

# **Town of Drumheller**

## **COUNCIL MEETING**

### **MINUTES**



**October 14, 2008 at 4:30 PM**

**Council Chamber, Town Hall**

703 - 2nd Ave. West, Drumheller, Alberta

#### **PRESENT:**

**MAYOR:**

Bryce Nimmo

#### **COUNCIL:**

Andrew Berdahl

Karen Bertamini

Blaine McDonald

Don Guidolin

Sharel Shoff

Terry Yemen

#### **CHIEF ADMINISTRATIVE OFFICER/ENGINEER:**

Ray Romanetz

#### **DIRECTOR OF INFRASTRUCTURE SERVICES:**

Allan Kendrick

#### **DIRECTOR OF CORPORATE SERVICES:**

Michael Roy

#### **DIRECTOR OF COMMUNITY SERVICES:**

Paul Salvatore

#### **RECORDING SECRETARY:**

Linda Handy

### **1.0 CALL TO ORDER**

### **2.0 MAYOR'S OPENING REMARKS**

2.1 Mayor B. Nimmo presented a letter from Hon. Luke Ouellette, Minister of Transportation announcing the New Deal for Cities and Communities (NDCC), which is a program to assist Alberta municipalities in addressing their infrastructure needs. In his letter, Hon. Ouellette advises that the Town's application for sewer system upgrades has been approved in the amount of \$216,373. This amount represents the full amount of the 2008 instalment payment under this program.

2.2 Mayor B. Nimmo presented a letter from Hon. Jack Hayden, Minister of Infrastructure

regarding the delivery of regional economic development for Drumheller and area. In his letter, Hon Hayden advises that he supports the Town's pursuit in creating a Regional Economic Development Alliance within the Town of Drumheller and area.

2.3 Mayor Nimmo provided notice of the Organizational Meeting to be held October 27<sup>th</sup>, 2008.

### **3.0 PUBLIC HEARING**

Mayor B. Nimmo called the public hearing to order at 4:35 PM.

Mayor Nimmo stated that the purpose of the public hearing is to consider Bylaw 29.08 being a bylaw of the Town of Drumheller to adopt an Area Structure Plan to provide a framework for subsequent subdivision and development of land within the Town to be known as: "THE SANDS OF ROSEDALE, AB AREA STRUCTURE PLAN".

Mayor Nimmo asked Secretary, L. Handy if there were any written submissions. Secretary, L. Handy advised there were no items of correspondence.

Mayor Nimmo asked if anyone was present to speak in favour or against the proposal.

Speaking in Favour of the Proposal:

Bernie Bleske, President of Pal Development Ltd. and representing the Sands, was present to provide an overview of the development proposal. He stated that the lands are located across the Red Deer River from the community of Rosedale in the Town of Drumheller. He explained that the Sands formerly operated a sand and gravel company and would now like to develop the land for residential use. He stated that there are several different land owners within the subject property. He further stated that the plan is intended to address ownership, floodplain, multiple land uses and to provide planning direction and guidelines that will result in an orderly growth on a phased basis to the areas. He explained that the phasing will be tied to marketing and the long term objectives of the prime landowner. He explained that an area to the east of the north/south existing roadway is a flood plain condition which has been identified as park reserve. He explained that the development concept for the site includes housing mixes ranging from conventional single family homes to town housing to apartments and a significant area for villas designed specifically for families with large RV motor homes and fifth wheels. He referred to the concept plan and noted that the following land use districts be applied: Phases 1,2,and 3 are all R2- Duplex lots which will accommodate the proposed unique RV Villa lots; Phases 4, 5 and 7 are all R4 – Multiple Family Districts and allow for the 5 proposed 3 story walk-up apartment structures, as well as the 5 cluster town housing groups on the upper plateau; and Phases 6, 8, and 9 are all R1 – Single Family Residential District (includes the proposed bed and breakfast home occupation site). He identified the open spaces (trail system); drainage plan and several areas for storm management to the river. He explained that the first phase to be developed lies west of the north/south road allowance, north of the Red Deer River and south of the escarpment. He stated that the

building from the old mining operations would be the last to be removed and developed (top area). He explained that sanitary sewage from this area will flow from some of the phases via gravity to a forcemain and lift station and across the bridge to tie into Rosedale's existing services. He further explained that this approach will require the construction of an utilidor to be hung under the bridge by the girders. This would avoid installation under the river however the proposal is subject to discussion with Alberta Transportation. The site area is 129.3 acres (20.6 acres of open spaces - flood plain area is not included in the dedication) with a proposed number of units of 588 (based on 3 persons per unit, a total population of 1700 when the entire site is developed). He stated that development is dependent upon the sales of the first phase.

Mayor called for questions from Council:

Councillor D. Guidolin asked if the open space areas (identified in green on the concept drawing) has sufficient elevation. B. Bleske stated that the elevations for the strip of green along the river is taken from the floodplain mapping provided by the Town. He further explained that he understands that Alberta Environment has struck new elevations and the Town has had discussions with their representatives on this matter. He further explained that Mr. Sands has filled in any stagnant ponds and they are not within the residential component however they are within the roadway system and will be handled through the geotechnical design. R. Romanetz advised that Phases 1, 2 and 3 (purple area) is well above the 1:100 floodplain however the lower levels (pink and yellow) are within the flood plain and will have to be built up. He further explained that no development can be built in a floodway area. In response to a question from Council on the water and sewer installations, R. Romanetz advised that the looped line on the south side of the river is not a capacity issue however the lift station in Rosedale may require upgrading before full build out occurs. Councillor K. Bertamini asked if the water and sewer installations under the bridge rather than under the river is the best option. B. Bleske stated that he is familiar with other developments with this type of utility and it has proved to be both structurally sound and economically feasible. R. Romanetz stated that a direction drill may be the preferred option. Councillor McDonald asked about the ownership of the abandoned CPR right of way. B. Bleske stated that ownership of the land is identified in the Area Structure Plan and they are in negotiations for an exchange of land. In response to a question from Council, R. Romanetz confirmed that the Swinging Bridge was 1 km to the east of the proposed development.

Mayor Nimmo asked Brad Wiebe, Planner - Palliser Regional Municipal Services to provide his planning report which is summarized as follows:

*"The proposed Area Structure Plan area contains slopes and plateaus that will require the necessary geotechnical reports prior to subdivision and development to ensure suitability for appropriate development and necessary setbacks.*

*Sections of the Municipal Development Plan Volume 1: Sections of the MDP that apply to this application are as follows:*

*5.5.3. Development of Undeveloped Areas*

*Given the previously discussed development constraints, new residential development on raw land can be identified on 16 potential sites in the Town of Drumheller. The developable area and approximate population that may be accommodated, included housing densities is shown in Table 8. The residential development sites identified in Figures 11 present the potential development sites. In terms of serviceability, short term development should be directed to the Valley floor sites that can be linked to existing utility system. The serviced communities of Nacmine, Central Drumheller and Rosedale and lands adjoining these communities, which represent the urban core area, are considered the most suitable areas for shorter term future residential development within the Town. Residential development on the bench lands should be considered as a longer-term option due to serviceability constraints that would necessitate major new capital costs. Services will need to be extended across the bridge which will require proper engineering at the subdivision and development stage.”* He referred to Figure 11.7 (Future Land Use) and identified that Parcel A is the subject property. He stated that the area shown within the ASP identifies more than the Sands Property. He referred to Section 6 of the Municipal Development Plan Volume 2 (Bylaw 11.08) and noted the development of new residential land as identified in Figure 2. He stated that the land use district map within the Land Use Bylaw 10.08 has the plan area currently designed as “A” – Agricultural Land Use District with 4 “CR” – Country Residential parcel within. Land use redesignation should be completed at the time of subdivision application to coincide with the phases of development as shown on Drawing No. 5 Proposed Land Use Plan. In conclusion, B. Wiebe stated that the MDP provides the overall future land use framework for the entire municipality. An area structure plan is to provide a policy framework for a defined area of the community. The Sands of Rosedale ASP provides land use policy direction for the plan area that is consistent with the MDP.

Mayor Nimmo closed the public hearing at 5:02 PM.

#### **4.0 ADOPTION OF AGENDA**

**MO2008.207** Shoff, Yemen moved the adoption of the agenda as presented. Carried.

#### **5.0 MINUTES**

##### **5.1 ADOPTION OF REGULAR COUNCIL MEETING MINUTES**

###### **5.1.1 Special Council Meeting – August 18, 2008**

Correction noted: Councillor Andrew Berdahl’s name should be recorded as absent.

**MO2008.208** Guidolin, Berdahl moved the adoption of the Special Council meeting minutes of August 18, 2008 as amended. Carried.

###### **5.1.2 Council Regular Meeting – September 29, 2008**

**MO2008.209** Bertamini, Shoff moved the adoption of the regular Council meeting minutes of September 29, 2008 as presented. Carried.

##### **5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION**

###### **5.2.1 Municipal Planning Commission – September 11, 2008**

### 5.3 BUSINESS ARISING FROM THE MINUTES

## 6.0 DELEGATIONS

## 7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

## 8.0 REQUEST FOR DECISION REPORTS

### 8.1 CAO

#### 8.1.1 Bylaw 30.08 being a bylaw to establish an Assessment Review Board

R. Romanetz advised that at the last Council meeting Council directed Administration to amend the existing bylaw with regards to Committee membership. The amendment reads as follows: *3(b) Membership of the Board shall consist of a minimum of three (3) members and a maximum of five (5) members, and may be comprised of no more than three (3) current Councillors and two (2) at large who are residents of the Town of Drumheller.* R. Romanetz further advised that although Council's preference is to have representation from the public at large, the bylaw as worded would allow for the assessment review board hearing to move forward without public at large representation.

**MO2008.210** Yemen, McDonald for first reading to Bylaw 30.08.

Councillor B. McDonald asked the number of weeks the vacancies were advertised. M. Roy confirmed two weeks.

Vote on Motion: Carried.

**MO2008.211** Guidolin, Shoff for second reading to Bylaw 30.08. Carried.

**MO2008.212** Bertamini, Berdahl for no objection to third reading of Bylaw 30.08. Carried.

**MO2008.213** Shoff, Guidolin for third reading to Bylaw 30.08. Carried.

#### 8.1.2 RFD (Direction) - Water Connection SW 28-28-19-W4M

R. Romanetz advised that the property owner has requested an additional water service to this property in Rosedale which is located along the Mabbott Road. He explained that there are five homes located on the one privately owned parcel of land. The property is already serviced to the property line of one of the homes. The property has not been subdivided into individual lots due to the majority of the property being located at an elevation well below the 1:100 year flood plain. The portion of property proposed to be serviced is located on the higher portion of the parcel and is located above the 1:100 flood plain. R. Romanetz further explained that before the request for an additional water service is granted, the property owner must agree to subdivide the property and create a separate title for the house located outside of the flood plain area. He further explained that this is consistent with existing policy. He stated that once the subdivision is approved, the connection fees would be the responsibility of the resident making the request. Council concurred with Administration's recommendation.

### 8.1.3 RFD – Community Facility Appointments, Budget and Next Steps

R. Romanetz advised that in order to enable the Community Facility Steering Committee to prepare for the upcoming plebiscite on the decision of the location of a community facility at John Anderson Park, Council needs to 1) Appoint Council members to their respective positions on the Steering Committee and Sub Committees; 2) Appoint the Co-Chair of the Steering Committee; 3) Appoint the Chairs of the Sub Committees; 4) Allocate funds to the Steering Committee in support of activities identified in the Terms of Reference for the Committees; and 5) Adopt a project schedule. He further advised that the Steering Committee has requested \$5,000 for communications related activities. M. Roy explained that \$20,000 was allocated in the 2008 budget for the purpose of a plebiscite. He further explained that \$10,000 was allocated for the election, \$5,000 to support the Steering Committee with the remaining \$5,000 to be used as determined by Council.

**MO2008.214** Bertamini, Guidolin that Council approve the appointment of Council representatives to the Steering Committee in addition to the representatives of the Steering Committee and Sub-Committees as identified in the Terms of Reference.

#### Discussion on Motion:

Councillor Bertamini stated that it is important to broaden the Communication Committee to include other groups to be involved in their strategy such as the Drumheller District Chamber members. Councillor Yemen asked the approval process for expenditures. M. Roy stated that individuals would submit expenditures to the Steering Committee for approval which would be forwarded to him for payment.

Vote on Motion: Carried.

**MO2008.215** Bertamini, Andrew moved to approve the Steering Committee's request for \$5,000 for communications related activities. Carried.

## 8.2 Director of Infrastructure Services

## 8.3 Director of Corporate Services

## 8.4 Director of Community Services

### 8.4 Information - Safe Communities and Neighbourhoods Programs

P. Salvatore advised of a new program entitled Safe Communities and Neighbourhoods (SCAN) which was launched by the Province on October 1<sup>st</sup>. He stated that the program resembles the proposal for a Substance Control Bylaw that was brought forward by Councillor Yemen. He explained that the program provides an ability for local combating of illegal activities dealing with gangs, drugs and prostitution. The Act enables the SCAN investigative unit to mediate, investigate or apply to the courts for a Community Safety Order that requires individuals to vacate and/or close the property. Any criminal activity uncovered when dealing with these properties will be turned over to the police to investigate. He advised that a Drumheller information meeting has been arranged on how our community can take advantage of the program. R. Romanetz advised that the Town

Solicitor has provided comments for Council as well. Councillor T. Yemen asked if that the program applies to landowners as well as landlords. P. Salvatore stated that he would research his question.

## **9.0 PRESENTATION OF QUARTERLY AND ANNUAL REPORTS BY ADMINISTRATION (October 14, 2008)**

9.1 CAO

9.2 Director of Infrastructure Services

9.3 Director of Corporate Services

9.4 Director of Community Services

**MO2008.216** Bertamini, Shoff moved to acknowledge and congratulate Ray Telford for obtaining his certificate in Economic Development from the University of Waterloo. Carried.

## **10.0 PUBLIC HEARING DECISIONS**

10.1 Bylaw 29.08 – second and third readings

**MO2008.217** McDonald, Bertamini for second reading to Bylaw 29.08. Carried.

**MO2008.218** Yemen, Shoff for third reading to Bylaw 29.08. Carried.

## **11.0 DELEGATION DECISIONS**

## **12.0 UNFINISHED BUSINESS**

## **13.0 NOTICES OF MOTIONS**

## **14.0 COUNCILLOR REPORTS**

**15.0 IN-CAMERA MATTERS MO2008.219** Shoff, Bertamini to go in camera at 6:35 PM. Carried.

15.1 Kathryn Water Supply

**MO2008.220** Berdahl, Guidolin to revert to regular Council meeting at 7:12 PM. Carried.

There being no further business the Mayor declared the meeting adjourned at 7:12 PM PM.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER