legal bearing on the area. However, in terms of the annexation question, there is no alignment of this proposal with the two Municipal Development Plans. This was addressed earlier, in the section titled, "**All Relevant Sections of Statutory Planning Documents**".

Neither municipality has infrastructure plans or economic development plans that apply specifically to the area proposed for annexation. The MD of Bighorn's Municipal Development Plan and its applicable future land use designation for the proposed annexation area, that being Rural Conservation, has goals that suggest an agricultural-type economic direction (Bighorn's MDP, p. 34):

- *To preserve the rural character and lifestyle of the Rural Conservation policy area.*
- *To limit development and to ensure that it is consistent with the rural landscape and resources.*
- *To manage and limit fragmentation and excessive subdivision of land.*
- *To maintain a low population and rural residential density.*

9. Financial Impact on the Initiating and the Responding Municipalities

Given the nature of the proposed annexation area, it has a low property assessment value and small tax revenue. The MD of Bighorn indicated that the assessment value in 2024 was \$64,110 and property taxes paid were \$282.50. So property servicing costs that are more important than tax revenue, and the annexation would more properly align those costs with the benefiting municipality and its residents.

10. Agency Consultation

Agency consultation has been discussed in several earlier sections of this annexation application. In summary, this consultation occurred early in the process and none of the local agencies or Alberta Government departments referenced in the annexation legislation expressed any objections.

11. Reasonable Solutions to Impacts on Property Owners and Citizens

There are three groups that have responded to notifications or engagement opportunities regarding the proposed annexation and provided comments about potential impacts. Their concerns, and some potential solutions that SVGL believes to be reasonable, are discussed in the three paragraphs below.

TransAlta Corporation is the only landowner involved in the proposal. It stated the need to establish a new lease for the land it has historically leased to the Summer Village, including better recognition of the area actually used by the Summer Village and its residents for the marina. The Summer Village agrees to this, even if the annexation is not approved. TransAlta also suggested that it may want to have a new property boundary established that correlates to any adjusted municipal boundary so that it does not have one property that is in two jurisdictions. However, TransAlta subsequently decided against this to avoid creation of more properties that it would have to record and manage within its operating systems. While a subdivision is not technically necessary, as has been noted elsewhere in this application, the Summer Village has no objection to such a request. It is also willing to make the necessary subdivision application to the Municipal District of Bighorn.

Community residents and landowners attended two community meetings to discuss the annexation proposal. They voiced many more questions than concerns, but a few people noted some potential adverse impacts they wanted to avoid. The first and most important was the potential loss of the TransAlta lease. It was pointed out that the lease is renewable and could be cancelled by TransAlta regardless of the annexation. Regardless, the solution to their stated concern would seem to be the Summer Village's agreement to renegotiate the lease. This is consistent with TransAlta's request. A second worry was that there would be loss of control or oversight through the annexation. In fact, the proposed annexation gives the Summer Village more control over the land. That is, the solution is approval of the annexation. The third concern raised was that the stated interests of the First Nations not be adversely affected by the annexation. SVGL believes the proposed annexation will not adversely affect those First Nations' interests, as discussed in the next paragraph.

The Stoney Nakoda First Nations and the private company they own (Woste Igic Nabi Ltd.) have provided letters to the Tribunal expressing their concerns about the proposed annexation's impacts. The Summer Village's Council and its planning consultant do not believe approval of this annexation proposal would have any impacts on those concerns. This is explained elsewhere in this annexation package and, in summary, is because the location of municipal boundaries has no bearing on the listed First Nations' concerns. Those concerns are matters that must be dealt with by senior governments or the courts. Neither the MD of Bighorn nor the Summer Village of Ghost Lake have the ability or jurisdiction to provide solutions to them.

12. Public and Landowner Consultation Process

The Summer Village believes it has undertaken significant public and landowner consultation in advance of and during preparation of this annexation application. It took special care to keep the affected parties involved throughout the process. This is summarized in the above section captioned, “**An Explanation of the Consultation Process Followed**”.

13. Justification for Suggested Intermunicipal Revenue Sharing/Compensation

There is no intermunicipal revenue sharing/compensation suggested as part of this annexation application. Both municipalities believe this to be unnecessary.

14. Rational to Establish the Annexation is Not Simply a Tax Initiative

The area proposed for annexation has a very low property assessment because it is largely under water for most of the year. Even the TransAlta land leased by the Summer Village is recognized as at risk for occasional flooding. Consequently, the property tax revenue it generates is negligible, being \$282.50 in 2024.

15. Conditions of Annexation that are Certain, Unambiguous, Enforceable and Time Specific

The initiating municipality, the Summer Village of Ghost Lake, and the responding municipality, the Municipal District of Bighorn No. 8, both agree to this annexation proposal. They have no requests nor recommendations regarding conditions of approval.

Explanation of any Agreed-to Compensation Agreement

There is no agreed-to compensation agreement as part of this annexation proposal. Neither of the municipalities believe compensation is necessary.

Financial Analysis

A detailed financial analysis of the benefits and costs of annexation versus no annexation has not been undertaken. Revenues (property taxes) are low, at \$282.50 in 2024. Meanwhile, expenses are not easily determined. This is because those expenses involve work (see bullets below) that has not been undertaken to date and would be experienced over a long time horizon. However, it is obvious that the financial costs associated with the subject land easily exceed the financial benefits regardless of which municipality has jurisdiction over the land proposed for annexation. Against the low tax revenue, costs would include the following:

- Preparation of an agreement authorizing the lease of land pursuant to MGA s. 72 (applies only if the annexation is not granted)
- Amendment of Intermunicipal Collaboration Framework (applies only if the annexation is not granted)
- Adjustment of Emergency Services Agreement (applies only if the annexation is not granted)
- Municipal Development Plan amendment
- Land Use Bylaw amendment
- Costs associated with managing development applications, depending on details of Land Use Bylaw amendment
- Emergency response expenses
- Insurance premium (if additional to current municipal policy)

While it is obvious that the financial costs of having this land in one's jurisdiction easily exceeds the financial benefit, that is not the point. Municipalities always have properties where tax revenues do not match associated expenses. More important here is that the benefits and costs of addressing the current situation are misaligned. That is, to address the Alberta Government's legislative requirements the MD of Bighorn will incur most of the cost, and this will be an ongoing basis. Meanwhile, the practical benefits from use of the subject land flow to the Summer Village and its residents.

The misalignment has other effects. The bullet-list above contains items that would not be necessary if the land proposed for annexation is included within the Summer Village; the first three bullets, for instance. Even the tasks that must be undertaken regardless of municipal responsibility for the subject land, such as updating of a Municipal Development Plan or Land Use Bylaw, will cost the MD of Bighorn more because it will now have to consult SVGL landowners. This is inefficient local government and raises operational costs for both municipalities, something the two municipalities believe should be avoided. It is also less effective government, reducing local autonomy, because the municipal users/beneficiaries of the land proposed for annexation will have to constantly seek governance approvals from the adjacent municipalities. In contrast, approval of the annexation aligns benefits with costs.

Conclusion

The proposed annexation better aligns land areas with governance responsibilities, and is supported by the responding municipality. The annexation will improve local government efficiencies and effectiveness, and increase autonomy. The sole landowner involved, TransAlta Corporation does not object to the proposed annexation but has expressed an interest in two minor items: a lease amendment and a possible subdivision. The SVGL agrees to address those two interests. The only objection to the proposed annexation comes from the Stoney Nakoda First Nation and its privately owned company. However, the issues raised in their objections are complex ones that can only be resolved by senior governments or the courts. Importantly, they are decisions that will not be affected by municipal boundaries.

Attachment A

Application Cover Letter from SV of Ghost Lake



SUMMER VILLAGE OF GHOST LAKE

February 28, 2025

Land and Property Rights Tribunal
Attn: Breanna Case
2nd Floor, Summerside Business Centre
1229 - 91 Street SW
Edmonton, Alberta
T6X 1E9

Dear Breanna Case,

Re: Summer Village of Ghost Lake Annexation Application

Please accept this letter as the Summer Village of Ghost Lake's "clear statement" that it wishes to proceed with the annexation of approximately 42.35 ha from the Municipal District of Bighorn. The attached report with its associated material serves as the application for that annexation.

The Summer Village of Ghost Lake provided its Notice of Intent to Annex Land to the Municipal District of Bighorn in October 2021. Copies were sent to the Alberta Land and Property Rights Tribunal and numerous other parties at the same time. The Summer Village was subsequently delayed in preparing its Notice of Annexation Application but maintained its intent to continue with the annexation. This letter and the accompanying package now form the formal Annexation Application, including a report on negotiations.

The Summer Village does not intend to gain future population growth or development through this annexation proposal. Nor would the annexation involve any significant change in property taxation. Instead, the Summer Village of Ghost Lake - supported by the Municipal District (MD) of Bighorn - seeks the annexation because it is seen as the most efficient and effective way to deal with a municipal governance issue that was recognized only a few years ago. Specifically, the Summer Village leases a small area of land contiguous to its existing boundary that is situated in the MD of Bighorn. Under the Municipal Government Act, this means the MD of Bighorn must give its permission for the lease, recognize the area is its planning documents and processes, and provide a suite of services to it. Further, because the MD of Bighorn cannot easily access this area, both municipalities agree that the delivery of all municipal services would be better done by the Summer Village. This is explained in greater detail in the attached application material. The one landowner involved, TransAlta Corporation, has verbally consented to the application but has not provided that in writing.

The Summer Village is aware of only one objector, that being the Stoney Nakoda First Nations. The First Nations and a corporation it owns have filed letters of objection to the annexation proposal with the Land and Property Rights Tribunal. The Summer Village takes no position on the issues raised by the First Nations but does not believe any of those issues



SUMMER VILLAGE OF GHOST LAKE

will be affected by the proposed annexation. The small change in the municipal boundary line that would result would have no effect on the Firsts Nations' claims and concerns, nor change the parties involved in addressing them.

Greg Birch (Birch Consulting) is the consultant assisting the Summer Village with its annexation proposal. Please contact Mr. Birch or our Summer Village CAO, Mustafa Hashimi, if you have any questions or require additional information on this annexation proposal.

Yours sincerely,

Dr. John Walsh
Mayor, Summer Village of Ghost Lake

Cc: Greg Birch - gregbirchconsulting@shaw.ca
Mustafa Hashimi - admin@ghostlake.ca

Attachment B

Letter of Agreement from Responding MD of Bighorn



Municipal District of Bighorn No. 8

No. 2 Heart Mountain Drive, P.O. Box 310, Exshaw, Alberta T0L 2C0

Phone: (403) 673-3611 • Calgary Direct: (403) 233-7678

Fax: (403) 673-3895 • Email: bighorn@mdbighorn.ca

Website: www.mdbighorn.ca

March 7, 2025

Mayor and Council
Summer Village of Ghost Lake
P.O. Box 19554, RPO South Cranston
Calgary, AB
T3M 0V4

Dear Mayor Walsh and Council,

RE: Summer Village of Ghost Lake - Proposed Annexation

This letter certifies that Council of the Municipal District (MD) of Bighorn agrees to the annexation of an area of approximately 42.4 ha (104.7 acres) from the MD of Bighorn to the Summer Village of Ghost Lake. This decision was made through Council Resolution No. 200/21.

As you know, the MD of Bighorn and the Summer Village of Ghost Lake discussed this area and the issues it poses during preparation of the Intermunicipal Collaboration Framework between the two municipalities. The Summer Village leases and actively uses the shore of the Ghost Reservoir for recreational purposes and has done so for decades. Unrecognized until a few years ago, though, the land leased by the Summer Village from TransAlta and the area south of it are within the MD of Bighorn. This results in several obligations for both municipalities under the Municipal Government Act, especially for the MD of Bighorn. During the Intermunicipal Collaboration Framework discussions, the two municipal councils agreed that the most efficient and effective way to resolve the issue would be to have the Summer Village annex the area from the MD. It is noted that there are no municipal growth issues involved and the area proposed for annexation has low property tax value.

We trust this letter meets the needs of the Summer Village and the Alberta Land and Property Rights Tribunal. The MD of Bighorn has no special requests regarding the annexation. If you require any additional information, please do not hesitate to contact me.

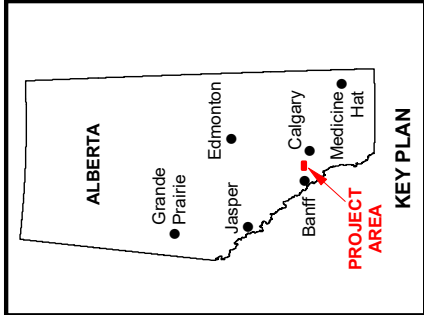
Sincerely,

Shaina Kelly, CAO

Cc: Greg Birch, Birch Consulting – gregbirchconsulting@shaw.ca

Attachment C.1

Annexation Proposal Illustration

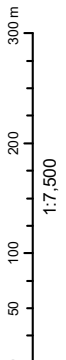


LEGEND

- GHOST LAKE MUNICIPAL BOUNDARY
- EXISTING LOT LINE
- LEASED TRANSALTA LAND
- FIRST NATIONS
- AREA TO BE ANNEXED FROM MD OF BIGHORN TO SV OF GHOST LAKE

SUMMER VILLAGE OF GHOST LAKE

ANNEXATION PROPOSAL



BIRCH
CONSULTING

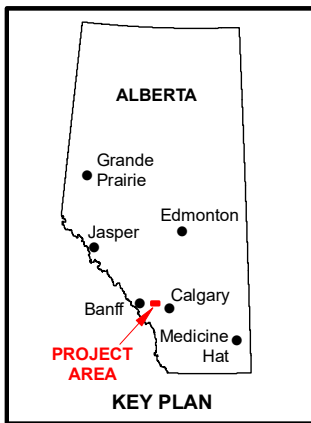
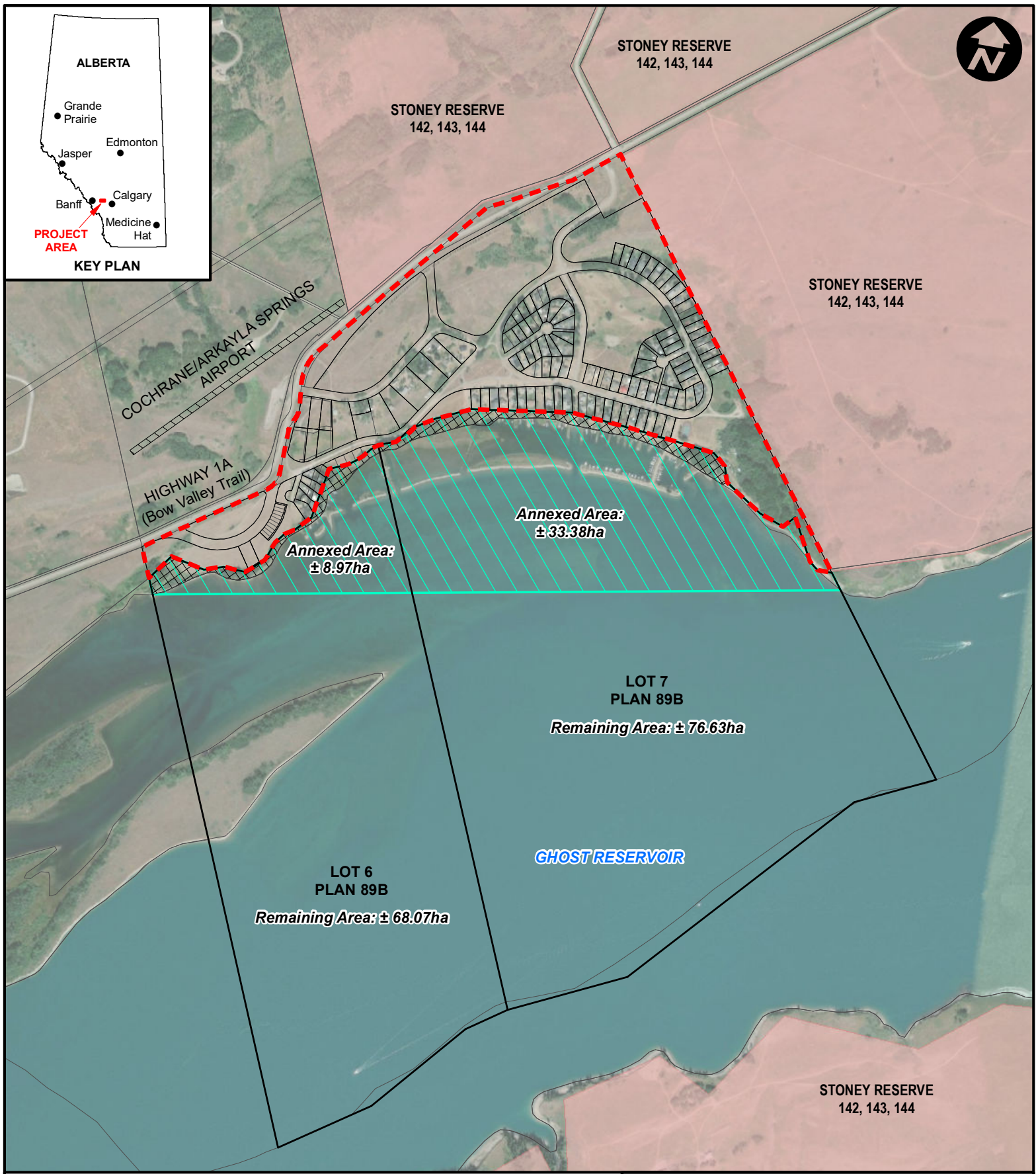
DRAWN: RICK R.

DATE: 2021/07/13

Aerial photography acquired Spring 2017.

Attachment C.2

Existing and Proposed Boundaries Illustration

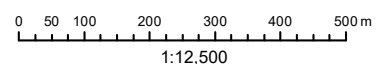


- LEGEND**
- GHOST LAKE MUNICIPAL BOUNDARY
 - EXISTING LOT LINE
 - LEASED TRANSALTA LAND
 - FIRST NATIONS
 - AREA TO BE ANNEXED FROM MD OF BIGHORN TO SV OF GHOST LAKE SV of Ghost Lake Annexation Application

*Note: Lot 6 and Lot 7 derived from Plan 9199EJ dated 1931.
Lot lines depicted are approximate and to be used for reference purposes only.
Areas shown are approximate based on above mentioned lot lines.*

SUMMER VILLAGE OF GHOST LAKE

EXISTING & PROPOSED BOUNDARIES



BIRCH
CONSULTING

DRAWN: RICK R.

DATE: 2023/10/03

Attachment D.1
Subdivision Plan 89B

COPY

Third Edition (Corrected)

PLAN OF

MORLEYVILLE SETTLEMENT

ALBERTA

Scale 40 Chains to an inch

(256)



DEPARTMENT OF THE INTERIOR
TOPOGRAPHICAL SURVEYS BRANCH
Ottawa, 9th November 1889.

(Signed) F. Deville.
Surveyor General

Compiled from official surveys by
P.R.A. Branger D.L.S. 1885.
T.D. Green D.L.S. 1888.

57/13 246

Attachment D.2

Subdivision Plan 9199EJ

CALGARY POWER COMPANY LIMITED

PLAN SHOWING LAND REQUIRED FOR - - GHOST RIVER RESERVOIR SITE

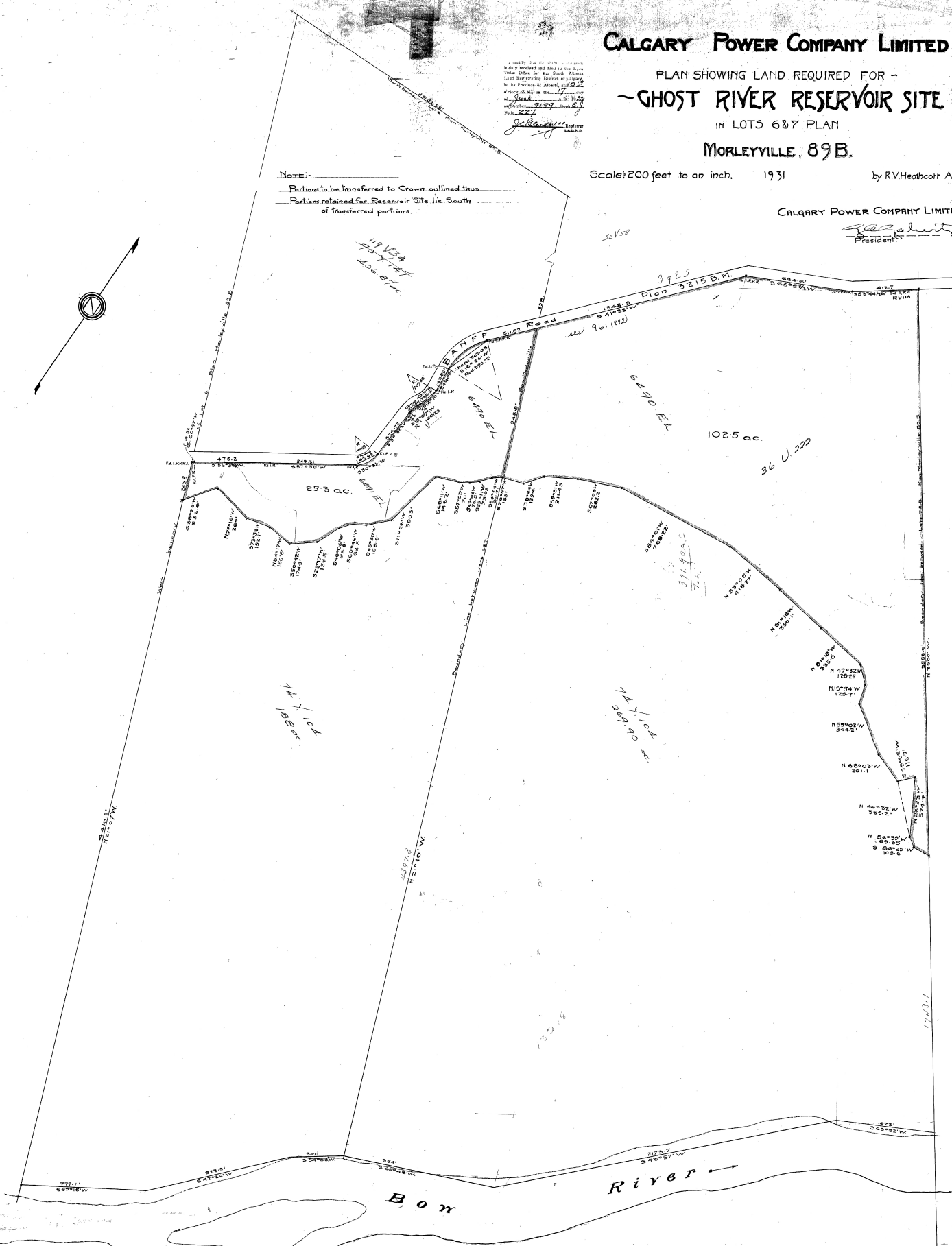
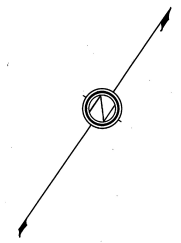
IN LOTS 6 & 7 PLAN
MORLEYVILLE, 89B.

Scale: 200 feet to an inch. 1931 by R.V. Heathcott ALS

CALGARY POWER COMPANY LIMITED
R.V. Heathcott
President

NOTE:
- Portions to be transferred to Crown outlined thus
- Portions retained for Reservoir Site lie South
of transferred portions.

21027
08394H
055831



I, Robert V. Heathcott, of the City of Calgary, Alberta Land Surveyor, make oath and say -
That the survey represented by this plan has been made by me in accordance with
the provisions of the Alberta Surveyors Act.
That this survey was performed between the 25th day of July and the 30th day of July, AD 1931.
That this plan is correct and true and is prepared in accordance with the provisions
of the Land Titles Act.
Signed before me in the City of Calgary,
Alberta, this 31st day of July, AD 1931.
Chas. Estlin
Alberta Land Surveyor
A Commissioner for Oaths, in & for the Province of Alberta

Attachment E.1

MD of Bighorn MDP Excerpt Showing Annexation Policies

15 INTERMUNICIPAL COOPERATION AND PLANNING

15.1 GOALS

- To cooperate with other governments and jurisdictions, including municipal, provincial and federal.
- To ensure that a coordinated approach is used in planning, developing and protecting lands within and adjacent to the MD of Bighorn.

15.2 COORDINATION AND REFERRAL POLICIES

Fringe Area	15.2.1	The MD of Bighorn will support a 1.6 km boundary overlap with adjacent municipalities as the designated fringe area for cooperation and coordination regarding planning and development matters. This fringe area will be deemed as the area that is affecting, or affected by, the adjoining municipality.
Waiparous Urban Fringe Area	15.2.2	Notwithstanding the above, the MD of Bighorn recognizes the urban fringe as historically established with the Summer Village of Waiparous in the Calgary Regional Plan, as shown in Figure 8. Land use and development within this area shall be regulated in accordance with the Waiparous Urban Fringe policies specified elsewhere in this Plan.
Referrals	15.2.3	Subject to the provisions of the <i>Act</i> , where statutory plan and land use bylaw amendments are proposed within a fringe area, the MD will refer such proposals for review and comment.
Referrals	15.2.4	Where subdivision and development proposals within a fringe area are deemed to have an impact on an adjacent jurisdiction, the MD will refer such proposals for review and comment.
Waiparous Urban Fringe Referral	15.2.5	Notwithstanding the above referral requirements, the MD of Bighorn will circulate any statutory plan or land use bylaw amendment or subdivision proposal in the Waiparous Urban Fringe to the Summer Village of Waiparous for comment.
Referral Comments	15.2.6	Comments received from planning referrals will be given due consideration by the MD of Bighorn in accordance with this Plan and other applicable bylaws and policies. If no referral response is received by the specified timeline, the MD of Bighorn may interpret the unresponsiveness to indicate that



there are no comments or objections to the proposal.

- | | | |
|--------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infrastructure and Utility Referrals | 15.2.7 | All proposals for the improvement and expansion of transportation and utility systems which are within, but not under direct control by the MD of Bighorn, should be circulated to the MD Bighorn for evaluation and comment. |
| Infrastructure and Utility Referrals | 15.2.8 | The MD of Bighorn shall circulate applicable plans and subdivision proposals to providers of utility and transportation infrastructure for their information and evaluation. |
| Ecosystems | 15.2.9 | The MD of Bighorn will coordinate policy with adjacent municipalities and jurisdictions, including applicable Provincial government departments and Banff National Park, to ensure that wildlife and natural environment values are maintained on a regional scale. |
| Wildlife Habitat and Corridors | 15.2.10 | Through cooperation with applicable Provincial government departments, Banff National Park and the Town of Canmore, significant wildlife movement and habitat areas in the Bow Corridor should be identified and protected. |
| Special Events | 15.2.11 | The MD of Bighorn shall continue to work with adjacent municipalities and other agencies in the planning for and approval of special events which take place across multiple jurisdictions. |

15.3 INTERMUNICIPAL SERVICES AND AGREEMENT POLICIES

- | | | |
|---------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Emergency Services | 15.3.1 | The MD of Bighorn will work with other municipalities to maintain and upgrade fire and other emergency services as required. |
| Intermunicipal Agreements | 15.3.2 | The MD of Bighorn may, where beneficial, enter into intermunicipal agreements with respect to water, wastewater, waste management, protective, emergency and community services. |
| Intermunicipal Development Plan | 15.3.3 | The MD of Bighorn may consider the preparation and adoption of an Intermunicipal Development Plan (IDP), provided that the IDP involves lands located immediately adjacent to the municipal boundaries and will be reciprocal and mutually beneficial in nature. |



- 15.3.4 The MD of Bighorn will consider other means of addressing intermunicipal issues besides the implementation of an Intermunicipal Development Plan.

15.4 ANNEXATION POLICIES

- | | | |
|-------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Demonstrated Need | 15.4.1 | Annexation discussions should be based on the demonstrated need to secure land for urban growth in the foreseeable future and should not be made for financial reasons or to gain long-term jurisdictional control. |
| Town of Canmore | 15.4.2 | Due to the mutually agreed upon annexation in 1991 by the Town of Canmore for a 30 to 40 year supply of land for growth, the MD of Bighorn will oppose annexation proposals by the Town of Canmore. |

15.5 CROWN LAND POLICIES

- | | | |
|---------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Provincial Lands | 15.5.1 | The MD of Bighorn shall continue to consult and advise relevant Provincial departments regarding the use and development of Provincially-owned lands in order to coordinate Public Land's leasing process with the municipal development control process. |
| Collaborative Approval | 15.5.2 | The MD of Bighorn shall encourage the provincial government to utilize a collaborative approval system regarding proposals for the leasing and development of Provincial Crown lands for private purposes. |
| Parks and Protected Areas | 15.5.3 | The MD of Bighorn strongly encourages the provincial agency responsible for the planning and development of any parks or protected areas within or adjacent to the MD of Bighorn's boundaries to engage the municipality throughout the planning and approval process. |
| Resource Roads | 15.5.4 | The MD of Bighorn will attempt to increase its influence in the coordination of planning for the long-term development of resource access roads on Crown lands with the province, forest management agreement (FMA) holders, the oil and gas industry, and any other affected group. |



Attachment E.2

SV of Ghost Lake MDP Excerpt Showing Annexation Policies

-
- SVGL will support the efforts of the newly formed community association and similar community-centred organizations in order to build and maintain a strong, cohesive and connected community.
 - SVGL will support volunteerism in the community through its website, social media and other communications, through efforts to show the importance of volunteerism to the community's success, through advertisement of volunteer opportunities, and through increased volunteer recognition.

Coordination with Other Jurisdictions

Background

The Summer Village shares its eastern boundary with the Stoney Nakoda First Nation. As can be seen from Figure 1, the local topographic features do not reflect the actual location of that boundary. The Stoney Nakoda First Nation also holds much of the land north of SVGL, across Highway 1A. This is all Reserve land, not freehold land owned by the First Nation, and thus involves the Government of Canada. The First Nation and SVGL also have a common interest in TransAlta's operation of the Ghost Reservoir. The Stoney First Nation was consulted as part of the MDP preparation process.

SVGL shares the rest of its boundary with the Municipal District (MD) of Bighorn but the two municipalities currently share little in the way of services. This is in part to do with SVGL's location next to Highway 1A rather than a MD of Bighorn road, SVGL's small population, its proximity to Cochrane and Calgary, and its desire to keep expenditures at low levels. SVGL has an agreement with MD to provide fire service and has also entered into an Intermunicipal Collaboration Framework. A mutual aid agreement involving many municipalities in the region would provide support in the event of a disaster.

The land leased by SVGL from TransAlta (as shown in Figure 3) is in the Municipal District of Bighorn. This means that the MD of Bighorn is responsible for providing services to this area and regulating development. The MD was contacted during preparation of this Municipal Development Plan and the input received is reflected in the policies below.

While TransAlta Corporation is not a government jurisdiction, it is an important entity for planning in SVGL on two counts. First is the significance of the land leased by TransAlta to SVGL because this provides the community with access to the Ghost Reservoir. Second is the water level of the Ghost Reservoir, which changes substantially during the spring and early summer months due to the role the Reservoir plays in flood and drought management. This role has become more recognized since the flooding that occurred downstream of SVGL in 2013.

Of further interest regarding the Ghost Reservoir is a study that was recently undertaken to assess the best ways to use the existing dam to decrease the impact of downstream Bow River flooding (Bow River Working Group, 2017). One of the options put forward would effectively raise the dam height to increase the size of the Ghost Reservoir and could flood portions of SVGL and other low lying land adjacent to the Reservoir. Obviously, this is not an option that would be supported by SVGL.

Policies

- Council of the Summer Village of Ghost Lake will make an effort to meet at least annually with the Chiefs or other representatives of the Stoney Nakoda First Nation in order to maintain an on-going relationship and to discuss issues of mutual concern, providing SVGL does not incur any significant costs when undertaking such engagement.
- In accordance with the recently revised Municipal Government Act, SVGL and the Municipal District of Bighorn will prepare an Intermunicipal Development Plan and an Intermunicipal Collaboration Framework in the near term future.
- Amongst other issues, the Intermunicipal Development Plan and the Intermunicipal Collaboration Framework will explore possibilities for sharing services and regulation of development on the lands SVGL leases from TransAlta.
- In the interim, before the Intermunicipal Development Plan and the Intermunicipal Collaboration Framework are prepared, the two municipalities do not see any issues of immediate concern because neither municipality has as interest in growth or development in this shared planning area.
- SVGL will refer all applications for subdivision it receives, as well as any amendments being contemplated to statutory planning documents or to the Summer Village of Ghost Lake's Land Use Bylaw, to the Municipal District of Bighorn and the Stoney Nakoda First Nation for comment prior to making a decision.
- SVGL expects the same referral courtesy set out in the above policy from the MD of Bighorn regarding subdivision applications and for statutory plan or land use bylaw amendments if such applications or amendments apply to land in the MD of Bighorn that is within 1.6 km of the SVGL municipal boundary.
- SVGL will refer any development permit applications for commercial or other non-residential developments proposed within SVGL to the MD for comment, and expects to receive referrals from the MD of Bighorn on non-residential development permit applications if they are proposed within 1.6 km of the SVGL municipal boundary.
- SVGL will not refer any development permit applications for residential, home occupation or similar uses proposed within SVGL to the MD of Bighorn, and does not expect to receive referrals for such development permit applications from the MD.

-
- The northern boundary of SVGL generally follows the existing Highway 1A right-of-way and if Highway 1A is moved northward when it is realigned, SVGL will request that the Province adjust this municipal boundary to match the new Highway 1A right-of-way.
 - SVGL will work to preserve an on-going, mutually beneficial relationship with TransAlta Corporation.
 - SVGL will seek to renew the lease with TransAlta Generation Partnership for land along the Ghost Reservoir on a continuing basis, and will abide by the conditions of that lease.
 - Because of the importance of the water level in the Ghost Reservoir to the community, SVGL will continue to advocate to be closely involved with the Alberta Government when discussions are underway to manage that water level for flood and drought risk reduction purposes.
 - In regard to studies and proposals that may result in an effective heightening of the Ghost Dam and its ability to hold back water at a higher level in the Ghost Reservoir, SVGL will take the position that it is opposed to any actions that would adversely impact SVGL or its access to the Reservoir through the TransAlta leased lands.

Implementation and Review

Implementation of the SVLG Municipal Development Plan will typically occur in five ways:

- through amendments of the Land Use Bylaw as necessary to bring the Land Use Bylaw into conformity with the MDP (the Land Use Bylaw is the day-to-day regulatory tool used by SVGL to make subdivision and development decisions);
- through use of the MDP as a policy guide when SVGL's various committees and boards make decisions on subdivision and development permit applications;
- through utilization of the MDP's policy direction when SVGL Council and administration are making capital and operating decisions as part of the annual budgetary process;
- through use of the MDP's policy direction when dealing with requests for action or support by community members, groups and associations; and
- when making decisions on matters involving adjacent jurisdictions.

Of course, the policies established in this document to help guide the community into the future will gradually become outdated. SVGL will continue to evolve and the interests of its community members will change. The MDP will also become outdated as the policies are implemented and some of them are no longer needed. Consequently, SVGL Council will review this document on a regular basis to evaluate its on-going applicability. Small changes can easily be made through the bylaw amendment process as necessary. Periodically, every five to ten years, SVGL will undertake a larger, more comprehensive review of the Summer Village of Ghost Lake Municipal Development Plan to formally update the entire document.

Attachment E.3

Agreement Regarding No Need for Intermunicipal Development Plan

MEMORANDUM OF AGREEMENT

Between

THE MUNICIPAL DISTRICT OF BIGHORN (hereinafter referred to as “the M.D.”)

-and-

THE SUMMER VILLAGE OF GHOST LAKE (hereinafter referred to as “Ghost Lake”)

INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS, pursuant to Section 631(2) of the amended Municipal Government Act, Chapter M-26, RSA 2000 (“MGA”), municipalities are no longer required to adopt an intermunicipal development plan (“IDP”) with each other if they agree that they do not require one;

AND WHEREAS the M.D and Ghost Lake have previously petitioned the Minister of Municipal Affairs for an exemption from the earlier requirement to adopt an IDP, as mandated under the MGA (prior to its amendment by the Red Tape Reduction Implementation Act, Chapter 22, Statutes of Alberta 2019;

AND WHEREAS, in the aforementioned petition to the Minister, the two municipalities cited the following reasons for seeking an exemption:


- lack of any growth pressures for either municipality along the adjoining boundaries;
- historically, no intermunicipal planning disputes between the M.D. and the Summer Village;
- a significant part of the boundary between the two municipalities is the Bow River, thus precluding development; and
- another significant part of Ghost Lake’s boundary is adjacent to the Stoney First Nations’ lands (Stoney Indian Reserve 142, 143, 144), thus precluding development;


NOW THEREFORE the Municipal Councils for the Municipal District of Bighorn and the Summer Village of Ghost Lake hereby agree as follows:

That the two municipalities do not require an Intermunicipal Development Plan.

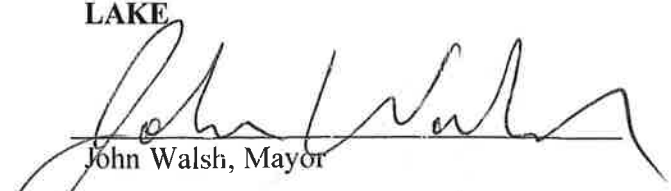
IN WITNESS WHEREOF the municipalities have executed this Agreement on February 18, 2020.


**MUNICIPAL DISTRICT OF
BIGHORN**


Dene Cooper, Reeve


Robert Ellis, C.A.O.

**SUMMER VILLAGE OF GHOST
LAKE**


John Walsh, Mayor


Sherri Bureyko, C.A.O.

Attachment F

SV of Ghost Lake MDP Figure 4, Recreation and Open Spaces



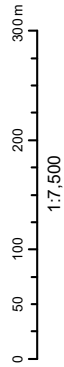
LEGEND

- GHOST LAKE MUNICIPAL BOUNDARY
- LEASED TRANSALTA LAND
- EXISTING LOT LINE
- EXISTING AIRSTRIP
- FIRST NATIONS

- RECREATIONAL ACTIVITY AREA
- PROTECTED AREA - LIMITED DEVELOPMENT
- PRESERVATION AREA - RESTRICTED DEVELOPMENT
- DEVELOPED / RECOGNIZED TRAIL (APPROXIMATE LOCATION)
- NATURAL WATER SPRING

SUMMER VILLAGE OF GHOST LAKE

**MUNICIPAL DEVELOPMENT PLAN
RECREATION & OPEN SPACES**



BIRCH
CONSULTING

DATE: AUG. 21/19

FIGURE: 4

Aerial photography acquired Spring 2017.

Attachment G.1

Current Land Title Certificate for Parcel Proposed for Annexation



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0035 473 230	89B;;6,7	121 314 058 +5

LEGAL DESCRIPTION

PLAN 89B
ALL THOSE PORTIONS OF LOTS 6 AND 7
WHICH LIE TO THE SOUTH AND WEST OF THE GOHST RIVER
RESERVOIR SITE ON PLAN 9199EJ
CONTAINING:

LOT	ACRES MORE OR LESS
6	188.00
7	269.90

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;6;26;24
ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REFERENCE NUMBER: 74Y104 .

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

121 314 058	29/11/2012	AMENDMENT-LEGAL DESCRIPTION		
-------------	------------	--------------------------------	--	--

OWNERS

TRANSALTA CORPORATION.
OF TRANSALTA PLACE
SUITE 1400, 1100 1 STREET SE
CALGARY
ALBERTA T2G 1B1

(DATA UPDATED BY: CHANGE OF ADDRESS 231274584)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

121 314 058 +5

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 22 DAY OF
FEBRUARY, 2025 AT 06:00 P.M.

ORDER NUMBER: 52945408

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) .

Attachment G.2

Correction of Land Title

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

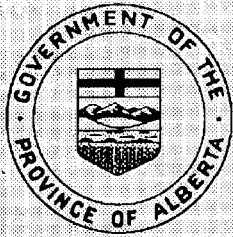
121314058

ORDER NUMBER: 48781511

ADVISORY

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LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC 0025 160 558 SHORT LEGAL 89B;;9 TITLE NUMBER 081 185 001

LEGAL DESCRIPTION

*ALL MINES AND MINERALS, AND THE RIGHT TO WORK THE SAME
WITHIN, UPON OR UNDER:

PLAN 89B

LOT 9

AREA: 401 HECTARES (990 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;7;26;24

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REFERENCE NUMBER: 081 092 060

REGISTRATION	REGISTERED OWNER(S)			CONSIDERATION
	DATE(DMY)	DOCUMENT TYPE	VALUE	
081 185 001	22/05/2008	TRANSFER OF LAND	\$30,000	ESTATE

OWNERS

JEFFREY JAMES MCNABB
OF 778 CORTE SAN LUIS
OCEANSIDE
CALIFORNIA
USA
92057

AS TO AN UNDIVIDED 1/8 INTEREST

ERIN LEE REED
OF 778 CORTE SAN LUIS
OCEANSIDE
CALIFORNIA
USA
92057

AS TO AN UNDIVIDED 1/8 INTEREST

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4039EH	30/12/1930	CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD.. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 "PORTION COMPRISES IN RW 326, 221.6 ACRES" (DATA UPDATED BY: TRANSFER OF CAVEAT 021178020) (DATA UPDATED BY: CHANGE OF ADDRESS 081428872)

TOTAL INSTRUMENTS: 001 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC SHORT LEGAL TITLE NUMBER
0019 758 671 89B;;5 110I178

LEGAL DESCRIPTION

PLAN 89 B
THAT PORTION OF LOT 5
WHICH IS SHOWN ON PLAN 7581 EG
AND THEREON OUTLINED IN PINK
CONTAINING 129 HECTARES (320 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
PLAN NUMBER HECTARES ACRES (MORE OR LESS)
ROADWAY 1573 EZ 0.093 0.23
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;⁶/26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)					
REGISTRATION	DATE(DMY)	DOCUMENT	TYPE	VALUE	CONSIDERATION
110I178	23/06/1958			\$14,389	

OWNERS

HER MAJESTY THE QUEEN IN RIGHT OF CANADA
OF OTTAWA
ONTARIO

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
3615FD	27/04/1942	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD.. AS TO PORTION OR PLAN:RW434 "(SUBJECT TO) DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 1333 FR" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001299754) (DATA UPDATED BY: CHANGE OF NAME 051055638) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 091280138)

TOTAL INSTRUMENTS: 001 *END OF SEARCH * SR# - T758256 /DDOWHANI

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

121 308 335 +17

REGISTRATION

NUMBER

DATE (D/M/Y)

PARTICULARS

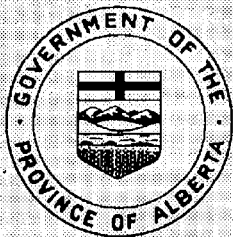
3585KJ . 16/04/1969 UNITIZATION AGREEMENT
"SUBJECT TO, AS TO CERTAIN MINERALS JUMPING POUND
WEST UNIT NO. 1"

941,057 312 07/03/1994 CAVEAT
RE : SEE CAVEAT
CAVEATOR - THOMAS P COPITHORNE
CAVEATOR - JOAN S WESTERSON
CAVEATOR - KENNETH F COPITHORNE
CAVEATOR - ANNE M CAMPBELL
ALL OF :
C/O BENNETT JONES VERCHERE
4500, 855-2 ST SW
CALGARY
ALBERTA T2P4K7
AGENT - JOHN C ARMSTRONG

TOTAL INSTRUMENTS: 005

*END OF SEARCH *

SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC
0019 646 389SHORT LEGAL
89B;;8TITLE NUMBER
171V185

LEGAL DESCRIPTION

PLAN 89B
THAT PORTION OF LOT 8
WHICH LIES INSIDE THE RESERVOIR SITE ON PLAN RW326
CONTAINING 41.7 HECTARES (102.9 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;⁹;26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

171V185 . 22/06/1972

OWNERS

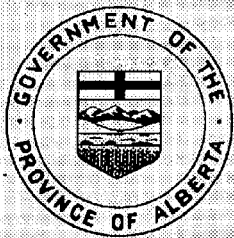
HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA
AS REPRESENTED BY THE MINISTER OF LANDS AND FORESTS
OF NATURAL RESOURCES BLDG
109 ST AND 99 AVE
EDMONTON
ALBERTA

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758269 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC **SHORT LEGAL** **TITLE NUMBER**
0019 539 718 89B;;6,7 74Y104

LEGAL DESCRIPTION

PLAN 89B
ALL THOSE PORTIONS OF LOTS 6 AND 7
WHICH LIE TO THE SOUTH AND WEST OF THE GOHST RIVER
RESERVOIR SITE ON PLAN 9199EJ
CONTAINING:

LOT	ACRES MORE OR LESS
6	188.00
7	269.90

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;⁶26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
74Y104	05/06/1947		\$12,400	REF. 1161FR

OWNERS

TRANSALTA CORPORATION.
OF BOX 1900, STN "M"
110-12 AVE SW
CALGARY
ALBERTA T2P 2M1
(DATA UPDATED BY: CHANGE OF NAME 091226596)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758269 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC 0019 539 841 SHORT LEGAL 89B;;7 TITLE NUMBER 32V58

LEGAL DESCRIPTION

PLAN 89B
THAT PORTION OF LOT 7 WHICH LIES NORTH OF THE NORTHERLY
LIMIT OF THE SURVEYED TRAIL
EXCEPTING THEREOUT
PLAN NO. ACRES MORE OR LESS
ROADWAY 3252BM 3.70
ROADWAY 1573EZ 0.46
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;⁶;26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
32V58	03/08/1925			NOT EST-3251BM

OWNERS

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758269 / DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC 0019 539 859 **SHORT LEGAL** 89B;;8 **TITLE NUMBER** 32V22

LEGAL DESCRIPTION

PLAN 89B
LOT 8
CONTAINING 1176 ACRES MORE OF LESS
EXCEPTING THEREOUT

FIST:

PLAN	NO.	ACRES MORE OR LESS
ROADWAY	3215BM	7.50
ROADWAY	3252BM	7.83
ROADWAY	1573EZ	1.87

SECONDLY:

THAT PORTION WHICH LIES INSIDE THE RESERVOIR SITE ON PLAN RW326
CONTAINING 102.9 ACRES MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;⁶/;26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
32V22	27/05/1925		\$20,240	REF. 3200BM

OWNERS

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758269 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC 0019 900 711 **SHORT LEGAL** 89B;;9 **TITLE NUMBER** 751 012 467

LEGAL DESCRIPTION

PLAN 89B
THAT PORTION OF LOT 9 WHICH LIES WITHIN THE RESERVOIR SITE ON
PLAN RW 326 CONTAINING 91.1 HECTARES (225.2 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROADWAY	7510119	0.162	0.40
ROADWAY	7510120	0.454	1.12

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;⁶;26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
751 012 467	13/02/1975		\$6,600	

OWNERS

TRANSALTA CORPORATION.
OF BOX 1900, STN "M"
110-12 AVE SW
CALGARY
ALBERTA T2P 2M1

(DATA UPDATED BY: CHANGE OF NAME 091226596)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
854EG	31/07/1930	EASEMENT "(SUBJECT TO) (SEE INSTRUMENT)"

TOTAL INSTRUMENTS: 001 *END OF SEARCH * SR# - T758272 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

PAGE 1

LINC 0019 539 866 SHORT LEGAL 89B;;9 TITLE NUMBER 771 003 480

LEGAL DESCRIPTION

PLAN 89B
LOT 9
CONTAINING 990.00 ACRES MORE OR LESS
EXCEPTING THEREOUT
PLAN
RESERVOIR SITE NO. ACRES MORE OR LESS
PARCEL 1 8018GY 54.3
ROADWAY 7510119 41.19
CUT-OFFS 7510119 9.96
SUBDIVISIONS 7610549 211.88
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;⁶/₇;26;24

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTRATION		REGISTERED OWNER(S)			CONSIDERATION
NUMBER	DATE(DMY)	DOCUMENT	TYPE	VALUE	
771 003 480	11/01/1977			\$1,860,000	

OWNERS

THE CANADA TRUST COMPANY.
OF 239-8 AVE SW
CALGARY
ALBERTA

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		DATE (D/M/Y)		PARTICULARS
NUMBER				
9188EG	.	30/04/1931	CAVEAT	CAVEATOR - TRANSALTA UTILITIES CORPORATION. 110-12 AVENUE SW, CALGARY ALBERTA T2P2M1 AGENT - GORDON MCCORMICK (DATA UPDATED BY: TRANSFER OF CAVEAT 021159297) (DATA UPDATED BY: TRANSFER OF CAVEAT 051208242)
3613FD	.	27/04/1942	UTILITY RIGHT OF WAY	GRANTEE - ALTALINK MANAGEMENT LTD.. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 AS TO PORTION OR PLAN:RW434 "DATA UPDATED BY: TRANSFER OF UTRW NO. 1333FR" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001299754)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
771 003 480

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

(DATA UPDATED BY: CHANGE OF NAME 041479673)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 051146767)
(DATA UPDATED BY: CHANGE OF ADDRESS 091150525)

761 075 021 14/06/1976 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - THE CALGARY REGIONAL PLANNING
COMMISSION.

761 111 371 07/09/1976 UTILITY RIGHT OF WAY
GRANTEE - ALBERTA GOVERNMENT TELEPHONES.
AS TO PORTION OR PLAN:1573EZ
"15.94 ACRES"

761 129 115 20/10/1976 UTILITY RIGHT OF WAY
GRANTEE - COCHRANE LAKE GAS CO-OP LTD.

771 003 481 11/01/1977 CAVEAT
CAVEATOR - THE BAND COUNCIL OF THE STONEY BANDS.
"WESLEY, CHINIQUAY, BEARSPAW"

771 028 332 10/03/1977 CAVEAT
CAVEATOR - THE BAND COUNCIL OF THE STONEY BANDS.

TOTAL INSTRUMENTS: 007 *END OF SEARCH * SR# - T758272 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC
0025 160 558SHORT LEGAL
89B;;9TITLE NUMBER
771 150 852 C .

LEGAL DESCRIPTION

*ALL MINES AND MINERALS, AND THE RIGHT TO WORK THE SAME
WITHIN, UPON OR UNDER:

PLAN 89B

LOT 9

AREA: 401 HECTARES (990 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE 6

ATS REFERENCE: 5;7;26;24

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
771 150 852	27/10/1977		\$1	REF. 128095

OWNERS

THE GOVERNING COUNCIL OF THE SALVATION ARMY CANADA WEST.

OF 10 ALBERT ST

TORONTO

ONTARIO M5G 1A6

AS TO AN UNDIVIDED 1/4 INTEREST

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4039EH	30/12/1930	CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD.. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 "PTN COMPRISED IN R.W. 326, 221.6 ACRES" (DATA UPDATED BY: TRANSFER OF CAVEAT 021178020) (DATA UPDATED BY: CHANGE OF ADDRESS 081428872)

031 148 143	08/05/2003	CAVEAT RE : LEASE CAVEATOR - OLYMPIA ENERGY INC.. P.O.BOX 20059 CALGARY POSTAL OUTLET CALGARY ALBERTA T2P4J2 AGENT - A T ANDY KIRBY
-------------	------------	----------------------------------------------------------------------------------------------------------------------------------------------------------

TOTAL INSTRUMENTS: 002 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC
0025 160 558SHORT LEGAL
89B;;9TITLE NUMBER
771 150 852 A .

LEGAL DESCRIPTION

*ALL MINES AND MINERALS, AND THE RIGHT TO WORK THE SAME
WITHIN, UPON OR UNDER:
PLAN 89B
LOT 9
AREA: 401 HECTARES (990 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;7⁶;26;24

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
771 150 852	27/10/1977		\$1	REF. 128095

OWNERS

ROBERT MURRAY BELL CLARK
OF 547 SHERENE TERRACE
LONDON
ONTARIO M6H 3J6
AS TO AN UNDIVIDED 1/4 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4039EH .	30/12/1930	CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD.. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 "PORTION COMPRISES IN RW 326, 221.6 ACRES" (DATA UPDATED BY: TRANSFER OF CAVEAT 021178020) (DATA UPDATED BY: CHANGE OF ADDRESS 081428872)
921 115 777	19/05/1992	CAVEAT RE : PETROLEUM AND NATURAL GAS LEASE CAVEATOR - OLYMPIA ENERGY INC.. 2100, 500-4 AVE SW CALGARY ALBERTA T2P2V6 (DATA UPDATED BY: TRANSFER OF CAVEAT 961114878)
021 239 269	11/07/2002	CAVEAT RE : PETROLEUM AND NATURAL GAS LEASE CAVEATOR - OLYMPIA ENERGY INC.. P.O.BOX 20059 CALGARY POSTAL OUTLET CALGARY ALBERTA T2P4J2

TOTAL INSTRUMENTS: 003 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC 0025 160 558 SHORT LEGAL 89B;;9 TITLE NUMBER 771 150 852

LEGAL DESCRIPTION

*ALL MINES AND MINERALS, AND THE RIGHT TO WORK THE SAME
WITHIN, UPON OR UNDER:
PLAN 89B
LOT 9
AREA: 401 HECTARES (990 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;7;26;24

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
771 150 852	27/10/1977		\$1	REF. 128095

OWNERS

BETTY JEAN BANKES
OF 1 - CHEDINGTON PLACE #2B
TORONTO
ONTARIO M4N 3R4
AS TO AN UNDIVIDED 1/4 INTEREST
(DATA UPDATED BY: CHANGE OF ADDRESS 081251965)
(DATA UPDATED BY: CHANGE OF ADDRESS 111236096)
(DATA UPDATED BY: CHANGE OF ADDRESS 121269927)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4039EH	30/12/1930	CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD.. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 "PTN COMPRISED IN R.W. 326, 221.6 ACRES" (DATA UPDATED BY: TRANSFER OF CAVEAT 021178020) (DATA UPDATED BY: CHANGE OF ADDRESS 081428872)

TOTAL INSTRUMENTS: 001 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LIFE ESTATE

LINC

SHORT LEGAL

TITLE NUMBER

0024 868 557

89B;;5A

971 317 902 +9

LEGAL DESCRIPTION

*ALL MINES AND MINERALS WITHIN, UPON OR UNDER:

PLAN MORLEYVILLE SETTLEMENT 89B
LOT 5A
CONTAINING 356 ACRES MORE OR LESS

ATS REFERENCE: 5;⁶26;24

ESTATE: LIFE ESTATE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REFERENCE NUMBER: 971 317 901 +9

		REGISTERED OWNER(S)			
REGISTRATION	DATE (DMY)	DOCUMENT	TYPE	VALUE	CONSIDERATION
971 317 902	24/10/1997	LIFE ESTATE	TITLE	NIL	

OWNERS

DORIS ELAINE MCDOUGALL
OF BOX 928
COCHRANE
ALBERTA T0L 0W0
AS TO AN UNDIVIDED 1/6 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
		SEE TITLE FOR ESTATE OF LARGER EXTENT, IF ANY, FOR REGISTRATIONS PRIOR TO LIFE ESTATE

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LIFE ESTATE

LINC

SHORT LEGAL

TITLE NUMBER

0024 885 866

89B;;2

971 317 902 +4

LEGAL DESCRIPTION

*ALL MINES AND MINERALS WITHIN, UPON OR UNDER:

PLAN 89B

THAT PORTION OF LOT 2

BOUNDED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EASTERLY BOUNDARY OF SAID LOT 2 WITH THE SOUTHERLY LIMIT OF THE TRAIL FROM CALGARY TO MORLEYVILLE ON SAID PLAN 89B, THENCE SOUTHERLY ALONG THE SAID EASTERLY BOUNDARY A DISTANCE OF 3544.2 FEET, THENCE WESTERLY PERPENDICULAR TO THE SAID EASTERLY BOUNDARY TO INTERSECTION WITH THE NORTH EASTERLY BANK OF THE BOW RIVER ON SAID PLAN 89B, THENCE NORTH WESTERLY ALONG THE SAID NORTH EASTERLY BANK OF INTERSECTION WITH THE WESTERLY BOUNDARY OF SAID LOT 2, THENCE NORTHERLY ALONG THE SAID WESTERLY BOUNDARY TO INTERSECTION WITH THE SOUTHERLY LIMIT OF THE SAID TRAIL, THENCE EASTERLY ALONG THE SAID SOUTHERLY LIMIT TO THE POINT OF COMMENCEMENT, CONTAINING 63.1 ACRES MORE OR LESS

ATS REFERENCE: 5;⁶26;24

ESTATE: LIFE ESTATE

MUNICIPALITY: MUNICIPAL DISTRICT OF BIGHORN NO. 8

REFERENCE NUMBER: 971 317 901 +4

		REGISTERED OWNER(S)		
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
971 317 902	24/10/1997	LIFE ESTATE TITLE	NIL	

OWNERS

DORIS ELAINE MCDUGALL
OF BOX 928
COCHRANE
ALBERTA T0L 0W0
AS TO AN UNDIVIDED 1/6 INTEREST

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
SEE TITLE FOR ESTATE OF LARGER EXTENT, IF ANY, FOR REGISTRATIONS PRIOR TO LIFE ESTATE		

TOTAL INSTRUMENTS: 000 *END OF SEARCH * SR# - T758257 /DDOWHANI



LAND TITLE SEARCH

SEARCH DATE: 28/11/2012

LINC
0026 839 779SHORT LEGAL
89B;;7TITLE NUMBER
961 227 640

LEGAL DESCRIPTION

PLAN 89B
THAT PORTION OF LOT 7
WHICH LIES:
INSIDE THE PARCEL ON PLAN 9199EJ
AND TO THE SOUTH EAST OF THE SUBDIVISION ON PLAN GHOST RIVER PARK 6490EL
CONTAINING 4.79 HECTARES (11.85 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;7;26;24

ATS REFERENCE: 5;6;26;3

ATS REFERENCE: 5;6;26;9

ATS REFERENCE: 5;6;26;10

ATS REFERENCE: 5;6;26;15

ATS REFERENCE: 5;6;26;16

ESTATE: FEE SIMPLE

MUNICIPALITY: SUMMER VILLAGE OF GHOST LAKE

REFERENCE NUMBER: 961 210 798

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
961 227 640	30/09/1996	AMENDMENT-LEGAL DESCRIPTION		

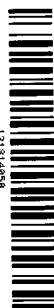
OWNERS

THE SUMMER VILLAGE OF GHOST LAKE.
OF C/O HU HARRIES & ASSOCIATES
300, 736-8 AVE SW
CALGARY 2
ALBERTA

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
6981DP	30/09/1932	RESTRICTIVE COVENANT "DATA UPDATED BY: JUDGE'S ORDER 4330GX DISCHARGING COVENANTS 1, 2, 4 AND 5"
3204KX	17/07/1972	CAVEAT CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA AS REPRESENTED BY THE MINISTER OF LANDS AND FORESTS

TOTAL INSTRUMENTS: 002 *END OF SEARCH * SR# - T758269 /DDOWHANI



121314058

121314058 REGISTERED 2012 11 29

AMEL - AMENDMENT OF LEGAL DESCRIPTION

DOC 1 OF 1 DRR#: ABE0118 ADR/ABENNETT

LINC/S: 0025160558 +

*Corrected range from 7 to 6
all entered in error at creation.*

A. B. Burch

Attachment H

Letter from SV of Ghost Lake Regarding Known Objections



SUMMER VILLAGE OF GHOST LAKE

February 28, 2025

Land and Property Rights Tribunal
Attn: Breanna Case
2nd Floor, Summerside Business Centre
1229 - 91 Street SW
Edmonton, Alberta
T6X 1E9

Dear Breanna Case,

Re: Summer Village of Ghost Lake Annexation Application - Known Objections

As required by the annexation process, the Summer Village of Ghost Lake circulated its Notice of Intent to Annex Land to the responding municipality, the affected landowner, adjacent landowners, and a number of provincial and local governments and agencies. The Summer village also held two open houses in the community. We had several questions about the need for and purpose of the annexation, and its potential effects. However, we know of only one objector: the Stoney Nakoda First Nations and a company owned by those First Nations, Woste Igit Nabi Ltd.

The Summer Village's annexation consultant, Greg Birch, made several efforts to discuss the proposal with the Stoney Nakoda First Nations, both before and after the Notice of Intent to Annex Land was circulated. Initially there was no response to numerous calls and emails in the summer 2021. Once the Notice of Intent to Annex Land was circulated in October 2021 and there were further contact efforts by Mr. Birch in January 2022, we were advised in telephone conversations and emails that we would have to register for consultation through an online process and pay the required fees. Those included both a \$3,000 initial payment and then per hour charges for any meetings. The Summer Village anticipated those fees could easily become excessive given our relatively small budget. We also did not believe that such fees were appropriate for inter-governmental discussion where understanding of mutual interests and expectations were the primary focus. Consequently, we did not register for consultations or pay the required application fee.

Two letters of objection were received from the First Nations and its private company in March 2022. There was considerable internal discussion after that about what should be done and how that would change the process to one of "No General Agreement". Possible effects of the proposed annexation were also considered, and it was decided that the proposed municipal boundary change would not have any bearing on the issues raised in the two letters. The two most affected parties, the Municipal District of



SUMMER VILLAGE OF GHOST LAKE

Bighorn and the landowner, TransAlta Corporation, were also contacted to determine if the Stoney Nakoda First Nations and Woste Igic Nabi Ltd. letters of objection changed their position on the annexation. They did not. Ultimately the decision was made to continue the annexation process.

In August 2023 and in December 2024, offers were extended to Rae and Company, the law firm representing the Stoney Nakoda First Nations and Woste Igic Nabi Ltd., to discuss the objections and annexation proposal provided there were no fees charged. There was no response to those offers.

In conclusion, the Summer Village and Greg Birch believe that significant efforts were made to consult the Stoney Nakoda First Nations about the annexation. The only response, obtained after numerous efforts to discuss the proposal, was that we should use the standard process and pay the required fees. That was not done and, in response to the Notice of Intent, two letters of objection were received. The Summer Village has reviewed those letters and does not believe the annexation would have any material effect on the issues raised in them. The Annexation Application document contains comments on each of the items of concern raised in the letters of objection. Those items and the parties involved will not change if the Summer Village's boundary is adjusted as proposed in this application.

Yours sincerely,

Dr. John Walsh
Mayor, Summer Village of Ghost Lake

Cc: Greg Birch - gregbirchconsulting@shaw.ca
Mustafa Hashimi - admin@ghostlake.ca

Attachment I. 1

Objection of Stoney Nakoda First Nations

File No.: 4676
VIA EMAIL

Richard.Duncan@gov.ab.ca

March 25, 2022

Land and Property Rights Tribunal
2nd Floor, 1229 – 91st Street SW
Edmonton, AB T6X 1E9

ATTENTION: RICK DUNCAN, CASE MANAGER

Dear Mr. Duncan:

Re: Notice of Intent to Annex Land in Ghost Reservoir
Land & Property Rights Tribunal File No. AN21/GHOS/V-01

We represent the Stoney Nakoda Nations whom are comprised of the Bearspaw First Nation, Chiniki First Nation and Wesley First Nation and whose reserve lands include Morley Indian Reserves 142, 143, and 144, and Rabbit Lake Indian Reserve 142B.

We are in receipt of a copy of the Notice of Intent to Annex letter of October 27, 2021 and the Notice of Acknowledgment of January 24, 2022.

We must advise that, at this point in time, the Stoney Nakoda Nations object to any application by the Summer Village of Ghost Lake to annex the subject lands.

The Nations' reasons for taking this position are as follows:

The lands presently flooded by the Ghost Reservoir were removed from Stoney Indian reserves no. 142, 143 and 144 in 1929 for the sole purpose of a hydroelectric development. Once any such lands so taken are no longer necessary for that purpose, it is our client's position that they revert to the beneficial ownership of the Stoney Nakoda Nations. This reversionary right applies to some or all of the lands presently leased to the Summer Village and those lands that are the subject matter of the notice.

In action no. 0301-19586 in the Alberta Court of Queen's Bench, Wesley v. Alberta and Canada, the Stoney Nakoda are asserting ownership to the bed and waters of that portion of the now flooded Bow River which includes the subject matter of the proposed

annexation. In addition, mineral rights underlying this land are already wholly owned by a Stoney corporation, Woste Igic Nabi Ltd.

As part of the above-referenced litigation, the Stoney Nakoda are asserting a claim pursuant to the Natural Resources Transfer Agreement and the *Constitution Act, 1930*, for a share of monies paid to TransAlta Utilities Corp. as part of the 2016 Ghost Reservoir flood control agreement with the Province of Alberta.

Alberta is presently conducting studies on a proposed new Ghost Dam that will increase the size and depth of the reservoir behind the present dam. Until a decision is made in regard to a new Ghost Dam, it would be premature to consider the annexation proposal.

Prior to any annexation application the Province of Alberta must consult with the Stoney Nakoda Nations in regard to the above and other Aboriginal rights and title and Treaty issues.

Members of the Stoney Nakoda Nations are “affected persons” as permitted by the *Municipal Government Act*, as the area to be annexed is located within one kilometre from Stoney Reserves 142, 143, 144. Further, the Notice of Intent to Annex Land, dated October 27, 2021, recognizes that the Stoney Nakoda Nations are an important stakeholder as a large adjacent land holder.

We trust you appreciate our client’s position. Should you require further information, please feel free to contact the undersigned.

Yours truly,

Rae and Company



L. Douglas Rae

LDR/mjc

cc. Barb Shellian, Canmore and Cochrane Region, Alberta Health Services
Greg Luterbach, Superintendent of Schools, Rocky View School District
Dr. Bryan Szumlas, Chief Superintendent, Calgary Catholic School District
Ryan Robb, Tribal Administrator, Stoney Nakoda Nations
Greg Birch, Birch Consulting
Dave Hunka, Fortis Alberta Inc.
Brad Mason, Cochrane Lake Gas Co-op Ltd.
Kevin Crush, Federation of Alberta Gas Co-ops Ltd.
Joan E. Allen, TransAlta Corporation
Heidi Kalyniuk, CP Rail System
Trevor Richelhof, Alberta Transportation (Calgary)

Sabhago Oad, Alberta Transportation
Michael Scheidl, Alberta Municipal Affairs
David Ardell, Alberta Environment and Parks
Mustafa Hashimi, CAO, Summer Village of Ghost Lake
Robert Ellis, CAO, Municipal District of Bighorn No. 8
L. Douglas Rae, Corporate Secretary, Woste Igic Nabi Ltd.

Attachment I.2

Objection of Woste Igic Nabi Ltd.

◆ WOSTE IGIC NABI LTD. ◆

VIA EMAIL
Richard.Duncan@gov.ab.ca

March 24, 2022

Land and Property Rights Tribunal
2nd Floor, 1229 – 91st Street SW
Edmonton, AB T6X 1E9

ATTENTION: RICK DUNCAN, CASE MANAGER

Dear Mr. Duncan:

**Re: Notice of Intent to Annex Land in Ghost Reservoir
Land & Property Rights Tribunal File No. AN21/GHOS/V-01**

Woste Igc Nabi Ltd., an Alberta corporation wholly owned by the Stoney Nakoda Nations, is in receipt of a copy of the Notice of Intent to Annex letter of October 27, 2021 and the Notice of Acknowledgment of January 24, 2022.

At this point in time, Woste Igc Nabi Ltd. objects to any application by the Summer Village of Ghost Lake to annex the subject lands.

The corporation's reasons for taking this position are as follows:

1. The mineral rights underlying the land subject to the proposed annexation are wholly owned by Woste Igc Nabi Ltd.
2. In action no. 0301-19586 in the Alberta Court of Queen's Bench, Wesley v. Alberta and Canada, the owners of Woste Igc Nabi Ltd. are asserting a claim pursuant to the Natural Resources Transfer Agreement and the *Constitution Act, 1930*, for a share of monies paid to TransAlta Utilities Corp. as part of the 2016 Ghost Reservoir flood control agreement with the Province of Alberta.
3. Alberta is presently conducting studies on a proposed new Ghost Dam that will increase the size and depth of the reservoir behind the present dam. Until a decision is made in regard to a new Ghost Dam, it would be premature to consider the annexation proposal.

◆ **A Corporation wholly owned by the Stoney Nakoda Nations** ◆
◆ Mailing Address: P.O. Box 40, Morley, Alberta T0L 1N0 ◆

4. Prior to any annexation application the Province of Alberta must consult with the Stoney Nakoda Nations in regard to the above and other Aboriginal rights and title and Treaty issues
5. Woste Igic Nabi Ltd. is “affected” as permitted by the *Municipal Government Act* because the area to be annexed is located within one kilometre from the lands to which the corporation owns the underlying mineral rights.

We trust you appreciate our position. Should you require further information, please feel free to contact the undersigned.

Yours truly,

WOSTE IGIC NABI LTD.



L. Douglas Rae, Corporate Secretary

- cc. Barb Shellian, Canmore and Cochrane Region, Alberta Health Services
Greg Luterbach, Superintendent of Schools, Rocky View School District
Dr. Bryan Szumlas, Chief Superintendent, Calgary Catholic School District
Ryan Robb, Tribal Administrator, Stoney Tribal Administration
Greg Birch, Birch Consulting
Dave Hunka, Fortis Alberta Inc.
Brad Mason, Cochrane Lake Gas Co-op Ltd.
Kevin Crush, Federation of Alberta Gas Co-ops Ltd.
Joan E. Allen, TransAlta Corporation
Heidi Kalyniuk, CP Rail System
Trevor Richelhof, Alberta Transportation (Calgary)
Sabhago Oad, Alberta Transportation
Michael Scheidl, Alberta Municipal Affairs
David Ardell, Alberta Environment and Parks
Mustafa Hashimi, CAO, Summer Village of Ghost Lake
Robert Ellis, CAO, Municipal District of Bighorn No. 8

Attachment J

Names and Addresses of Persons Having an Interest

Names and Mailing Addresses of each Landowner or Other
Person Known to Have an Interest in the Annexation Proposal

TransAlta Corporation
Attn: Joan E. Allen, Land Services
Box 1900, Station "M"
110 – 12 Avenue SW
Calgary AB
T2P 2M1
Affected Property: Portions Lots 6 and 7, Plan 89B (the land proposed for annexation)

McKendrick Ranches Ltd.
Attn: Ann McKendrick-McNabb
P.O. Box 264
Cochrane, AB
T4C 1A5
Affected Property: Block 5, Plan 9211046

Stoney Nakoda First Nations
Attn: L. Dougla Rae
Rae and Company
Suite 900, 1000 - 5th Ave. SW
Calgary, AB
T2P 4V1
Affected Property: Identified by affected party as Morley Indian Reserves No. 142, 143 and 144

Woste Igic Nabi Ltd.
Attn: L. Dougla Rae, Corporate Secretary
P.O. Box 40
Morley (Mîni Thnî), AB
ToL 1No
Affected Property: Identified by affected party as mineral rights under the proposed annexation area

Attachment K

Annexation Mailing List (Updated Notice of Intent List)

Summer Village of Ghost Lake – Letter of Intent Mailing List (Contact Information Updated to January 2025)

Reeve and Council
Municipal District of Bighorn No. 8
P.O. Box 310
Exshaw, AB
T0L 2C0

Hon. Ric McIver
Minister of Municipal Affairs
Office of the Minister, Municipal Affairs
320 Legislature Building
10800 - 97 Avenue NW
Edmonton, AB
T5K 2B6

Ms. Breanna Case
Case Manager, MGB Secretariat
Alberta Land and Property Rights Tribunal
2nd Floor, 1229 – 91st Street SW
Edmonton, AB
T6X 1E9

Ms. Joan E. Allen
Land Asset Advisor
TransAlta Corporation
Attention: Land Services
Box 1900, Station “M”
110 – 12 Avenue SW
Calgary AB
T2P 2M1

Requested email transmission of letter:
JoanE_Allen@transalta.com

Mr. Trevor Richelhof
Development and Planning Technologist
Alberta Transportation and Economic Corridors
Southern Region, Calgary District
2nd Floor, 803 Manning Road NE
Calgary, AB
T2E 7M8

Mr. David Ardell
Executive Director
Water infrastructure Operations Branch
Alberta Environment and Parks
303 Deerfoot Square Building
2938 - 11 Street NE
Calgary, AB
T2E 7L7

Requested email transmission of letter:
dave.ardell@gov.ab.ca

Ms. Barb Shellian
Director, Rural Health
Alberta Health Services Calgary Zone
1100 Hospital Place
Canmore, AB
T1W 1N2

Mr. Greg Luterbach
Superintendent of Schools
Rocky View Schools
2651 Chinooks Winds Drive
Airdrie, AB
T4B 0B4

Dr. Bryan Szumlas
Chief Superintendent
Calgary Catholic School District
1000 - 5th Avenue SW
Calgary, AB
T2P 4T9

Mr. Reegan McCullough
Chief Administrative Officer
Rocky View County
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Ms. Lisa Wynands
Interim Tribal Administrator
Stoney Tribal Administration
P.O. Box 40
40 Morley Road
Morley, AB
T0L 1N0

Mr. Brad Mason
General Manager
Cochrane Lake Gas Co-op Ltd.
209 Railway Street East
Cochrane, AB
T4C 2C3

Greg Birch
Birch Consulting
206 Cougar Point Road
Canmore, AB
T1W 1A1