

# **Town of Drumheller COUNCIL MEETING MINUTES**

**February 8, 2016 at 4:30 PM**  
**Council Chamber, Town Hall**  
224 Centre Street, Drumheller, AB, T0J 0Y4



## **PRESENT:**

**ACTING MAYOR:**

Lisa Hansen-Zacharuk

## **COUNCIL:**

Jay Garbutt

Patrick Kolafa

Tara McMillan

Sharel Shoff

Tom Zariski

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

Ray Romanetz

## **DIRECTOR OF CORPORATE SERVICES:**

Barb Miller

## **DIRECTOR OF COMMUNITY SERVICES:**

Paul Salvatore

## **DIRECTOR OF PROTECTIVE SERVICES:**

Greg Peters

## **RECORDING SECRETARY:**

Linda Handy

## **ABSENT:**

MAYOR Terry Yemen

DIRECTOR OF INFRASTRUCTURE SERVICES Allan Kendrick

## **1.0 CALL TO ORDER**

Acting Mayor Lisa Hansen-Zacharuk called the meeting to order at 4:30 PM.

## **2.0 ACTING MAYOR'S OPENING REMARK**

Acting Mayor Lisa Hansen-Zacharuk advised that the Council Committee Meeting will be held on February 16<sup>th</sup> due to Family Day on February 15<sup>th</sup>.

### **3.0 PUBLIC HEARING**

Acting Mayor Lisa Hansen-Zacharuk passed the Chair to Councillor Tara McMillian.

Acting Mayor Lisa Hansen-Zacharuk and Councillor Pat Kolafa declared a conflict of interest and left the room at 4:37 PM.

3.1 Councillor Tara McMillian called the public hearing to order at 4:37 PM.

She advised that the purpose of the public hearing was to consider Bylaw 03.16 being a bylaw to amend the Land Use Amendment Bylaw 10.08 (Legal Description Plan 6495AV Block 1 Lots 15, 16, 17, and 18 from R1A - Residential to R2 - Residential

She asked Cynthia Cvik – Planning Director – Palliser Regional Municipal Services (PRMS) to provide her report.

C. Cvik, stated that the purpose of Bylaw 03.16 is to re-designate four lots from the existing R1a to R2 residential zoning. She stated that statutory and non statutory documents have to be considered when determining if the proposal is suitable. She stated that the MDP supports infill development as well as utilizing existing infrastructure to its fullest extent possible. It also provides for a variety of housing types and it advocates maintaining the quality of residential development in the community. The Land Use Bylaw 10.08 R2 district provides for the development or redevelopment of single and two unit dwellings as permitted uses. The proposal as presented meets the requirements of the LUB. The final document of consideration is the Municipal Sustainability Plan from the perspective of the environment and economic pillars, infill housing is supported as a viable means as the most efficient use of existing services and infrastructure as opposed to extending into undeveloped areas. It also advocates a board variety of housing options throughout the community for both existing and future residents. PRMS recommends that the proposal to rezone Lots 15, 16, 17, 18 Block 1 Plan 6495AV from R1a to R2 be approved.

Councillor Tara McMillian asked if there were any items of correspondence to be read into the record. Secretary, L. Handy advised there were no items of correspondence.

Councillor Tara McMillian asked if there were any questions from Council.

Councillor T. Zariski asked for an explanation on how the discretionary use would impact the new zoning. C. Cvik explained that the proposal is for a change from R1a to R2. Discretionary uses are types of uses that may be suitable on the site. The proposal is for a permitted use based on the zoning being requested. Councillor T. Zariski asked the difference of discretionary uses between the R1a and R2. He stated that he understands what is planned at this time but it is possible to change in the future. C. Cvik stated that the discretionary uses in an R1a include dwelling modular home, group homes, secondary suites and the R2 discretionary uses include bed and breakfast establishments, day homes, manufactured homes if constructed or existing

prior to 2013. She further stated that based on the lot size that exists, it will limit the range of uses for the site. Councillor T. Zariski stated that any discretionary uses would have to come before MPC for approval.

Councillor Jay Garbutt stated that Councillor S. Shoff raised the issue of spot zoning and asked for an explanation of spot zoning. C. Cvik stated that spot zoning is a distinct change in use in the property, for example spot zoning would be from R1 to Commercial not a residential to residential zoning. R. Romanetz explained that spot zoning has been treated loosely in Drumheller and it is common to see semi detached units in Drumheller scattered throughout the community in the R1 or R1a districts. He stated that spot zoning needs to be based on how it impacts on the neighborhood. Councillor J. Garbutt stated that this proposal meets Council's goal for broadening the housing continuum in Drumheller as it is a long time situation that needs to be addressed. Councillor T. Zariski stated that MPC discussed the matter and agreed that the proposal does not increase the density – as the proposal is to remove three older houses and build four units on four of the lots – two units are jointed together.

Councillor Tara McMillan asked if there were any public who wished to speak either in favor or against the proposal. She stated that there were no members from the public to speak to the proposal.

Councillor Tara McMillan closed the Public Hearing at 4:40 PM.

Acting Mayor Lisa Hansen-Zacharuk and Councillor Pat Kolafa returned to the room at 4:40 PM.

Acting Mayor Lisa Hansen-Zacharuk resumed the Chair at 4:40 PM.

3.2 Acting Mayor Lisa Hansen-Zacharuk called the public hearing to order at 4:40 PM.

She advised that the purpose of the public hearing was to consider Bylaw 02.16 being a bylaw to adopt an Area Structure Plan for the Former St. Anthony's School Property (Legal Description Plan 1310788 Block 2 Lot 4

She asked Cynthia Cvik – Planning Director – Palliser Regional Municipal Services to provide her report.

C. Cvik advised that Bylaw 02.16 is a proposal to create an Area Structure Plan, which has been amended with four changes since first reading: Section 1.1 the purpose has been clarified; Section 7.2 Reserve requirement postponed to subdivision application; Section 7.3 Reserve statement amended; Section 7.4 the five foot walkways removed and "land" walkway clarified on plan. She further stated that the ASP proposes to introduce single family residential development consisting of 14 houses developed in one phase, keeping in characteristics of the existing neighborhood. An open space for a municipal reserve has also been identified for the site. She stated that the overall road network has been identified with access off of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue (Railway Avenue). Advertising has been carried out in accordance with the Municipal

Government Act Section 606. The Municipal Development Plan currently supports infill development, encourages a variety of housing types and advocates maintaining and enhancing the quality of development in the community. The proposed ASP has been amended based on the discussion points that were included in her report. PRMS recommends that Council proceed to 2<sup>nd</sup> and 3<sup>rd</sup> readings.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any items of correspondence to be read into the record. Secretary, L. Handy advised there were no items of correspondence.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any questions from Council. Councillor T. Zariski stated he was talking to a senior today who is interested in downsizing and is looking forward to possibly moving into a new dwelling. Councillor J. Garbutt stated that he has only positive feedback as on the proposal and is pleased to see no opposition on the proposal today.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any public who wished to speak either in favor or against the proposal. She stated that there were no members from the public to speak to the proposal.

Acting Mayor Lisa Hansen-Zacharuk closed the Public Hearing at 4:45 PM.

3.3 Acting Mayor Lisa Hansen-Zacharuk called the public hearing to order at 4:45 PM.

She advised that the purpose of the public hearing was to consider Bylaw 05.16 being a bylaw to amend the Land Use Bylaw 10.08 for the Former St. Anthony's School Property by re-designating the property from CS - Community Services to R1 - Residential District (Legal Description Plan 1310788 Block 2 Lot 4)

She asked Cynthia Cvik – Planning Director – Palliser Regional Municipal Services to provide her report.

C. Cvik stated that Council is requested to consider the Municipal Government Act and ensure that advertising was carried out in accordance with Sections 606 and 692. She further stated that the current MDP provides a vision for the future of the community and all municipalities with a population greater than 3500 must have an MDP. The MDP supports infill development which utilized existing services and infrastructure to its fullest extent, it encourages a variety of housing types and advocates maintaining the quality of residential development in the community. She stated that the plan for rezoning is presented in accordance with the ASP. She stated that the R1 district is utilized as a tool which is used to make short and long term decisions to achieve the long range vision for the community. LUB 10.08 provides for the development of single family dwellings – the site is 2.55 acres in area meets the minimum size requirements – the conceptual lot layout indicates that all 14 proposed lots meet the minimum of lot area requirement of 4500 sq ft. and exceeds the minimum 40 ft lot width requirement of the zone. She stated that it should be noted that the specific dimensions and utility

servicing requirements will be set out by the subdivision application which is currently being circulated for comments. She further stated that proposed zoning is in keeping with the draft ASP and if it does not move forward, it is recommended that the zoning be held back to allow them to move forward together. PRMS recommended 2nd reading to Bylaw 05.16.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any items of correspondence to be read into the record. Secretary, L. Handy advised there were no items of correspondence.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any questions from Council. Councillor J. Garbutt stated that looking down the road is Council's responsibility and he asked if Palliser or CAO wishes to speak to the remainder of the land that houses a school that is vacant - will this subdivision make it difficult for someone to use that structure in the current form. R. Romanetz stated that there have been several proposals for revamping of the old school and over the years discussion about other potential uses and this discussion continues. He further stated that they are two separate parcels and just as the R1 subdivision must stand on its own, any redevelopment of the west parcel would have to do the same, each having the responsibility to maintain existing services and if and when reclassified, must meet the requirements of the land use bylaw.

Acting Mayor Lisa Hansen-Zacharuk asked if there were any public who wished to speak either in favor or against the proposal. She stated that there were no members from the public to speak to the proposal.

Acting Mayor Lisa Hansen-Zacharuk closed the Public Hearing at 4:51 PM.

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

##### **Addition: 14.1 Legal Matter**

**MO2016.25** McMillan, Zariski moved to adopt the agenda as amended. Carried unanimously.

#### **5.0 MINUTES**

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

###### **5.1.1 Regular Council Meeting Minutes of January 25, 2016**

**MO2016.26** Shoff, Kolafa moved to adopt the Regular Council Meeting minutes of January 25, 2016 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**

**8.2. DIRECTOR OF INFRASTRUCTURE SERVICES**

**8.3. DIRECTOR OF CORPORATE SERVICES**

**8.3.1 RFD - 2016 Service Fee Schedule**

B. Miller advised that the 2016 Fee Schedule was first presented for Council consideration during their January 18<sup>th</sup>, 2016 meeting. At that time, the proposal included a 3% increase to rates with the exception of arena rates which had a 10% increase proposal effective July 1st as directed by Council during budget deliberations. Subsequent to the draft proposal, there have been some additional adjustments made to some of the original fee proposals: Aquaplex – schedule now includes fees for training courses / adult lessons; Bulk water rate (related to sanitary dumping at the wastewater facility and the rates have not increased for some time); Cemetery – fee schedule has been updated with pricing for columbarium engraving and memorial wall plaques to reflect actual cost plus 10% administration costs; and Summer Fun - increases were adjusted to reflect similar rates being charged through the Flex Program. The rates will be effective February 15, 2016.

Councillor J. Garbutt stated that the Town is trying to recover costs with the rate increases and asked whether the Arena rate increases has been communicated to the three main users - Skating Club, Minor Hockey and Dragons. P. Salvatore stated that the increased rates have not yet been communicated and he would include comparables with other arenas when he has the discussion.

**MO2016.27** Garbutt, Shoff moved to adopt the 2016 Service Fee Schedule as presented. Carried unanimously.

**8.4. DIRECTOR OF COMMUNITY SERVICES**

**8.4.1 Draft Policy C-02-16 Arts and Culture Policy**

P. Salvatore presented the draft arts and culture policy for Council's consideration. He stated that over the last year discussions have taken place on how the community should support arts and culture. Several examples were presented where the Town of Drumheller supports arts and culture events either through financial contributions and / or in-kind support. He recommended the adoption of an arts and culture grant

application program, where submissions would be reviewed by the existing Heritage Committee. He further recommended that this Committee define the criteria for scoring, set the priority for the types of applications preferred (for profit groups or not for profit groups) and the amount of allocated funds for various grant applications throughout the year. Councillor J. Garbutt stated that the policy articulates the Town's commitment to arts and culture, and provides a clear framework for moving forward. He applauded Council and Administration for the investment in arts and culture in Drumheller. Councillor J. Garbutt asked whether the current Heritage Committee would agree to expand their responsibilities. P. Salvatore stated that he believes the members would be agreeable as there may be a common interest in preserving the arts and culture in the community. Councillor T. Zariski stated that he sits on the Heritage Committee and feels that the arts and culture component is a good fit. He further explained that there are only two members on the Committee and would like to see this number increased to those individuals interested in arts and culture. He further stated that although the Town funds the local grant program, he hopes that other groups will kick in dollars - such as Kalidescope. P. Salvatore stated that although he is not aware of other communities who operate like that, it could work. Councillor P. Kolafa stated that he also sees a link with a Friends of Society to include the component of arts and culture. Council requested that the Committee not only define the criteria for evaluation but also define the terms for arts and culture eligibility.

**MO2016.28** Garbutt, Shoff moved to adopt Council Policy 02.16 as presented. Carried unanimously.

## **8.5. DIRECTOR OF PROTECTIVE SERVICES**

### **8.5.1 RFD - Grant Funding Application - Alberta Community Partnership**

G. Peters advised that the Town is seeking funding from Alberta Community Partnership program to hire a consultant to develop a formalized Emergency Services Master Plan (ESMP) for the provision of coordinated response to all municipal partners that are part of the plan. He further advised that currently, we have a collective knowledge-based response to emergencies however we need to capture this knowledge and experience in a formalized ESMP should these individuals not be available for future disasters. The Town has received confirmation from Kneehill, Wheatland and Starland Counties and Special Areas as partners on the regional emergency plan. They will bring forward their resolutions for submission with the application by February 29<sup>th</sup>.

**MO2016.29** Garbutt, Zariski moved the approval of the submission of a grant application under the Alberta Community Partnership to hire a consultant to develop a formalized Emergency Services Master Plan that provides coordinated responses to all municipal partners that are part of the plan.

In response to a question from Council, R. Romanetz advised that the application is merit based and point based with a focus on regional collaboration. He further advised that a meeting will be arranged with Starland County to find if their priorities match up

with the Town's for future application submissions. Councillor T. Zariski asked whether one consultant would be hired. R. Romanetz explained that the Town will do a call for proposals and determine whether one consultant will be able to complete the ESMP or whether the project would have to be broken down into sub-projects and then hire more consultants based on their expertise.

Vote on Motion

Carried unanimously.

At Council's request, G. Peters reported on the roof rat incident that came to the attention of a Bylaw Officer who responded to a local citizen who trapped an animal in his backyard. He stated that the animal was put down. He explained that although Alberta is known for a rat free zone, the border of Saskatchewan combat rats all the time. He further explained that roof rats thrive in warm climates and this rat may have hitchhiked in the back of a trailer from BC. He stated that the Town will take efforts to continue to trap in the area to see if there are others. There have been 28 confirmed cases in Alberta last year - there are 5 confirmed cases in Alberta this year.

## **9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

### **10.0 PUBLIC HEARING DECISIONS**

- 10.1 Bylaw 03.16 being a bylaw to amend the Land Use Amendment Bylaw 10.08 (Plan 6495AV Block 1 Lots 15, 16, 17, and 18 from R1A to R2) - 2nd and 3rd readings

Acting Mayor Hansen-Zacharuk passed the Chair to Councillor Tara McMillan.

Acting Mayor Hansen-Zacharuk and Councillor Kolafa left the room at 5:31 PM

**MO2016.30** Garbutt, Shoff moved second reading of Bylaw 03.16. Carried unanimously.

**MO2016.31** Zariski, Shoff moved third reading of Bylaw 03.16. Carried unanimously.

Acting Mayor Hansen-Zacharuk and Councillor Kolafa returned to room at 5:32 PM.

Acting Mayor Hansen-Zacharuk resumed the chair at 5:32 PM.

- 10.2 Bylaw 02.16 being a bylaw to adopt an Area Structure Plan for the former St. Anthony's School Property (Legal Description Plan 1310788 Block 2 Lot 4) - 2nd and 3rd readings

**MO2016.32** Zariski, McMillan moved second reading of Bylaw 02.16 as amended. Carried unanimously.

**MO2016.33** Shoff, Kolafa moved third reading of Bylaw 02.16 as amended. Carried unanimously.

- 10.3 Bylaw 05.16 being a bylaw to amend the Land Use Bylaw 10.08 for the Former St. Anthony's School Property by redesignating the property from CS to R1 (Legal description Plan 1310788 Block 2 Lot 4) - 2nd reading



**MO2016.34** Shoff, Zariski moved second reading of Bylaw 05.16. Carried unanimously.

Council agreed with Palliser's and Administration's recommendation, that third reading of Bylaw 05.16 be delayed until the Subdivision Application has been dealt with.

**11.0 UNFINISHED BUSINESS**

**12.0 NOTICE OF MOTION**

**13.0 COUNCILLOR REPORTS**

**14.0 IN-CAMERA MATTERS MO2016.35** Shoff, McMillan moved to go in camera at 5:38 PM. Carried unanimously.

**MO2016.36** Shoff, Kolafa moved to revert to regular Council meeting at 5:50 PM. Carried unanimously.

There being no further business items, the Acting Mayor declared the meeting adjourned at 5:50 PM.

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Chief Administrative Officer

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Mayor