

Town of Drumheller COUNCIL MEETING MINUTES

September 9, 2013 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Andrew Berdahl

Jay Garbutt

Lisa Hansen-Zacharuk

Sharel Shoff

Doug Stanford

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

DIRECTOR OF CORPORATE SERVICES:

Byron Nagazina

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Tom Zariski

1.0 CALL TO ORDER

Mayor Terry Yemen congratulated the Town Staff and volunteers whose efforts lead to successful Tour of Alberta and Half Marathon events.

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

- 3.1 The purpose of the Public Hearing is to consider an application to amend Land Use Bylaw No. 10.08 by redesignating Plan 4317CQ; Block 1, Lots 26 to 28 from HWY-C - Highway Commercial District to R-2 - Residential District

Mayor Terry Yemen called the Public Hearing to order at 4:35 PM.

Mayor Yemen asked B. Wiebe, Director with Palliser Regional Planning Commission for his comments.

B. Wiebe advised that the purpose of the land use change is to allow for the development of a semi-detached dwelling on the property with primary access from Willow Street. The existing land use of the parcels includes a small dilapidated single detached dwelling. He stated that the surrounding land uses includes to the: South – playground, Willow Grove Campground and Red Deer River, West – Older single detached dwellings within the R-1a Land Use District, North – a recently converted single detached dwelling from residential to commercial (office) use and other commercial businesses within the same block, and East – Highway 9 bridge crossing and other commercial uses. He further stated that the purpose of the R-2 Land Use District is to provide for residential development in the form of one and two unit dwellings. A semi-detached dwelling is a permitted use in this district. The proposed semi-detached dwelling residential land use is similar to the surrounding neighbourhood in terms of LUB requirements with the minimum site area requirement for the R-2 district being slightly larger (3,500 sq. ft. compared to 3,000 sq. ft.). The primary difference between the R-1a and R-2 land use districts is the provision for two-unit dwellings in R-2. He explained that due to the elevation differences between this property and Highway 9 along with the curve and bridge on Highway 9 adjacent to this property, there is no ability to gain highway access therefore Highway Commercial uses would be unlikely or inconsistent in this location as access would be through a residential area (Grove Ave to Poplar St. to Willow Ave). The property is located within the flood risk area of the Red Deer River. The current Provincial discussions may have influence on how this property may be developed in the future as it would need to meet the revised Provincial criteria for flood mitigation. He concluded by stating that the proposed R-2 use is more suited to this area than the highway commercial use.

Mayor Yemen asked if there was any written correspondence. Recording Secretary, L. Handy stated that the Municipal Planning Commission submitted their comments which were read into the record as follows:

“The MPC unanimously supported the LUB amendment from Hwy-C to R2 for the following reasons;

- There is no approach or access to this property directly off the highway, nor would Alberta Transportation allow an approach to be added in this location. All traffic associated with a commercial business would have to access via Grove Avenue and Poplar Street. The MPC felt this commercial traffic would be detrimental to the existing residential development in the surrounding area.*
- The property is in a unique location with access on Willow Avenue adjacent to Town Land and the Campground (See Map). No other lots are situated on Willow Avenue and the MPC felt there would be little to no impact to the properties in the area if rezoned to a higher density. The adjacent lot to the north recently changed from residential use to commercial office administration (Numberz Accounting). The property owner supports the LUB amendment from Hwy-C to R-2 as well.”*

Mayor Yemen asked if there were any questions from Council. There were no questions from Council.

Mayor Yemen asked if there was anyone present who wished to speak in favor or against the proposal. There were no speakers in attendance.

Mayor Yemen closed the public hearing at 4:41 PM.

4.0 ADOPTION OF AGENDA

MO2013.117 Garbutt, Hansen-Zacharuk moved to adopt the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of August 26, 2013

MO2013.118 Shoff, Stanford moved to approve the regular Council Meeting Minutes of August 26, 2013 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

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 09.13 being a bylaw to close a portion of an unused and undeveloped road allowance (16th and 17th Street SW - Passion Play)

R. Romanetz advised that Council gave first reading to Bylaw 09.13 on April 8, 2013 which was then forwarded to the Minister for his approval. The bylaw has been signed by the Minister and new to this approval is now a limitation clause. This rationale for this clause is that the municipality must complete the consolidation of the land and registration of this title within a 20 month timeframe. He explained that the bylaw will now finalize the process for the Passion Play to consolidate unused road allowances and create a number of lots for either sale or lease to the Passion Play.

MO2013.119 Shoff, Hansen-Zacharuk for second reading of Bylaw 09.13. Carried unanimously.

MO2013.120 Berdahl, Garbutt for third reading of Bylaw 09.13. Carried unanimously.

8.1.2 Bylaw 12.13 being a bylaw to amend Land Use Bylaw 10.08 (Section 33 M-1 Light Industrial Land Use District)

R. Romanetz advised that Bylaw 12.13 proposes to amend the M-1 Light Industrial Land Use District with the addition of 'storage of hazardous goods' as a discretionary use. He further explained that Administration has met with the applicant on numerous occasions to discuss various options available and at their last meeting the applicant advised that they wished to proceed with adding this use to the M-1 designation. The proposed amendment will require advertising and a public hearing to hear from all parties affected by the proposed change. He further advised that both Palliser Regional Municipal Services and the Municipal Planning Commission will provide comments to the proposal in the next few weeks with both reports being presented to Council prior to the Public Hearing.

MO2013.121 Shoff, Garbutt for first reading of Bylaw 12.13

Discussion on motion:

Councillor D. Stanford advised that if this change is approved, it will set precedent for other oil companies in the area who also wish to store chemicals – the Town has to ensure that proper containment and berms are in place. R. Romanetz advised that in discussions with Fire Chief and in review of the Fire Code, the applicant is aware of the containment requirements. These requirements are separate from the land use bylaw. Separation from residential neighborhoods must be considered, industry standards and environment laws must be complied with as the site abuts a water way. He further advised that there is a requirement within the existing land use bylaw that an application for the storage of hazardous goods must include, a report prepared by a qualified professional that would address due diligence, including an assessment of location, proximity to bodies of water, storm sewers and other considerations to protect the safety and amenities of surrounding developments and the environment. He further stated that in looking at the Hygrade Industrial area there needs to be a transition zone from industrial (from M-1 to M-2) to create separation from the residential area.

Vote on Motion:

Carried unanimously.

8.2. Director of Infrastructure Services

8.3. Director of Corporate Services

8.3.1 RFD - 2013 Municipal Election

B. Nagazina advised that the Local Authorities Election Act Section 13 provides that Council, by resolution, appoint a Returning Officer for this election. Further, that the Act Section 73 provides that a municipality may conduct an advance vote for the election. Traditionally the Town has established the two Fridays preceding the election as the advance vote for those unable to vote on the date of the election. The advance vote would be scheduled as the same hours of the general election, being 10:00 AM to 8:00 PM, and would be located at the Badlands Community Facility in the large multi-purpose room on the main floor.

MO2013.122 Shoff, Hansen-Zacharuk moved that Council appoint the Director of Corporate Services Byron Nagazina as the Returning Officer for the 2013 General Municipal Election. Carried unanimously

MO2013.123 Garbutt, Berdahl that Council approve the establishment of two days of advance voting for the 2013 General Municipal Election, being Fridays, October 11 and October 18th. Carried unanimously.

8.4. Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

10.1 Bylaw 11.13 - second and third readings

MO2013.124 Garbutt, Hansen-Zacharuk for second reading of Bylaw 11.13. Carried unanimously.

MO2013.125 Hansen-Zacharuk, Berdahl for third reading of Bylaw 11.13. Carried unanimously.

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

13.1 Mayor Terry Yemen advised that World's Largest Dinosaur will receive a facelift by the end of October (expansion of joints improvements and painting).

13.2 Councillor J. Garbutt asked for update on the new benefits package. B. Nagazina stated that the new benefits program will commence on November 1st. It was confirmed that the new carrier will extend benefits to retirees up to a certain age.

13.3 Councillor S. Shoff requested that an agreement be signed that outlines procedures with the Musical Festival on the storage and use of the piano to avoid any future misunderstandings.

14.0 IN-CAMERA MATTERS

There being no further business, the Mayor declared the meeting adjourned at 5:00 PM.

Mayor

Chief Administrative Officer