



## **AGENDA ITEM**

### **Burns Land Donation, Sylvan Lake**

**September 23, 2021**

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#### **BACKGROUND**

Jim and Pat Burns have expressed interest in donating approximately 19.5 acres of their 25 acre parcel adjacent to Sylvan Lake (NW 24-39-2-W5M) to the County.

Staff have conducted research on the site to assess if there are any historical land uses that would indicate that any contamination of the site may have occurred. The site has largely been left in its natural state and the only development has been for the construction of residential improvements. As such, there were no items of concern arising from this investigation.

The 2007 Sylvan Lake Health and Integrity Assessment completed by the Government of Alberta rated this parcel's shoreline as 'Healthy'. This assessment used a video of the shoreline taken from a helicopter. The data taken from the flyover was used to help examine and assess the riparian health. Assessment criteria included examining the proportion of area covered by natural vegetation, presence of cattails and bulrush, abundance of trees and shrubs, the amount of human-caused disturbance or vegetation removal and the amount of human caused physical alternation.

In 2016 the Government of Alberta re-did the assessment, utilizing a new method that use SPOT imagery and GIS. The 2016 assessment rated this parcel's shoreline as 'High Intactness', with a small area noted as 'Very Low Intactness', likely due to human impact and erosion where the lake was accessed. This translates to a 'healthy' shoreline for this parcel. Intactness was calculated using coverage of natural vegetation, woody vegetation, and cover of human impact and development.

Retention of potential habitat, sandstone aquifer and PNT areas are to be assessed as part of future enhancements to this parcel. The site has the potential to be a MiPAS2 development (Minor Public Access Sites 2), complete with Regional Trail and Node development; linking with adjacent private lands or Township Road 39-4. Motorized boat launch development possibility is low for this parcel. A non-motorized type launch might be possible depending on steep slopes and lake access opportunities.

## **POLICY CONSIDERATIONS**

Policy AD(37) contains the guidelines/procedures for the acceptance of gifted lands as follows:

1. Conduct a general review of the lands ensuring that the lands will be an asset to the County and could be used for recreational, environmental or any other public purpose deemed to be beneficial to the County, its residents and/or visitors.
2. Consider and examine any conditions that the donator may request be imposed ensuring that the conditions do not have any negative impact on the County.
3. Ensure there is no environmental liability connected to the lands that could be inherited by the County upon acquisition either immediately or any time in the future.
4. Consider the impact on any long term commitment from the County for maintenance and upkeep of the lands.
5. Following the completion of the above items and the determination that the acceptance of the lands will benefit the County and there are no ensuing liabilities, the County Manager will seek Council approval to enter into an agreement with the donator to acquire the lands and ensure those lands are protected for the said purposes.
6. Lacombe County will consider issuing of a tax receipt to the donator for the value of the donated lands in accordance with Canada Revenue Agency guidelines.

### **ENV&REC 4.4.7 Municipal Subdivision**

Subdivision may be approved for the following land uses:

- a) municipal purposes.

This parcel is an un-subdivided quarter section and would be eligible for a first parcel out subdivision so it does align with our first parcel out subdivision policies as well as our policy for subdivision for municipal purposes.

## **STRATEGIC PLAN**

The following elements of Lacombe County's Strategic Plan are relevant to this proposal:

Our Vision: "An attractive, balanced and progressive community.

Environment Strategy: "Protect the Environment"

Key Action Item: 2.1 (A) Inventory Environmentally Significant Areas in the County for the purposes of long range planning

Recreation Strategy: "Address recreation needs and opportunities"

Key Action Item: 7.1 (A) Develop a Parks and Open Spaces Plan which includes an evaluation process for the acquisition and uses of recreation and natural areas

## **PUBLIC PARTICIPATION**

Lacombe County sees the value in engaging the public through a variety of mediums and is committed to open, accountable and responsive decision making, including different levels of engagement with the public as outlined in the Policy AD(40): Public Participation Policy. The appropriate level of engagement for each public participation opportunity should be selected on a project-to-project basis. The levels of engagement within the policy are as follows:

- *Inform*: To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
- *Consult*: To obtain public feedback on analysis, alternatives and/or decisions.
- *Involve*: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
- *Collaborate*: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
- *Empower*: To place final decision making in the hands of the public.

This project was determined to warrant the *Inform* level of public participation. The land donation, will be published in the County News informing the public on the acquisition if successful.

## **BUDGET IMPLICATIONS**

The financial implications depend largely on what amenities are placed on the lands. In this case staff are not recommending any improvements at this time. The intent would be to leave it as a natural area.

If in the future access to the parcel for a passive recreation area is identified as an option by Council, staff would only recommend a simple small parking lot with a garbage can and a trailhead sign. The total costs associated with these improvements is approximately \$36,604. The annual maintenance costs are projected to be around \$7,500-\$10,000. Survey and appraisal costs are estimated to be approximately \$5000.

The Burns are supportive of either leaving the area natural or use as a passive natural trail in the future. The Burns currently have a private trail that loops through the lands proposed to be donated that could easily be connected to a parking lot at the entrance in the future.

## LEGISLATIVE RESPONSIBILITIES

Section 3 of the Municipal Government Act (MGA) states the purposes of a municipality are:

- a) to provide good government,
- b) to provide services, facilities or other things that, in the opinion of Council, are necessary or desirable for all or part of the municipality, and
- c) to develop and maintain safe and viable communities.

## ANALYSIS

The acquisition of the lands would result in the protection of an important environmental resource on Sylvan Lake. Development on the north side of the lake may have more significant impacts on lake water quality than development elsewhere on the lake.

Protecting these lands through park space is an opportunity to also protect the health of the lake and watershed through limiting impact to the groundwater aquifer. This means the site would function not only as a recreational asset to the County but also as an environmental asset as well. No environmental liabilities have been identified.

The subdivision of the lands complies with our standard first parcel out policies and subdivision for municipal purposes.

Capital investment and upkeep would be minimal if Council left it as a natural area or created a small passive recreational area.

Staff believe that the proposal is in alignment with the requirements of Policy AD(37) Acceptance of Gifted Lands, and that its protection would be of significant value to the community.

## RECOMMENDATION

Staff recommend that Council approve entering into an agreement with the donator to acquire the lands and ensure those lands are protected for the said purposes in alignment with the requirements of Policy AD(37) Acceptance of Gifted Lands.

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**PREPARED BY:** Dale Freitag, Director of Planning Services

**APPROVED BY:** Tim Timmons, County Manager

