

# **Town of Drumheller COUNCIL MEETING AGENDA**

February 16, 2010 at 4:30 PM  
Council Chamber, Town Hall  
703-2nd Ave. West, Drumheller, Alberta



Page

## **1.0 CALL TO ORDER**

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

- 3-4 2.1 Marigold Library System - Freedom to Read Week Proclamation - February 21 - 27, 2010
- 5 2.2 Recreational Infrastructure Canada (RInC) Program - Drumheller Memorial Arena Energy Reduction and Facility Rehabilitation

## **3.0 PUBLIC HEARING**

## **4.0 ADOPTION OF AGENDA**

## **5.0 MINUTES**

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

- 6-16 5.1.1 Regular Council Meeting Minutes - February 1, 2010

### **5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION**

### **5.3. BUSINESS ARISING FROM THE MINUTES**

## **6.0 DELEGATIONS**

- 6.1 Downtown Merchants regarding Parking

## **7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

## **8.0 REQUEST FOR DECISION REPORTS**

### **8.1. CAO**

- 17-31 8.1.1 AUMA Media Releases on Provincial Budget
- 32-43 8.1.2 Alberta Land Stewardship Act

**8.1. CAO**

44-49

8.1.3 Bylaw #09-10 - Assessment Review Board

**8.2. Director of Infrastructure Services**

**8.3. Director of Corporate Services**

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8.3.1 Sunshine Lodge Requisition

**8.4. Director of Community Services**

**9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

**10.0 PUBLIC HEARING DECISIONS**

51-52

10.1 Bylaw #05-10 - Second and Third Readings

53-57

10.2 Bylaw #06-10

**11.0 UNFINISHED BUSINESS**

**12.0 NOTICES OF MOTIONS**

12.1 "Councillor Sharel Shoff moved to delay the implementation of parallel parking for one year, while the Town complete the offsite parking sites, evaluate the effectiveness of offsite parking and facilitate communication with the citizens at large."

**13.0 COUNCILLOR REPORTS**

**14.0 IN-CAMERA MATTERS**

14.1 Land Matter

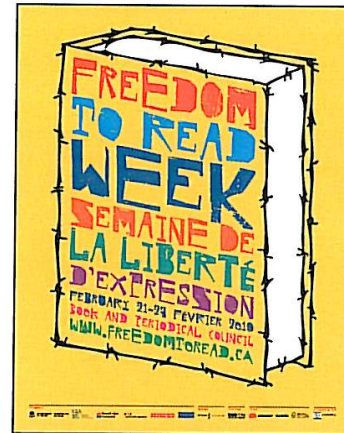
FEB 08 2010



www.marigold.ab.ca

February 2, 2010

TO: Councils in Marigold Library System  
FROM: Michelle Toombs, Director  
RE: **Freedom to Read Week**



The 26<sup>th</sup> annual Freedom to Read Week is February 21 - 27, 2010. This is a national event, celebrated by writers, readers, librarians, publishers, booksellers and teachers. It reaffirms commitment to intellectual freedom in Canada, guaranteed under the Charter of Rights and Freedoms.

Intellectual freedom enables people to make informed decisions about issues which have an impact on their daily lives—political, socio-economic, environmental, health, life style and more. Informed decisions are made based on reliable information found in books, journals and other resources, on paper or online.

Marigold has declared February 21 - 27, 2010 as Freedom to Read Week, to ensure that Marigold continues to be a Freedom to Read Zone in which intellectual freedom and the right to seek information will not be violated.

A proclamation for your council is enclosed. Please receive it for information or as a basis for discussing the importance of intellectual freedom and declaring Freedom to Read Week in your municipality.

*Michelle Toombs*

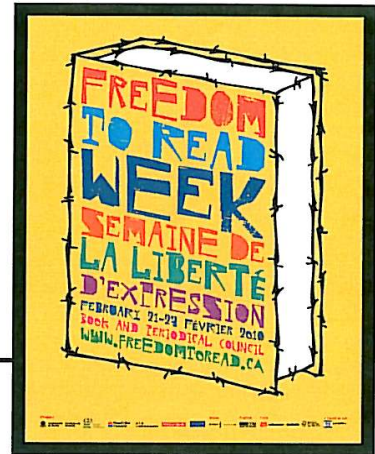
66

Books and ideas are the most effective weapons against intolerance and ignorance.

-- Lyndon Baines Johnson, February 11, 1964

FREEDOM TO READ  
WWW.FREEDOMTOREAD.CA

## FREEDOM TO READ WEEK PROCLAMATION



WHEREAS *Freedom to Read Week* is an initiative to promote literacy, tolerance, knowledge, and a love of reading among all Canadians;

AND WHEREAS the right to pursue the truth through free inquiry is essential to democratic decision making;

AND WHEREAS the freedom to read print on paper or on-line, is the essence of free inquiry;

AND WHEREAS the freedom to read can never be taken for granted;

AND WHEREAS the freedom to read is under assault from the left and right of our society;

NOW THEREFORE BE IT RESOLVED that:

the Council of \_\_\_\_\_ endorses the objectives of *Freedom to Read Week*, and recognizes, reaffirms, and defends the rights of the citizens of \_\_\_\_\_ individually to decide what they will or will not read; and

calls on all residents to actively work to achieve these objectives, and in so doing ensure \_\_\_\_\_ continues to be a Freedom to Read zone in which the freedom to read and the right to seek information will not be violated.

NOW, THEREFORE I, \_\_\_\_\_

DO HEREBY PROCLAIM the week of February 21 – February 27, 2010 as

### FREEDOM TO READ WEEK

in \_\_\_\_\_

“Censorship is telling a man he can't have a steak just because a baby can't chew it.  
-- Mark Twain





Western Economic  
Diversification Canada

Diversification de l'économie  
de l'Ouest Canada

15th Floor, Canada Place  
9700 Jasper Avenue  
Edmonton, Alberta  
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February 3, 2010

File # 8937

Paul Salvatore  
Town of Drumheller  
703 2nd Avenue West  
Drumheller, AB T0J 0Y3

Dear Mr. Salvatore:

**Re: Drumheller Memorial Arena Energy Reduction and Facility Rehabilitation**

As you are aware, Western Economic Diversification Canada (WD) is delivering the Recreational Infrastructure Canada (RIInC) program across the four western provinces.

A total of 1,588 RIInC submissions were received from across the West requesting in excess of \$400 million in funding from the federal government. WD received many outstanding applications; however, the demand for funding was more than 2.6 times greater than the available funds.

WD evaluated applications according to the program criteria set out in the application process. Your application was considered; however, I regret to inform you that, given the extraordinary demand for available funding, we are unable to fund your request.

Thank you for your application and interest in recreational infrastructure in your community. Should you have any questions, I may be reached at (780) 495-6698.

Sincerely,

Darren Hutton  
Manager, Recreational Infrastructure Canada Program

Canada 

Approved

## **Town of Drumheller COUNCIL MEETING MINUTES**

February 1, 2010 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

Sharel Shoff

Terry Yemen

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

Ray Romanetz

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

Allen Kendrick

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

Michael Roy

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

Paul Salvatore

#### **RECORDING SECRETARY:**

Linda Handy

**ABSENT:** Councillor Don Guidolin

### **1.0 CALL TO ORDER**

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

2.1 Mayor Bryce Nimmo advised that the February 8th 2010 Council Committee Meeting is cancelled due to Municipal Sustainability Plan Workshop.

2.2 Mayor Bryce Nimmo advised that Councillor Don Guidolin is recovering from his surgery and is doing well.

### **3.0 PUBLIC HEARING**

3.1 Mayor Bryce Nimmo called the Public Hearing to order at 4:32 PM.

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Mayor Bryce Nimmo stated that the purpose of the public hearing is to consider Bylaw 03.10 being a bylaw to amend the Land Use Bylaw No. 10.08 Section 25 "CR - Country Residential District" by adding kennel to the list of discretionary uses.

Brad Wiebe, Palliser Regional Municipal Services provided the planning report with comments as follows:

*"The application proposes to allow 'Kennel' as a permissible land use within the Country Residential Land Use District. This amendment would allow for an application to be made within the Town of Drumheller municipal boundaries for a Kennel operation in Country Residential designated area.*

*A kennel is defined as any place where three or more dogs and / or 5 or more cats over the age of 90 days are cared for, maintained, boarded, bred, or trained whether or not the owner receives compensation for such activities.*

*The Land Use Bylaw 10.08 currently provides for 'Kennel' as a discretionary use within the 'A' - Agriculture Land Use District. The purpose of the Country Residential Land Use District is listed as follows: The purpose and intent of this district is to accommodate residential development, free from incompatible uses at rural densities."*

*He concluded by stating that "in consideration of the purpose and intent of the Country Residential Land Use District to be residential at rural densities free from incompatible uses, the nature of kennels and the potential land use conflicts of uncontrollable day and night noise due to barking dogs, and the clustering nature of country residential designated areas, it is the recommendation of Palliser Regional Municipal Services that kennels are not a compatible land use within the Country Residential Land Use District. It may also be a good option to review General regulations related to kennel operations to provide more specific criteria when considering development permit applications for kennels in the "A" - Agriculture Land Use District such as minimum distances from an adjacent residence and other requirements as above."*

Kate Lima, Development Officer provided the following report from the Municipal Planning Commission:

*"On November 26, 2009, the MPC reviewed an application submitted by Mike and Brandi Yavis to amend Land Use Bylaw 10.08 to add 'kennels' as a discretionary use within a Country Residential "CR" district. K. Lima read the application which states that the Town of Drumheller needs this service and that they have the support of the Drumheller Humane Society. The closest neighbouring house is approximately 1500 ft. from the proposed*

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*property and currently the nearest 'kennel' is half an hour drive from the Town of Drumheller. B. Wiebe advised that 'kennel' development should be situated a specific distance from residential neighbourhoods and that the proposed application is not an appropriate location. The MPC discussed that 'kennels' are currently listed as a discretionary use under the Agricultural District and this seems to be a more appropriate district. They also discussed whether it would be an appropriate location under one of the districts described as Industrial Use. The MPC agreed that land zoned as 'CR' Country Residential is not an appropriate place for the placement of 'kennels' and they recommend that Council not approve the application for amendment to the Land Use Bylaw 10.08 submitted by Mike and Brandi Yavis to add 'kennels' as a discretionary use."*

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

Mayor asked if there were speakers in favour of or against the proposed amendment.

Mike Yavis stated that he is the applicant and he has discussed his proposal with Ray Romanetz. He stated that he intends to control the noise with the construction of an 6 ft. fence. He stated that he will cooperate with all the regulations to break the noise levels.

There were no further speakers.

Mayor asked for questions from Council:

Councillor K. Bertamini asked M. Yavis if he talked with his neighbor, Rona McIver. M. Yavis stated no. He stated that he does not foresee that Rona would have a problem with the proposal as she is 1500 ft. away and he would construct a 6 ft. fence around the kennel area.

CAO, R. Romanetz clarified that by adding 'kennels' as a discretionary use under 'CR' - Country Residential it would affect all CR Districts within any part of the community. B. Wiebe provided an example of a CR district (being the Paarup Subdivision) where a kennel would not be suitable. He stated that if the change was approved, a property owner in that area could apply for a kennel, opening it up for a potential use in that district. Councillor K. Bertamini asked if the Yavis property could be spot zoned or another solution put forward. B. Wiebe stated that the area was designated CR when it was subdivided and the property is in close proximity to a neighbour. Councillor K. Bertamini asked if a temporary permit could be issued. B. Wiebe stated that a temporary permit could be issued but the addition of kennels in the CR District would still have to be approved to allow for the issuance of a temporary permit. In response to a question from Council, B. Wiebe stated that the property does not meet the criteria for an 'A' - Agriculture District. Councillor A. Berdahl stated that the key word is

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discretionary and a kennel may not be appropriate in all CR Districts. B. Wiebe stated that standards would have to be set for kennels in the CR District. R. Romanetz stated that a kennel was situated in a residential area in past years and ongoing problems resulted. Councillor T. Yemen stated that the proposal is for kennel in the country. B. Wiebe stated that the property is close to a residential area and he stated that he does not feel it would be appropriate. M. Yavis stated that the closest house is 700 metres from the proposed. He further stated that if the kennel does not work, he will close the kennels not the campground. He stated that half the campground trailers stay their long term - located to the west end. On a question from R. Romanetz, M. Yavis advised that the campground stalls rented on a full time basis are located to the far west end of the campground.

Mayor Nimmo closed the Public Hearing at 4:50 PM.

### 3.2 Mayor Nimmo called the Public Hearing to order 4:50 PM.

Mayor Nimmo stated that the purpose of the public hearing is to consider Bylaw 04.10 being a bylaw to amend Land Use Bylaw No. 10.08 by redesignating Lot 14, Block 2, Plan 3324ER from "R-1" - Residential District to "R-2" Residential District (Nacmine).

Brad Wiebe, Palliser Regional Municipal Services provided the planning report with comments as follows:

*"The purpose of the land use change is to fulfill a condition of the resubdivision of the existing lot as shown on the sketch. The existing lot contains a semi-detached dwelling (two dwelling units side-by-side) with the proposed new property line acting as the boundary between the two units.*

*Surrounding land uses include mostly single detached dwelling units within the Nacmine neighbourhood and is zoned R1 Residential. The area proposed for the land use change received conditional subdivision approval in October 2009. As the current "R-1" Residential District does not allow for semi-detached dwellings as either a permitted or discretionary use, these parcels will require a reclassification to "R-2" - Residential District.*

*He concluded by stating that "the proposed subdivision application contains a pre-existing situation and does not change the density or uses within the area. Taking this into condition no significant negative impacts or land use conflicts are anticipated to the existing neighbourhood resulting from the proposal."*

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

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Mayor Nimmo asked if there were speakers in favour of or against the proposed amendment:  
There were no speakers present.

Mayor asked for questions from Council.

Councillor K. Bertamini asked why the property could not remain non conforming. She further stated that she disagreed with spot zoning of a higher density in a single density neighborhood. B. Wiebe stated that the subdivision would not proceed if the zoning remains as is. He explained that the property owner could not sell the parcels separately. The two lots would be incorporated into Lot 14a and 14b. Councillor K. Bertamini stated that R2 would allow for semi attached or two duplexes on each parcel. B. Wiebe stated that one duplex on each parcel would be permitted.

Mayor closed the Public Hearing at 4:58 PM.

3.3 Mayor Bryce Nimmo called the public hearing to order at 4:58 PM.

Mayor Nimmo stated that the purpose of the public hearing is to consider Bylaw 05.10 being a bylaw to amend the Land Use Bylaw 10.08 by redesignating Lot 2, Block 10, Plan 9911605 from "CR - Country Residential District to "R1a" - Residential District (Bankview Area)

Brad Wiebe, Palliser Regional Municipal Services provided a planning report with comments as follows:

*"The purpose of the land use change is to fulfill a condition of the subdivision of the existing lot as shown on the sketch. Surrounding land uses include mostly single detached dwelling units within the R-1a - Residential Land Use District. A second 'CR' - Country Residential parcel is located to the west of the proposed land use change. The area to the east of the proposed land use change include 'R-4' - Residential and is currently vacant land. The purpose of this subdivision is to create eight (8) single detached residential parcels from one (1) existing country residential lot. Proposed lot 1, which is to be the remainder, will contain existing dwelling. The area proposed for the land use change received conditional subdivision approval in December 2009. As the current 'CR' does not allow for the density proposed in this application as either a permitted or discretionary use, these parcels will require a re-classification to 'R1a' to be compatible with the surrounding neighbourhood."*

He concluded by stating that *"the proposed subdivision application is consistent with the Municipal Development Plan to provide infill development. Consideration should also be given to extending the land use change to Lot 1, Block 10, Plan 9911605 located adjacent to the west of the proposed area. This change would allow for future infill subdivision and development of the remainder of the area in the future without any significant change to the permissible land uses within the existing property. This*



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*change would also provide overall consistency with regards to the surrounding land use districts. No negative impacts or land use conflicts are anticipated to the existing neighbourhood resulting from the proposal."*

R. Romanetz asked B. Wiebe if the property owner to the west responded to the Town's inquiry if they would like to be considered in the land reclassification. B. Wiebe stated that although he and Kate have left repeated messages, there has been no response from the adjacent landowner. He further explained that there are duplexes and fourplexes to the north end of the parcel, and the area of land to the east is vacant.

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

Mayor asked if there were any speakers in favour of or against the amendment. There were no speakers.

Questions from Council:

Councillor K. Bertamini asked the lot size which had one dwelling. R. Romanetz advised that it was approximately 40-50 metres in width with a depth of 84 metres. He further advised that the lane between the park and the property in question will remain as a public lane. He stated that the access to the subdivision will be directly from 3rd Street. R. Romanetz advised that the access to the existing house would be from 4th Street. Councillor A. Berdahl stated that the property to the west should be included in the reclassification. Council agreed that the property owner be contacted by writing.

Mayor closed the Public Hearing at 5:12 PM.

### 3.4 Mayor Nimmo called the public hearing to order at 5:12 PM.

Mayor Nimmo stated that the purpose of the public hearing is to consider Bylaw 06.10 being a bylaw to close a portion of undeveloped original road allowance from use and sell and incorporate same with the adjacent Lot 1, Plan 3946ET (Nacmine)

R. Romanetz advised that the bylaw was advertised to determine concerns and in accordance with provincial procedure, letters were mailed to the utility companies asking for their comments. He advised from the responses to date, ATCO has indicated that they have no objections, Telus requests a further timeframe to check the proposed closure location as they feel there is a non energized cable in the area and AltaGas has not provided a response as of yet. He further advised that the Town has a sewer force main and water main down the front of the property and the Town will require an easement to ensure interests are protected. He further explained that in speaking today with Mr. Walker who wishes to close the undeveloped roadway, the bylaw

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suggests that this roadway will be closed and consolidated with his adjacent property however Mr. Walker feels that it may be in his best interests to develop as a separate lot.

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

Mayor asked if there were any speakers in favour of or against the proposed road closure.

Kent Walker advised that he has been trying to obtain this property for several years. He stated that he was not aware of Telus' concern and hopes that the lot will still be developable. He stated that he understands the need for the Town's request for an easement. He stated that he would like a separate title rather than consolidate the parcel. R. Romanetz stated that there will be an opportunity to hear Telus' position before advancing to the Province for their approval. He stated that the area would be zoned similarly to the surrounding area being R-1 - Residential District. He asked B. Wiebe if a parcel of land resulting from a road closure is given the same zoning as the surrounding area? B. Wiebe stated that normally the parcel resulting from a road closure is consolidated with adjacent property(s) and designated consistent with adjacent property. K. Walker asked if the parcel size would be sufficient for development. B. Wiebe stated that he would have to review the area however the parcel size requirements can be relaxed.

Mayor Nimmo closed the Public Hearing at 5:20 PM.

## 4.0 ADOPTION OF AGENDA

**MO2010.25** Shoff, McDonald moved the adoption of the agenda as presented. Carried unanimously.

## 5.0 MINUTES

### 5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

#### 5.1.1 Regular Council Meeting Minutes January 18, 2010

**MO2010.26** Berdahl, McDonald moved the adoption of the regular Council Meeting Minutes of January 18, 2010 as presented. Carried unanimously.

### 5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

#### 5.2.1 Management Meeting Minutes of January 19, 2010

#### 5.2.2 Municipal Planning Commission Minutes - January 14, 2009

Approved

Council Meeting Minutes  
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## 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 Building Stats 2009 - Kate Lima, Development Officer

K. Lima presented the 2009 Building Permit Statistics with highlights as follows:

- Comparing the 2001 - 2009 construction values, 2009's were the highest at \$25,284,310 - 104 permits issued;
  - High construction values in the Institutional category resulting from the Drumheller High School and St. Anthony's School; as well as high construction values in the Industrial category resulting from the Wastewater Treatment Plant improvements;
  - Residential category resulted in \$4,529,558 construction values.
- Mayor and Council thanked Kate for her presentation.

##### 8.1.2 Bylaw 08-10 - Business Tax Bylaw

R. Romanetz asked M. Roy, Director of Corporate Services to speak to the bylaw. M. Roy stated that Bylaw 08.10 is an annual bylaw which sets the business tax rate for 2010 based on 2009 assessment values.

**MO2010.27** Yemen, Bertamini for first reading to Bylaw 08.10. Carried unanimously.

**MO2010.28** Shoff, Yemen for second reading to Bylaw 08.10. Carried unanimously.

**MO2010.29** Bertamini, Berdahl moved no objection to third reading of Bylaw 08.10. Carried unanimously.

**MO2010.30** Yemen, Shoff for third reading to Bylaw 08.10. Carried unanimously.

##### 8.1.3 RFD - Library Board Appointment

R. Romanetz advised that the Drumheller Public Library Board has two vacancies on their board with one application received. He advised that John Serkiz would like to serve on the board. The Library Board members recommend approval of his application.

**MO2010.31** Shoff, McDonald moved the appointment of John Serkiz to the Drumheller Public Library Board for a three year term. Carried unanimously.

##### 8.1.4 RFD - Non Exclusive Franchise Agreement with Shaw Cable

R. Romanetz stated that Council reviewed the Municipal Access Agreement

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Council Meeting Minutes  
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between the Town of Drumheller and Shaw Cablesystems Limited at their Council Committee meeting of January 25th. He advised that the permit and inspection fees have not been set as of yet however Administration is meeting with Shaw tomorrow and the rates should be set at that time. He recommended that Council approve the agreement subject to the rates for permit and inspection fees being negotiated between the Town and Shaw Cable.

**MO2010.32** Yemen, Bertamini that Council approve the Municipal Access Agreement between the Town of Drumheller and Shaw Cablesystems Limited subject to the permit and inspection rates being negotiated between the Town and Shaw Cablesystems Limited. Carried unanimously.

## **8.2. Director of Infrastructure Services**

## **8.3. Director of Corporate Services**

## **8.4. Director of Community Services**

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

- 9.1 CAO, R. Romanetz presented his Quarterly Report October to December 2009 and the 2009 Annual Report.
- 9.2 Director of Infrastructure Services, A. Kendrick presented his department's Quarterly Report October to December 2009 and the 2009 Annual Report.
- 9.3 Director of Corporate Services, M. Roy presented his department's Quarterly Report October to December 2009 and advised that his 2009 Annual Report consisted of the Audited Financial Statements which will be presented in the Spring.
- 9.4 Director of Community Services, P. Salvatore presented his department's Quarterly Report October to December 2009 and the 2009 Annual Report.

## **10.0 PUBLIC HEARING DECISIONS**

### **10.1 Bylaw 03.10**

**MO2010.33** Yemen, Berdahl for second reading to Bylaw 03.10.

Discussion on Motion: Councillor K. Bertamini asked if standards have been set. R. Romanetz advised that this would require a further amendment to the Land Use Bylaw as well as advertising. He further stated that the bylaw as presented this evening can be turned down and create one that had the standards in place. Councillor A. Berdahl stated that it is appropriately designated as a discretionary use and through the Municipal Planning Commission, it would be the most practical way to develop the standards, as

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conditions are set on any application. He further stated that once an application is made it is considered on its own merits and the conditions as set are the guiding principles. He stated that he is not sure if the Land Use Bylaw can list all the possible requirements that are based on individual merits. R. Romanetz stated that the bylaw should set some standards for kennels. He suggested Palliser research standards that exist in our Land Use Bylaw. Councillor B. McDonald stated that standards should be set because the Town needs a kennel in the community.

**MO2010.34** McDonald, Yemen moved to table second reading on Bylaw 03.10 to allow for more information to be presented to Council on setting standards for kennels. Carried unanimously.

## 10.2 Bylaw 04.10

**MO2010.35** McDonald, Shoff moved for second reading of Bylaw 04.10.

5 - in favour - Yemen, McDonald, Nimmo, Shoff, Berdahl

1 - opposed - Bertamini

Motion Carried.

**MO2010.36** Yemen, McDonald for third reading of Bylaw 04.10.

5 - in favour - Yemen, McDonald, Nimmo, Shoff, Berdahl

1 - opposed - Bertamini

Motion Carried.

Councillor A. Berdahl asked Councillor K. Bertamini her reason for opposing the Bylaw. Councillor K. Bertamini advised that she was not comfortable with the zoning change as proposed.

## 10.3 Bylaw 05.10

**MO2010.37** Shoff, Yemen moved for second reading to Bylaw 05.10.

Discussion on Motion:

Councillor Bertamini requested that the Council delay the vote until the neighbor has been contacted for their comment. Council agreed and requested that Administration send a letter by registered mail requested a response prior to their next Council meeting of February 16th.

**MO2010.38** Bertamini, Yemen moved to table the vote on Bylaw 05.10 to allow for time to contact the adjacent neighbor for their comments. Carried unanimously.

## 10.4

### Bylaw 06.10

Council requested Administration to confirm whether the bylaw as wording for consolidation needs to be changed if the applicant's intention is to purchase the property to create a separate title. As well it was noted, that the neighbor to the east was not contacted and Council requested that a letter be forwarded. Council requested that Bylaw 06.10 be discussed at their next Council meeting to be held on February 16th.

## 11.0 UNFINISHED BUSINESS

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## 12.0 NOTICES OF MOTIONS

## 13.0 COUNCILLOR REPORTS

## 14.0

## IN-CAMERA MATTERS

There being no further agenda items, the Mayor declared the meeting adjourned at 6:30 PM.

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MAYOR

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CHIEF ADMINISTRATIVE  
OFFICER



### Linda Handy - Provincial Budget Question Responses

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**From:** Reception <Reception@auma.ab.ca>  
**Date:** 2/9/2010 4:35 PM  
**Subject:** Provincial Budget Question Responses  
**Attachments:** AUMA 2010.pdf

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Attention Mayors' Councillors and CAOs,

On February 9, 2010, following the announcement of the 2010 Provincial Budget, AUMA members were sent the provincial answers to AUMA's Budget Questions. Every year, Alberta Finance provides us with answers to our Budget Questions, immediately following the announcement of the Provincial Budget. AUMA thanks the Government of Alberta for its annual assistance in releasing this important budget information to municipal governments. The questions and answers are accessible above and will also be resent in tomorrow's Digest.

Sincerely,

Darren Aldous  
President

John McGowan  
CEO

## AUMA Questions Regarding Budget 2010

1. Does *Budget 2010* move towards a new system of annual transfers from the Government of Alberta to Alberta municipalities that is based on municipal sustainability planning and achieving local, provincial and joint outcomes?

On February 18, 2009, in Premier Stelmach's letter to AUMA, he advised that the province has responded to the need for sustainable and predictable funding for municipalities through the Municipal Sustainability Initiative (MSI). The government believes that MSI meets the goals of long-term sustainable planning and provides local governments with the flexibility to target funding towards high-priority projects in their communities.

Through Municipal Affairs' lead role in developing an accountability framework and the related grants re-engineering initiative, the municipal grant funding system will be streamlined.

2. What is the budgeted break down of the education property tax requisition for 2010-11?

	Fiscal Year		
	2009-10	2010-11	% change
Residential	1,074	1,117	4.0
Non-residential	648	674	4.0
Total	1,722	1,791	4.0

	Calendar Year		
	2009	2010	% change
Residential	1,058	1,106	4.5
Non-residential	643	668	3.9
Total	1,701	1,774	4.3

In fiscal year 2010-11, the revenue requirement for education property taxes is \$1.791 billion, an increase of \$69 million, or approximately 4.0 per cent, from 2009-10. The 2010-11 revenue requirement includes \$199 million that will be collected directly by municipalities for opted-out separate school boards.

In 2010, the provincial education property tax rates will fall by about 13.5 per cent. The residential/farm property rate will fall from \$3.39 to \$2.93 per \$1,000 of equalized assessment. The non-residential rate will fall from \$4.98 to \$4.31 per \$1,000 of equalized assessment. This marks the 17<sup>th</sup> consecutive year in which the provincial government has either reduced or frozen its education property tax rates, for total reductions of about 57 per cent.

The property tax revenue requirement ensures continued stability and sufficient funding for Alberta's kindergarten to grade 12 education system. The increased revenue will also help to ensure that Alberta's basic education system continues to be among the best in the world.

**3. What amount is allocated in *Budget 2010* to increase the provincial contribution to communities for the Government of Alberta's share of policing costs? How is the funding distributed by types of municipalities?**

	2009-10 <u>Forecast</u>	2010-11	<u>% change</u>
Municipal Policing Assistance	48,007	49,295	2.7
Assistance for New Hires	<u>20,000</u>	<u>30,000</u>	50.0
Total	68,007	79,295	16.6

Figures exclude program administration costs

Municipal Policing Assistance Grants are provided to urban municipalities with populations over 5,000 responsible for their own policing and are calculated according to the following formula:

- Towns and cities with populations between 5,001 and 20,000 receive \$200,000 base payment plus an additional \$8.00 per capita.
- Cities with populations between 20,001 and 50,000 receive \$100,000 base payment plus \$14.00 per capita.
- Cities with populations over 50,000 receive grants of \$16.00 per capita.

The Alberta Official Population List published by Alberta Municipal Affairs is the basis for population numbers used in the calculation.

Funding of \$100,000 per officer is provided for new hires. Another 100 front-line police officers will be added in 2010-11, fulfilling the commitment made in 2008-09 to add 300 new officers over three years.

In addition to the grant funding, *Budget 2010* provides the following:

- \$184.3 million for the Provincial Policing Agreement – RCMP,
- \$27 million to address Organized and Serious Crime, and
- \$9.7 million for First Nations Policing.

Based on the current forecast, \$120 million in provincial fine revenue will be returned to municipalities in 2009-10. \$105 million was returned to municipalities in 2008-09.

## 4. What has been budgeted in 2010-11 to meet the Government of Alberta's commitment to seniors' housing, affordable housing and homelessness?

The Government of Alberta has allocated more than \$530 million in 2010-11 to support seniors' housing, affordable housing and homelessness. This is a decrease of 16 per cent from the 2009-10 forecast.

(\$000)	2009-10 Forecast	2010-11	% change
<b>Operating Support:</b>			
Seniors Lodge Assistance	32,120	35,420	10.3
<b>Family and Special Purpose Housing:</b>			
Community Housing Providers	39,450	39,450	-
Other Housing Providers	296	296	-
Special Needs Housing	5,100	5,100	-
Other Grants	410	410	-
Rent Supplements/Homeless and Eviction Prevention Fund*	87,812	75,100	(14.5)
Emergency/Transitional Shelter Support	40,500	40,500	-
Outreach Support Services	32,000	42,100	31.6
Support to Providers of Seniors Housing	8,087	8,087	-
<b>Capital Grants:</b>			
Affordable Housing Program	190,310	88,310	(53.6)
Homeless Prevention Initiative	100,000	100,000	-
Housing Providers - Alberta Social Housing Corporation - Maintenance	45,380	45,380	-
Affordable Supportive Living Initiative	50,055	50,000	(0.1)
<b>Total</b>	<b>631,250</b>	<b>530,153</b>	<b>(16.1)</b>

\* The Homeless and Eviction Prevention Fund was eliminated in 2009-10 and the Fund's clients were transitioned to the Rent Supplement Program. For purposes of this presentation, the budgets for the two programs are combined.

## 5. Have funds been allocated in 2010-11 to support the "aging in place" of Alberta seniors and a continuum of care for those requiring care?

In *Budget 2010*, \$50 million has been provided in each of 2010-11 and 2011-12 for the Affordable Supportive Living Initiative (ASLI) program. This is in addition to the \$50 million that was provided in 2009-10 to help build 618 new affordable supportive living and lodge spaces across the province and upgrade another 86 spaces.

In addition, there is \$41 million budgeted in 2010-11 in Alberta Health and Wellness for Continuing Care Initiatives.

As well, Alberta Seniors and Community Supports provides several programs to help seniors stay in their own homes; including the School Property Tax Assistance Program, Alberta Aids to Daily Living program and the Special Needs Assistance Program.

- 6. Where in the 2010-13 Business Plan is there a commitment to a province-wide transportation/transit strategy and the funds to implement such a strategy?**

The 2010-13 Alberta Transportation Business Plan does not include a specific province-wide transit strategy. However, the Business Plan does clearly state that the ministry is developing new approaches to ensure the long term sustainability of the province's transportation system. This includes administering federal and provincial grant programs that assist municipalities in developing their priority infrastructure, transit and transportation systems. Alberta Transportation will continue to work with municipalities to implement the Green Transit Incentives Program to improve and expand local, regional and inter-city transit systems.

- 7. What does *Budget 2010* allocate to Family and Community Support Services (FCSS) and how has this changed from *Budget 2009*?**

For each of the next three years, \$75.7 million is budgeted for Family and Community Support Services. This is consistent with the 2009-10 forecast.

- 8. Is there a *Budget 2010* allocation for the development of a municipal climate change resource centre that will provide municipalities with access to expertise to help design, implement and monitor high impact emissions reductions projects (such as green building and district energy projects)?**

Alberta Environment provided a \$2 million grant to AUMA in 2009-10 for the three year operation of a municipal climate change resource centre located in AUMA's Edmonton office. No additional funds are allocated in *Budget 2010*.

**9. What is being budgeted in 2010-11 for municipal transportation infrastructure funding (e.g. roads and streets) as well as for non-transportation infrastructure (e.g. water and sewer)? How do these amounts compare to last year's forecast for each of these budget line items? Has the formula for calculation changed?**

The comparative allocations for each of Alberta Transportation's grants are shown in the table below. The formulas for calculating the amounts payable under the various programs have not changed from 2009-10. Federal funding for cost-shared programs was reprofiled between 2009-10 and 2010-11.

The Alberta Municipal Infrastructure Program (AMIP) will be substantially complete in 2009-10.

Grant	Formula	2009-10 Forecast	2010-11	% change
Municipal Sustainability Initiative Capital Grants	Base amount, population, assessment and road length.	353,998	826,000	133.3
City Transportation Fund	\$0.05/litre	239,360	100,185	(58.1)
Basic Capital Grant	\$60/capita and other related grant commitments	87,400	51,500	(41.1)
Provincial Highway Maintenance Grant	\$1,959/lane KM	1,500	1,300	(13.3)
Streets Improvement Program	\$60/capita	40,000	37,500	(6.3)
Rural Transportation Partnership	Road length & other factors	60,000	60,000	-
Community Airport Program	Project-specific	2,000	2,000	-
Resource Road Program	Project-specific	28,000	36,000	28.6
Municipal Water Wastewater Program / Water for Life	Project-specific	264,160	113,000	(57.2)
Alberta Municipal Infrastructure Program	Population	498,500	30,200	(93.9)
Canada-Alberta Municipal Rural Infrastructure Fund	Project-specific	35,000	35,475	1.4
Infrastructure Canada-Alberta Program	Project-specific	500	-	(100.0)
Building Canada - Gas Tax Fund	Population	190,800	199,503	4.6
Federal Public Transit Trust	Base + ridership	21,540	-	(100.0)
Green Transit Incentives Program	Project-specific	-	70,000	n/a
Building Canada Fund - Communities Component	Project-specific	10,000	52,000	420.0
Building Canada Fund - Communities Component Top-up	Project-specific	20,000	84,200	321.0
Infrastructure Stimulus Fund	Project-specific	24,800	157,200	533.9
Building Canada - Major Infrastructure	Project-specific	-	30,000	n/a
Total		1,877,558	1,886,063	0.5



**10. Where in *Budget 2010* is there a commitment to increased, adequate benefit levels to Albertans, annually adjusted for inflation, in the areas of Alberta Works, AISH and the minimum wage?**

The total budget for the Assured Income for the Severely Handicapped (AISH) program in 2010-11 is over \$733 million. There is no change to maximum monthly income benefit, which was increased by \$100 (or more than nine per cent) to \$1,188 on April 1, 2009.

Income Support benefit rates are reviewed annually, and were last increased in November 2008. *Budget 2010* will not offer a rate increase. The government will focus on providing pro-active employment and training services to unemployed clients, to either return them to the labour force quickly or to provide them with marketable training.

The economic downturn in 2009 resulted in significantly increased Income Support caseloads and, in the upcoming fiscal year, Alberta Employment and Immigration will undertake measures to control costs related to the Income Support program by re-directing potential Expected to Work clients to employment services, training or connecting them directly to work opportunities.

Ensuring Albertans in entry-level positions keep working, and that our province's small businesses remain viable and competitive through global economic recovery, Alberta's minimum wage of \$8.80 per hour will remain as is through 2010. In addition to freezing the minimum wage, an all party committee will review our current policy, ensuring that our approach is what's best for Albertans. Details of the minimum wage policy review will be determined over the coming weeks with consultation particulars to be announced at a later date.

**11. What has been included in *Budget 2010* for library funding and arts and cultural programs impacting communities?**

	2009-10 Forecast	2010-11	% change
Library Grants	30,219	30,119	(0.3)
Lottery-Funded Agencies	46,366	38,925	(16.0)
Community Initiatives Program	27,248	25,500	(6.4)
Community Facility Enhancement Program	38,000	38,000	-
Community Spirit Donation Grant Program	19,810	16,000	(19.2)
Major Fairs and Exhibitions	23,360	22,000	(5.8)
<b>Total</b>	<b>185,003</b>	<b>170,544</b>	<b>(7.8)</b>

*Budget 2010* reflects the economic realities facing our Province. Government is continuing to invest in initiatives that Albertans have defined as priorities, including the Community Spirit Donation Grant Program, the Community Initiatives Program, and the Community Facility Enhancement Program.

Government is working to streamline program administration and improve coordination between community investment grant programs to better serve our clients.

*Budget 2010* provides \$38.9 million in lottery funding to support various programs related to arts, culture, human rights and multiculturalism, volunteerism and historical resources.

Communities benefit from the Community Initiatives Program, which supports project-based initiatives in areas such as community services, libraries, arts and culture, sports, education, health and recreation. Also, funding is provided to communities through the Community Facility Enhancement Program, which provides matching grants up to \$125,000 for renovation, upgrades or construction of community use facilities.

**12. Does *Budget 2010* commit to restoring financial support of the arts to a level equitable to the original funding of the Alberta Foundation for the Arts by adjusting the fund for inflation and population increases?**

Funding for the Alberta Foundation for the Arts is \$29.2 million in 2010-11, a reduction of \$5.6 million or 16 per cent. This investment is an important part of government's ongoing implementation of Alberta's cultural policy – *The Spirit of Alberta*.

## Media Releases

MEDIA RELEASE  
for Immediate Release

### **AUMA concerned about streamlined municipal grants, amalgamation of key funding programs**

#### **Municipalities say jury is out on bottom line for both announcements**

(EDMONTON February 9, 2010) Alberta municipalities will need to see more details before assessing the outcomes of two key municipal announcements in today's Provincial Budget.

The Alberta Urban Municipalities Association (AUMA) expects at least status quo funding when the dust settles on a new "re-engineered" municipal grants structure. On the surface, the streamlined grants structure is a welcome simplification of some 77 municipal grants from several different ministries says AUMA President Darren Aldous.

Streamlining is welcome if it creates efficiencies for both the provincial and municipal governments but Aldous adds that there must be a transitional plan to ensure the remaining grants continue to address the outcomes intended.

"It is important to cut red tape that hampers efficiencies, but equally important to deliver the important services these grants are meant to provide to municipalities. We need to know that streamlining isn't code for ill-timed cutbacks."

Similarly Aldous says the jury is out on expansion of the [Municipal Sustainability Initiative \(MSI\)](#).

MSI now includes money from the final year of the Alberta Municipal Infrastructure Program (AMIP) which used a different, and AUMA says simpler, funding formula. Aldous says, again, without details it is not possible to know how this amalgamation will play out.

"AUMA never supported the MSI funding formula and changes now could make access to infrastructure grants more difficult, because the MSI formula is generally more restrictive and complicated," says Aldous. "AMIP was working well. Last year's infrastructure stimulus was crucial in keeping our communities viable during these difficult times. This is not the time to step back from the progress we're making."

So far he says conditions remain favourable for infrastructure investment, but notes an upturn in the economy may be just around the corner, bringing the return of high costs and labour shortages.

Aldous says AUMA will be examining the details of both the new streamlined municipal grant structure and the AMIP-MSI transition immediately.

-30-

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## Media Releases

MEDIA RELEASE  
for Immediate Release

### Increased Education Taxes Erodes Municipalities' Capacity to Meet Community Needs

(EDMONTON February 9, 2010) Alberta municipalities say today's increase in the Education Property Tax Requisition has effectively created a stealth tax. This seems to contradict a promise by the Province that there will be no tax increases this year.

Darren Aldous, President of the Alberta Urban Municipalities Association (AUMA) says this leaves fewer options for municipalities to address infrastructure issues and take advantage of current fire-sale pricing for labour and materials.

"This flies in face of common sense. At a time when you want to stimulate the economy, you don't want to leave municipalities with fewer resources to act as engines of growth."

Since 2001 when the Province promised to freeze the education property tax requisition at \$1.2 billion it has continued to rise and is now approaching \$2 billion.

"There seems to be an unwillingness to stand by commitments made despite AUMA's willingness to work with the province to find equitable solutions."

AUMA has proposed a model that would see funding tied directly to the health of the provincial economy.

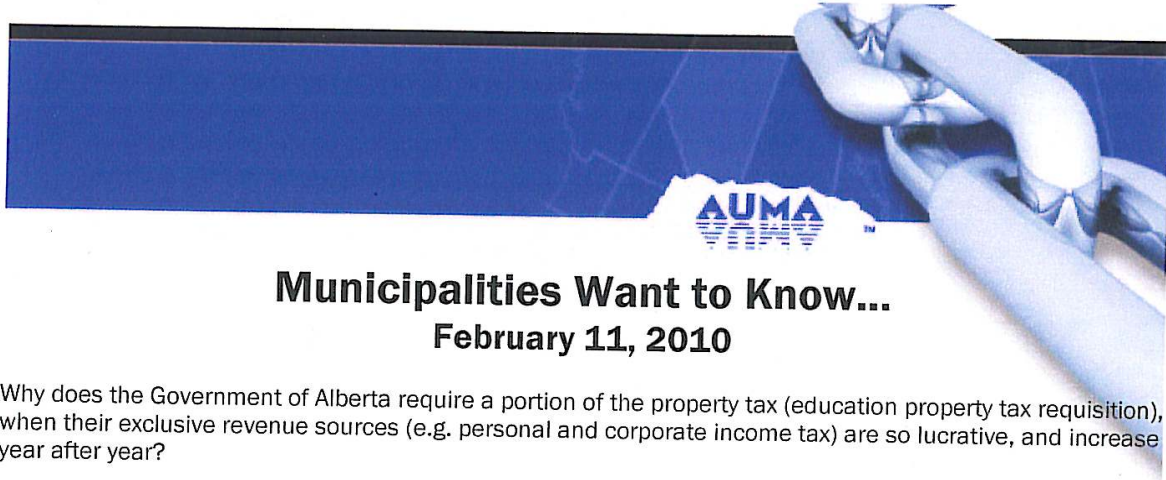
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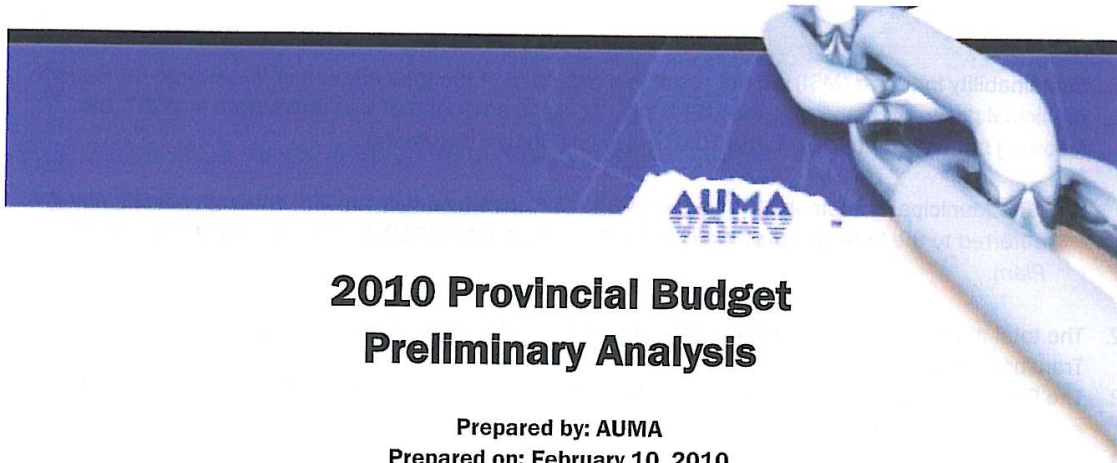


### Municipalities Want to Know... February 11, 2010

- 1) Why does the Government of Alberta require a portion of the property tax (education property tax requisition), when their exclusive revenue sources (e.g. personal and corporate income tax) are so lucrative, and increase year after year?
- 2) Shouldn't Municipalities and the Government establish a Framework that is respectful of both orders of government, and engages governments as partners in achieving healthy communities and a province that can compete globally?
  - Municipal governments and the Province need to partner on a number of key initiatives to ensure Alberta's communities are healthy and competitive.
- 3) Do you support a process whereby the Government has effective and meaningful engagement with municipal governments on proposed legislation and policies?
  - Last year the Government considered legislation (e.g. the Municipal Auditor General Bill) that was not put before municipalities for their comments before being introduced.
- 4) Why do you think the Government introduced and passed a Private Members Bill and on elected candidates' expenses – Bill 203? Do you support onerous requirements being placed on candidates for elected office?
- 5) In 2009, the Province took over responsibility in each community to provide emergency services – are the standards set for ambulance service being met in each community?
- 6) In light of the Minister of Municipal Affairs' mandate to promote regional cooperation, what new provincial tools/resources would help municipal governments to cooperate within a region?
  - The Government of Alberta has eliminated the Municipal Sponsorship Program which provided some assistance for cooperative regional efforts.
  - The Municipal Restructuring Grant, which provided compensation to municipal governments accepting a dissolved municipality, has not been re-instated.
- 7) With the elimination of the Wild Rose Foundation last year, and no increases to funds that are accessible by community groups, are you concerned that quality of life in Alberta communities will suffer?

**Closing:** AUMA will be using the MLA Newsletter *LINK* as a way of keeping you in touch with what is important to municipalities. For example, in upcoming issues of *LINK*, AUMA will bring forward further questions and details on topics such as:

- re-engineering of municipal grants
- MSI formula and how it affects different types of municipalities
- pros and cons of allocation-based and application-based grants
- energy supply and distribution
- franchise fees for utilities
- regulated property assessment



The Government of Alberta announced its 2010 Provincial Budget on Tuesday, February 9, 2010. What follows is a preliminary analysis of the 2010 Alberta Budget, and potential implications for municipalities.

With regard to Budget 2010 as a whole, the following items are notable:

1. The Province is now showing a \$4.7B deficit, and the Provincial Sustainability Fund has now decreased substantially. If the economy fails to turn around, municipalities could face larger challenges in the long-term.
2. The Government of Alberta is cutting the number of civil servants by 1500 employees. The key Ministries that are affected are: Advanced Education, Children's Services, Health and Wellness, Service Alberta, Sustainable Resources Development.
3. The Capital Plan shows a total of \$7.2B being spent as follows:

Category	2010-11 estimate (millions of dollars)
Municipal Infrastructure Support	\$1776
Provincial highway network	\$1866
Health facilities and equipment	\$802
Schools	\$516
Post-secondary facilities	\$578
Community facilities	\$118
Water and wastewater management	\$167
Housing	\$352
Government facilities/other capital	\$1033
Total	\$7208

**Positive notes for Alberta municipal governments:**

1. Commitments made regarding the Municipal Sustainability Initiative (MSI) have been fulfilled. The total amount allocated to the MSI in 2010 is \$876M, (\$826M in capital grants and \$50M in operating grants). The full transition from the Alberta Municipal Infrastructure Program (AMIP) into the Municipal



Sustainability Initiative (MSI) did not result in a reduction of the total amount of these large transfers to municipal governments. While the MSI is still not at the amount that was announced in 2007, the following statement appears in the 2010 provincial Budget documents:

"The Municipal Sustainability Initiative (MSI) will also remain fully funded, although some funding is deferred to the latter years of the program" (p. 95, *Budget 2010: Striking the Right Balance: Fiscal Plan*).

2. The total of all focussed municipal grants (the majority of which reside in Municipal Affairs and Transportation) remains similar.
3. The Green Transitive Incentive Program (Green Trip) has been funded to \$70M in 2010, with \$200M in each of 2011 and 2012.
4. The Province's commitment to fund the hiring of additional police officers in Alberta has been followed through on, to a total of \$148M.
5. The Seniors Lodge Assistance Program increased from approximately \$32M to over \$35M – an increase of 10.3 per cent.

AUMA's concerns and/or questions regarding Budget 2010 and municipalities are:

1. The education portion of the property tax was increased by \$69M this year, despite a commitment some time ago to a freeze. The education portion of the property tax continues to increase year after year, and provincial revenues (personal and corporate income tax) that are exclusive to the provincial government have increased even more. AUMA will ask the question as to why the Government of Alberta requires a portion of the property tax, when their exclusive revenue sources are so lucrative, and increase year after year.
2. The transition of AMIP funds to MSI means that the majority of transfers to municipalities will occur through the MSI allocation formula, which was not endorsed by AUMA. Further analysis of the numbers and the impacts of using the MSI formula has commenced, and AUMA will provide full details soon.
3. The grants to urban municipal governments that are administered by Alberta Transportation have decreased (City Transportation Fund, Basic Capital Grant, Streets Improvement Program, Municipal Water Wastewater Program/Water for Life), while grants specific to rural municipalities have remained the same (Rural Transportation Partnership) or increased (Resource Road Program). The federal-provincial-municipal grants (Building Canada Funds and Infrastructure Stimulus) have increased. This indicates a shift from allocation-based grants to application-based grants.
4. The City Transportation Fund has decreased by 58 per cent. The formula for this grant was based on fuel sales. A decrease of 58 per cent in sales of fuel is unlikely therefore AUMA will ask Alberta Transportation if the formula has been changed, or if the total amount formally allocated to the City Transportation Fund has been transferred to a different program.
5. The Municipal Water Wastewater Program has decreased by 57.2 per cent. Funds to this Program were also decreased last year. Alberta has among the highest of standards for water and wastewater in Canada, and this Program has been essential in maintaining and/or raising the standards.

6. Alberta Municipal Affairs' Business Plan shows several initiatives that AUMA will be following closely:
  - a. Municipal Grants Re-engineering Initiative. To date there has been no engagement with municipal governments and/or municipal associations on this initiative. AUMA will be advocating strongly that municipalities be involved in this initiative, to ensure that appropriate transition measures are put in place, and that the final result works for municipalities.
  - b. Alberta Municipal Affairs has established a Municipal Sustainability Strategy Working Group, and AUMA is participating on a temporary basis until there is a clear understanding of the end result.
  - c. Strategy 4.2 of the Municipal Affairs Business Plan states:

"Work with municipalities to support accountable municipal operations through reviews, inspections and other supports".

This appears to be a strategy that will address the concerns raised in the unsuccessful Private Members' Bill on a Municipal Auditor General. Municipal governments and associations must be working with the Province in this area to ensure that municipal autonomy is not eroded, and that the system that is established works for municipalities.
  - d. A comprehensive, phased legislative review of the MGA is planned. AUMA is ready to be engaged in this through its MGA Review Document which includes all proposed amendments from AUMA over the past 5 years.
7. The Municipal Sponsorship Program (MSP) has been eliminated in Budget 2010. The Municipal Restructuring Grant was not re-instated. These are two tools that municipal governments used in the past to cooperate regionally. Given the Minister's mandate to promote regional cooperation, it will be essential that different tools be put in place.
8. The Community Initiatives Program (CIP) was cut by 6.4 per cent. This is significant given the elimination of the Wild Rose Foundation, and the re-direction of community groups to the CIP for funds.
9. The formula and total amount for the Municipal Police Assistance Grant remains the same, despite AUMA's vigorous efforts to make change in this area.
10. The Affordable Housing Program has been cut by 53.6 per cent.

**Attachment: AUMA Questions Regarding Budget 2010 and Government Responses**

## AUMA Questions Regarding Budget 2010

1. Does *Budget 2010* move towards a new system of annual transfers from the Government of Alberta to Alberta municipalities that is based on municipal sustainability planning and achieving local, provincial and joint outcomes?

On February 18, 2009, in Premier Stelmach's letter to AUMA, he advised that the province has responded to the need for sustainable and predictable funding for municipalities through the Municipal Sustainability Initiative (MSI). The government believes that MSI meets the goals of long-term sustainable planning and provides local governments with the flexibility to target funding towards high-priority projects in their communities.

Through Municipal Affairs' lead role in developing an accountability framework and the related grants re-engineering initiative, the municipal grant funding system will be streamlined.

2. What is the budgeted break down of the education property tax requisition for 2010-11?

	Fiscal Year		% change
	2009-10	2010-11	
Residential	1,074	1,117	4.0
Non-residential	648	674	4.0
Total	1,722	1,791	4.0

	Calendar Year		% change
	2009	2010	
Residential	1,058	1,106	4.5
Non-residential	643	668	3.9
Total	1,701	1,774	4.3


In fiscal year 2010-11, the revenue requirement for education property taxes is \$1.791 billion, an increase of \$69 million, or approximately 4.0 per cent, from 2009-10. The 2010-11 revenue requirement includes \$199 million that will be collected directly by municipalities for opted-out separate school boards.

In 2010, the provincial education property tax rates will fall by about 13.5 per cent. The residential/farm property rate will fall from \$3.39 to \$2.93 per \$1,000 of equalized assessment. The non-residential rate will fall from \$4.98 to \$4.31 per \$1,000 of equalized assessment. This marks the 17<sup>th</sup> consecutive year in which the provincial government has either reduced or frozen its education property tax rates, for total reductions of about 57 per cent.

The property tax revenue requirement ensures continued stability and sufficient funding for Alberta's kindergarten to grade 12 education system. The increased revenue will also help to ensure that Alberta's basic education system continues to be among the best in the world.

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**Government  
of Alberta** 

**News release**

*Alberta* 

April 27, 2009

## **Bill 36, the Alberta Land Stewardship Act sets the bar for responsible regional planning**

### ***Proposed Act respects property rights and local decision-making***

Edmonton... Future development in Alberta will consider the combined impact of activities on the land, air, water, and biodiversity. The proposed *Alberta Land Stewardship Act* would help sustain economic growth, while meeting Albertans' social and environmental objectives.

Bill 36, tabled April 27 in the Legislature, creates the authority for regional plans for each of the seven regions identified in the Land-use Framework. Albertans will be consulted to help define the future of the region in which they live.

The Act creates new conservation and stewardship tools to protect heritage landscapes and views. It will make Alberta the first jurisdiction in Canada to compensate landowners whose property values are affected by conservation and stewardship restrictions under regional plans.

"Through nearly three years of consultations, Albertans told us they support orderly development through regional planning. They want strong provincial leadership and we need everyone—provincial departments, municipalities and other decision-makers—to work together," said Premier Ed Stelmach. "This legislation delivers on all counts and underlines this government's commitment to a new way of managing our land and natural resources."

Specifically, the Act:

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010



- gives the Lieutenant Governor in Council authority to direct the development of, and subsequently approve, regional plans as legally binding documents under the Act;
- outlines what must be included in regional plans, plus what may be included to respond to regional needs and circumstances;
- allows the appointment of regional advisory councils to provide advice to government on developing regional plans;
- provides for reviews of regional plans at least every 10 years, or more often if needed to respond to changing circumstances;
- creates a secretariat to support regional planning; and
- requires provincial departments, regulatory agencies, municipalities and other local government authorities to align their decisions, plans and bylaws with regional plans.

Regional plans will be binding on provincial and local governments and other decision makers, and will have an impact on industrial, recreational and other land users. Regional plans will be developed with respect for local decision-making authority and, when approved, intermunicipal plans, such as the Calgary and Capital region plans, may be adopted as sub-regional plans.

"This is the most comprehensive land-use policy in North America. Making the seven land-use regions congruent with Alberta's major watersheds is a significant breakthrough that will allow us to integrate our air, land and water policies as never before," said Sustainable Resource Development Minister Ted Morton. "The legislation also provides unprecedented protection for property rights and upholds local decision-making."

The *Alberta Land Stewardship Act* includes related amendments to more than 25 legislative Acts to support regional planning in the province. The amendments provide administrative tools to enable the government to direct planning requirements and processes for the province.

The *Alberta Land Stewardship Act* and the Land-use Framework are available at [www.landuse.alberta.ca](http://www.landuse.alberta.ca).

-30-

**Backgrounders:** Legislative amendments facilitate regional plans; Regional planning in Alberta; *Alberta Land Stewardship Act* conservation tools; History of consultations on Land-use Framework.

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<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010

## ***Agenda Item # 8.1.2***

Government of Alberta

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To call toll free within Alberta dial 310-0000.

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010

## Backgrounder

April 27, 2009

### Legislative amendments facilitate regional plans

*Edmonton...* The proposed amendments ensure that existing Acts align to support regional plans and ensure compliance with these plans. For some legislation, this requires more extensive changes. These Acts include the following.

#### **Public Lands Act**

- **Land management** amendments allow the government to make regulations for public access to public land. The amendments:
  - transfer Forest Land-Use Zones from the *Forests Act* to the *Public Lands Act* and enable the development of regulations to manage access to vacant public lands, bringing public land management across Alberta under one statute;
  - support the development of a strategy for managing recreational use of public lands as committed to in the Land-use Framework; and
  - provide for mitigation for loss of, or damage to, public land through new tools such as stop work orders or disposition suspensions, to protect and preserve the public land base.
- **Enforcement** amendments are in line with other provincial environmental statutes, and will allow the government to enforce the Act and regional plans where public lands are concerned. Examples include:
  - clarifying administrative penalty tools and processes, such as increasing the time period for investigations to two years and clarifying the ability of enforcement officers to enter and inspect public land and obtain records or evidence; and
  - increasing maximum fines for offences and distinguishing between individual and corporate offenders. For example, maximum fines will increase from \$5,000 to \$1 million for companies that knowingly commit an offence.
- **Appeals and dispute resolution** amendments give the government the ability to establish a process that gives companies or individuals the opportunity to resolve conflicts and ensures fairness in decision making.

#### **Municipal Government Act**

- **Compliance** amendments require that municipal plans and bylaws and the decisions that flow from these (by subdivision authorities, development authorities, municipal planning commissions and development appeal boards) are in conformance with regional plans.

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010



- **Intermunicipal development plan** amendments allow the Minister of Municipal Affairs to require two or more municipal authorities to establish an intermunicipal development plan and to define the matters to be included in, and the timeline for completion of, the plan.
- **Minister's power** amendments allow the Minister of Municipal Affairs to exercise additional actions to ensure compliance if a municipality does not comply with regional plans.
- **Process amendments** require municipalities to determine whether public consultation is necessary in amending plans and bylaws to conform with a regional plan. If council determines that further consultation is not necessary, it may proceed without giving notice and holding a hearing.

### **Forests Act**

- **Forest resource management** amendments provide clarity on the decisions that can be made with respect to timber dispositions and quotas in support of regional plans. Examples include:
  - acknowledgement of regional plans and their authority over forest plans and dispositions issued under the *Forests Act*;
  - the ability to divide existing allocations of timber according to planning regions;
  - designation of decision-making authority; and
  - addition and definition of terms for clarification
- **Enforcement** amendments will allow the government to enforce the Act and regional plans. Examples include:
  - clarifying administrative penalty tools and processes;
  - increasing maximum fines for offences and distinguishing between individual and corporate offenders; and
  - updating enforcement provisions and language.
- **Appeals** amendments give the government the authority to establish a process that gives companies or individuals the opportunity to resolve conflicts and ensures fairness in decision making.

Acts amended by the *Alberta Land Stewardship Act* include the following:

*Administrative Penalties and Related Matters Statutes Amendment Act 2002*

*Agricultural Operation Practices Act*

*Agricultural Pests Act*

*Alberta Utilities Commission Act*

*Coal Conservation Act*

*Electric Utilities Act*

*Energy Resources Conservation Act*

*Environmental Protection and Enhancement Act*

*Forests Act*

*Highways Development and Protection Act*

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010

*Historical Resources Act*  
*Interpretation Act*  
*Irrigation Districts Act*  
*Mines and Minerals Act*  
*Municipal Government Act*  
*Natural Resources Conservation Board Act*  
*Oil and Gas Conservation Act*  
*Oil Sands Conservation Act*  
*Pipeline Act*  
*Post-secondary Learning Act*  
*Provincial Parks Act*  
*Public Highways Development Act*  
*Public Lands Act*  
*Water Act*  
*Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangeland Act*  
*Wildlife Act*

For additional information on each Act's consequential amendments visit  
[www.assembly.ab.ca](http://www.assembly.ab.ca)

-30-

**Media inquiries may be directed to:**

Carol Chawrun  
Sustainable Resource Development  
780-427-8636

Joan McCracken  
Sustainable Resource Development  
780-427-8636

Deleen Schoff  
Sustainable Resource Development  
[Deleen.Schoff@gov.ab.ca](mailto:Deleen.Schoff@gov.ab.ca)

To call toll free within Alberta dial 310-0000.

April 27, 2009

### **Regional Planning in Alberta**

*Edmonton...* The *Alberta Land Stewardship Act* provides for the establishment of integrated planning regions and a regional planning process.

#### ***Contents of Regional Plans***

Regional plans will contain:

- a vision for the region - the desired future of the region; and
- objectives for the region - what will be achieved at the regional level to meet the provincial outcomes of: a healthy economy supported by our land and natural resources; healthy ecosystems and environment; and people-friendly communities with ample recreational and cultural opportunities.

To respond to the unique needs and circumstances in the region, regional plans may contain:

- an overview of the region: summarizes the current state of the region, discussing key economic, environmental and social considerations and trends in land-use;
- provincial policy statements, regulations, designated authority and conflict resolution provisions as required by the Lieutenant Governor in Council to meet the vision and objectives for the region;
- policies to achieve or maintain regional objectives;
- actions and approaches that will be used to achieve the objectives;
- goals and measures related to the regional objectives;
- thresholds and indicators related to the goals or measures, plus a description of how these will be monitored; and
- sub-regional plans to respond to the needs of specific geographic areas within the region, such as metropolitan plans for the Calgary and Capital regions.

#### ***The Regional Planning Process***

1. Government appoints regional advisory councils (RACs). Regional advisory council members will represent a wide range of interests, expertise and experience in each region.
2. Government provides direction on what should be considered in the regional plans, such as provincial strategies and policies on water or energy.

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010

3. Each RAC develops advice on a vision, objectives and regional strategies to be included in the regional plan.
4. The Government of Alberta develops actions and approaches to implement the strategies, goals and measures and a monitoring and reporting plan to support the vision, objectives and strategies. Together with the advice from the RAC, these form a draft regional plan.
5. Government reviews and provides direction on the draft plan.
6. The government leads public, stakeholder and Aboriginal consultations on the draft plan.
7. The Government of Alberta considers input from the consultations and develops a final plan.
8. Government reviews and approves a final regional plan.

-30-

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To call toll free within Alberta dial 310-0000.

April 27, 2009

### **Alberta Land Stewardship Act conservation tools**

*Edmonton...* The *Alberta Land Stewardship Act* (ALSA) enables expanded use of conservation easements and the use of conservation directives, conservation offsets and transfer of development credits.

#### **Conservation easements**

- A conservation easement is a voluntary legal agreement between a landowner and a qualified organization, such as a land trust or government, to conserve the ecological integrity of a piece of land. The easement is registered on the land title, but landowners retain ownership of the land.
- Conservation easements have been in place in Alberta for over 10 years. Currently, around 300 square kilometres, or 0.2 per cent, of Alberta's private lands are under conservation easements.
- The legislative provisions are being moved from the *Environmental Protection and Enhancement Act* and expanded through *ALSA* to also be used to conserve agricultural land.
- The intent is to more closely align conservation efforts with land-use planning efforts in the province and to reduce the fragmentation and conversion of agricultural land to other uses.

#### **Conservation offsets**

- Offsets counterbalance the effects of an activity on both public and private land. They can be used to replace, restore or compensate for affected landscapes. For example, a company can conserve an environmentally significant area to offset its industrial activity elsewhere.
- Existing environmental standards or regulatory requirements remain in effect.
- *ALSA* sets the framework for offsets to be used for restoration, mitigation or conservation. It provides a legal basis for the government to establish an offset program and to set rules for defining and trading offsets.

#### **Conservation directives**

- *ALSA* enables the use of a new tool, the conservation directive, to conserve valued landscapes, ecologically sensitive areas and scenic landscapes.
- Regional plans may expressly set aside specific areas to protect, conserve and enhance land with environmental, scenic or aesthetic values or agricultural land.

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010

- The Alberta government will compensate owners of these lands for any decrease in the market value of their land. The principles for deciding on compensation payable are drawn from the *Expropriation Act*.

### **Transfer of development credits (TDCs)**

- TDCs help direct development away from specific areas needed to conserve ecologically sensitive, scenic, historical or agricultural areas.
- Land-use plans (regional, sub-regional or municipal) may allow the use of TDCs. Plans may designate the areas to be conserved and areas to be developed.
- TDCs have the potential to address issues such as urban and rural growth pressures and loss of agricultural land and ecological or heritage landscapes.

### **Conservation exchange**

- A conservation exchange supports, verifies and tracks the use of market-based conservation and stewardship instruments such as conservation offsets or transfer of development credits.
- *ALSA* provides a legal foundation for the creation of an exchange in Alberta.
- The activities of the exchange could include:
  - facilitating the purchase and sale of offsets or credits;
  - registering and tracking trades in offsets or credits;
  - providing authentication of offsets or credits;
  - providing information on a range of market-based instruments; and
  - reporting on results from the use of these instruments.

-30-

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To call toll free within Alberta dial 310-0000.



April 27, 2009

### History of consultations on Land-use Framework

*Edmonton...* The *Alberta Land Stewardship Act* follows consultations on the Land-use Framework that occurred from May of 2006 until the final framework was released December 2008. Public engagement with Aboriginal communities and groups started in the fall of 2006 and are ongoing.

- | May 2006: A 15-member advisory group provided ideas on the process for developing a Land-use Framework, suggested a potential vision and principles and identified key challenges.
- | August to October 2006: Small focus group sessions were held with representatives of municipalities, Aboriginal communities and agricultural, recreation, industry and environmental sectors and groups. The groups provided input on key issues and principles.
- | December 2006: 152 Albertans participated in a cross-sector forum, reviewing challenges and providing input on what should be included in a Land-use Framework.
- | May and June, 2007: Public information and input sessions were held in 15 communities across Alberta. In addition, more than 3,000 Albertans completed and submitted Land-use Framework workbooks. Albertans provided their input on proposed vision, outcomes and principles as well as priorities and key elements that should be addressed and called for provincial leadership, a cumulative effects management approach and regional planning.
- | June to October 2007: Multi-stakeholder working groups developed reports and proposals on four aspects of land-use planning and management—planning and decision making, growth and resource management, conservation and stewardship, and monitoring and reporting.
- | May to June 2008: Following the release of the draft Land-use Framework, Albertans had the opportunity to provide feedback through an on-line survey. More than 700 Albertans completed the survey or provided written responses to the draft framework. This feedback led to the creation of a seventh land-use planning region and inclusion of the development of legislation as a priority.
- | June 2008: The original stakeholder working groups were reconvened to provide further feedback and input relating to the draft framework.

-30-

<http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200904/25803E9093830-088F-F98...> 2/8/2010



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# DRUMHELLER

## MEMORANDUM



Date: February 11, 2010

To:	Mayor and Council	Dept.:	
From:	Michael Roy	CC:	Raymond Romanetz
Subject:	Assessment Review Board		

Effective January 1, 2010, the new Assessment Review Board processes and requirements came into effect. Municipalities must now establish local assessment review boards (LARB) and composite assessment review boards (CARB). Per the MGA, the boards will consist of three (3) members. The LARB consists of three members appointed by Council and the CARB consists of two members appointed by Council and one provincially appointed member.

#### **Appointment of members to local assessment review board**

##### **454.1(1)** A council must

- (a) appoint 3 persons as members to each local assessment review board,
  - (b) prescribe the term of office of each member appointed under clause (a) and the manner in which vacancies are to be filled, and
  - (c) prescribe the remuneration and expenses, if any, payable to each member appointed under clause (a).
- (2) Despite subsection (1) but subject to the conditions prescribed by the regulations, a council may establish a local assessment review board consisting of only one member appointed by the council.
- (3) The members of each local assessment review board must choose a presiding officer from among themselves.

2009 c29 s15

#### **Appointment of members to composite assessment review board**

##### **454.2(1)** A council must

- (a) appoint 2 persons as members to each composite assessment review board,
  - (b) prescribe the term of office of each member appointed under clause (a) and the manner in which vacancies are to be filled, and
  - (c) prescribe the remuneration and expenses, if any, payable to each member appointed under clause (a).
- (2) The Minister must, in accordance with the regulations, appoint one provincial member to each composite assessment review board.
- (3) Despite subsections (1) and (2) but subject to the conditions prescribed by the regulations, a council may

#### **CORPORATE SERVICES**

Telephone: (403) 823-1311

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2010.docx



[mroy@dinosaurvalley.com](mailto:mroy@dinosaurvalley.com)

Page 1 of 2

## Agenda Item # 8.1.3

*establish a composite assessment review board consisting of only a provincial member appointed by the Minister.*

*(4) The provincial member is the presiding officer of a composite assessment review board.*

2009 c29 s15

All members appointed to the LARB or CARB must complete the prescribed training or they will no longer be eligible to be board members. For board members, there is four days of training required, two days of Administrative Law and two days of Principles of Assessment. Municipalities can join together and create joint assessment review boards, or each municipality can establish assessment review boards using the same individuals in each municipality. For example Municipality A and Municipality B could appoint Joe Smith, John Doe, and Jane Smith to their LARB. There is no limitation on the number of assessment review boards that an individual can be a member of.

Palliser had broached the topic of joint assessment review boards with a preliminary letter. No further details or information has been received. Further investigation into a regional system for LARBs and CARBs can still be pursued. A bylaw establishing the LARB and CARB can still be adopted with appointments coming at a later date by resolution of Council.

Another area of consideration may be compensation (per diem) for training courses in excess of current budget. Current policy allows a member of council to claim up to five days of per diem, the training requirements for assessment review boards would use four



January 5, 2010

Attention: Municipal Administrators and Councils

RE: Joint Assessment Review Board – for your consideration \_\_\_\_

Palliser Regional Municipal Services has received expressions of interest from our member municipalities for the establishment of a joint assessment review board due to the recent changes to the MGA Part 9 and 11 (Bill 23) requiring mandatory training requirements for board members and clerks that came into effect January 1, 2010.

#### ASSESSMENT REVIEW CHANGES

The two significant changes include:

1. The Municipal Government Board will no longer hear appeals of local ARB decisions. The MGB will only be involved in linear property and equalized assessments. Any appeals of the local ARB decision will now be heard by the Court of Queens Bench ONLY ON MATTERS OF LAW OR JURISDICTION. (Similar to the subdivision and development appeal board process).
2. The more important change to the local municipalities is that local assessment review boards will be broken into two separate entities:
  - a. Local Assessment Review Board (LARB) - comprised of three locally appointed members - to hear complaints dealing with tax notices and assessments for residential properties with three or fewer dwelling units and farmland.
  - b. Composite Assessment Review Board (CARB) - comprised of two locally appointed members and one provincially appointed person from the MGB to act as the presiding officer - to hear complaints regarding non-residential property, residential property with four or more dwelling units and certain matters regarding linear property and equalized assessments.

According to Section 454.3 of the amended MGA "board members may not participate in a hearing unless qualified in accordance with the regulations".

Section 49 of the Matters Relating to Assessment Complaints Regulation (AR 310/2009) states the Training Requirements for ARB clerks and board members:

115 Palliser Trail, P.O. Drawer 1900, Hanna, Alberta T0J 1P0 tel 403-854-3371 tollfree 1-877-854-3371  
fax 403-854-4684 www.palliserservices.ca



## Part 5 Training and Qualifications

### Training requirements

- 49(1) Every clerk and administrator must
- (a) successfully complete a training program set or approved by the Minister, and
  - (b) every 3 years successfully complete a refresher training program set by the Minister.
- (2) In order for a member of an assessment review board or a panel of the Municipal Government Board to be qualified to participate in a hearing, the member must successfully complete a training program set or approved by the Minister.

If individual Assessment review boards are utilized, each local municipality is required to send a minimum of 1 clerk and three appointed board members for a two day training course. As many smaller municipalities do not have regular assessment complaints that require a hearing, these requirements are substantial.

### JOINT ASSESSMENT REVIEW BOARD BENEFITS

The general benefits of a joint ARB with many municipalities include the following:

- Reduced training requirements and costs (the required training is a two day course and a refresher course every three years)
- Increased experience/ exposure to hearing procedures for clerk and board members (better qualified board members as many municipalities may have a low frequency of hearings i.e. one every few years; Refreshers are generally needed to hold a hearing when they are sporadic)
- Reduced local influence (perceived bias) in board decisions (board members have concerns with offending friends/ neighbours in small communities)

Please review the information as needed and respond at your earliest convenience with any questions or comments as Provincial training sessions have been ongoing since November 2009 and are currently scheduled until March 2010.

Yours truly;

Brad Wiebe ACP/ MCIP  
CEO/ Senior Planner

115 Palliser Trail, P.O. Drawer 1900, Hanna, Alberta T0J 1P0 tollfree 1-877-854-3371 tel: 1-403-854-3371 fax  
403-854-4684 www.palliserservices.ca

## **TOWN OF DRUMHELLER**

### **BYLAW NO. 09.10**

#### **BEING A BYLAW OF THE TOWN OF DRUMHELLER TO ESTABLISH ASSESSMENT REVIEW BOARDS.**

PURSUANT to Part 11, Sections 453 to 484.1 of the Municipal Government Act, Chapter M-26.1, R.S.A., 2000, as amended, the Council for the Town of Drumheller, duly assembled, enacts as follows:

- i. Definitions
  - (a) "Board" shall mean the Assessment Review Board;
  - (b) "Council" shall mean Drumheller Town Council;
  - (c) "Councillor" shall mean a member of the Council for the Town of Drumheller;
  - (d) "Member" shall mean a member of the Assessment Review Board;
  - (e) "Town" shall mean the Town of Drumheller;
- ii. Establishment
  - (a) There shall be established a Local Assessment Review Board (LARB) to hear and rule on complaints related to assessments for residential property with 3 or fewer dwelling units or farm land; and
  - (b) There shall be established a Composite Assessment Review Board (CARB) to hear and rule on complaints related to assessments for residential property with 4 or more dwelling units and non-residential property.
- iii. Membership
  - (a) Council shall, by resolution at the annual Organizational Meeting or any regular Council Meeting, appoint members to the Boards
  - (b) Membership of the LARB shall consist of three (3) members.
  - (c) Membership of the CARB shall consist of two (2) local members and one provincial appointed member
  - (d) Local members serve at the discretion of Council and shall serve up to a three year term.
- iv. Powers and Duties
  - (a) The Boards shall have all of the powers, duties, responsibilities and functions that are given to, imposed on or described in the Act or any applicable Regulations
- v. Clerk
  - (a) The Clerk for the Boards shall be the Chief Administrative Officer, or his designate.

## Agenda Item # 8.1.3

vi. Presiding Officer

- (a) The Members of the LARB shall choose a presiding officer from among themselves.
- (b) The Provincially appointed member shall be the presiding officer of the CARB.

vii. Quorum

- (a) Two Members of the LARB shall constitute a quorum for LARB hearings.
- (b) One Local Member and the provincially appointed member of the CARB shall constitute a quorum for CARB hearings.

viii. Decisions

- (a) A decision of a majority of the Members of the Board shall be the decision of the Board.

ix. Appeal Fees

- (a) A complaint must be in the form prescribed in the regulations and must be accompanied with the fee established in the fee scheduled adopted by resolution of Council.
- (b) The assessment appeal fee shall be refunded to the appellant if the Board rules in favour of the appellant;
- (c) The assessment appeal fee will be refunded to the appellant if the appeal is withdrawn by the appellant prior to the appeal being heard by the Board.

x. Repeal

- (a) Town of Drumheller Bylaw No. 30.08 is hereby repealed.

READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_

READ A THIRD TIME AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER





# DRUMHELLER

## MEMORANDUM



Date: February 11, 2010

<b>To:</b>	Mayor and Council	<b>Dept.:</b>	
<b>From:</b>	Michael Roy	<b>CC:</b>	Raymond Romanetz
<b>Subject:</b>	<b>Seniors Foundation Requisition</b>		

Administration met with the Drumheller and District Seniors Foundation to discuss the increase in requisition. They reviewed their 2010 budget with us and notable areas of increase were:

- Repairs to cottages \$10,000
- Wages and benefits \$90,000
- Water and Sewer \$ 6,000

The total requisition is increasing by \$100,000 to \$250,000. The Town's share of this is approximately 51% or \$127,500 from \$76,650 in 2009.

Assuming no changes in assessment values, a \$200,000 property would pay the following taxes towards the Seniors requisition:

Seniors Requisition	Taxes Paid
2009	\$18.88
2010	\$31.47

At this time the Seniors Foundation best guess on total requisition from municipal sources for 2011 would see 2011 taxes for the Seniors Foundation being \$37.76 for \$200,000 assessment.

The Foundation does not have any reserves where they can absorb one-time costs, such as the cottage repairs, so these costs result in bumps in the requisition requirements. With the Hillsview Lodge has not had a full year of operations and the Foundation administration is making several assumptions regarding the operating costs.

Although the increase is significant, it appears that the revenue and cost projections in their budget appear reasonable.

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[mroy@dinosaurvalley.com](mailto:mroy@dinosaurvalley.com)

Page 1 of 1

## TOWN OF DRUMHELLER BYLAW NUMBER #05-10

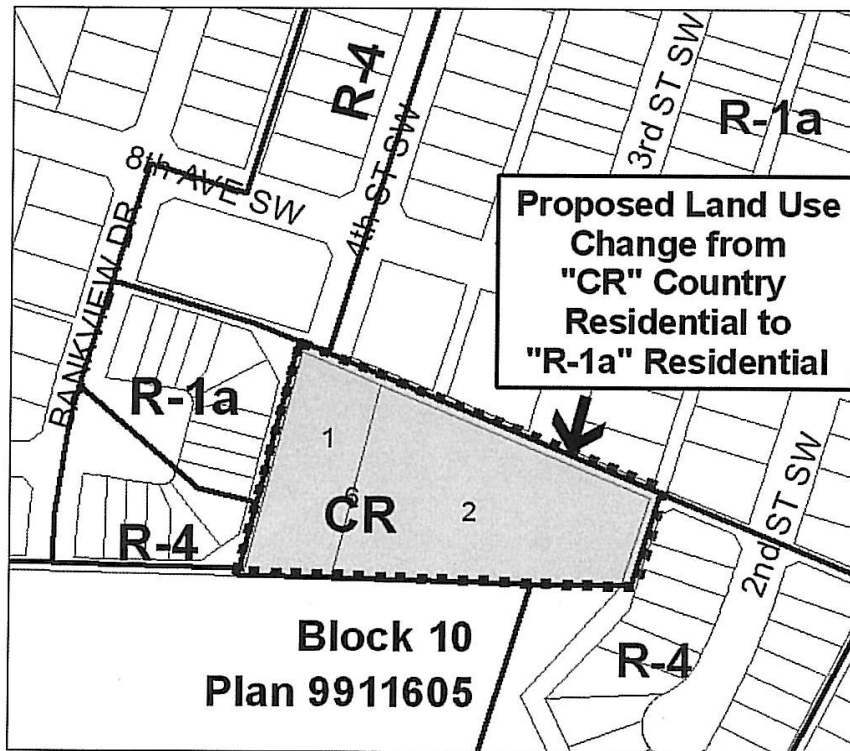
BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

**WHEREAS** pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Land Use Bylaw No. 05-10;

**AND WHEREAS** the Council deems it desirable to amend Land Use Bylaw No. 10-08; and

**NOW THEREFORE** the Council hereby amends Land Use Bylaw No. 10-08 as follows:

Schedule A, Land Use District Map, by re-designating the area in Lots 1 and 2, Block 10 in Plan 991 1605 in the Town of Drumheller from 'CR' – Country Residential District to 'R-1a' – Residential District as shown on the plan below:



READ A FIRST TIME THIS 18<sup>th</sup> DAY OF JANUARY, 2010

READ A SECOND TIME THIS \_\_\_<sup>th</sup> DAY OF \_\_\_\_\_, 2010.

READ A THIRD TIME AND PASSED THIS \_\_\_<sup>th</sup> DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

## Janice Armstrong - BYLAW AMENDMENT C-R to R-1a

---

**From:** "Bob Fisher" <karob2@telus.net>  
**To:** <jarmstrong@dinosaurvalley.com>  
**Date:** 2/9/2010 4:23 PM  
**Subject:** BYLAW AMENDMENT C-R to R-1a  
**CC:** <klima@dinosaurvalley.com>

---

As per reclassification to Residential "R-1a" District

We are in favour of the reclassification of our lot (Plan 9911605; Block 10, Lot 1) from "CR" to "R-1a"

Our concern regarding Lot 2's development was the easement issue which is a condition of approval from the Palliser Regional Municipal Services.

We also felt that an area development plan should be submitted for the entire area to include our lot.

Thank you for considering our concerns / comments regarding this issue.

Sincerely

Robert and Karen Fisher  
950 4 Street SW  
Drumheller AB T0J 0Y6  
403-823-7501

### **TOWN OF DRUMHELLER BYLAW NUMBER 06-10**

**THIS IS A BY-LAW OF THE TOWN OF DRUMHELLER**, in the Province of Alberta for the purpose of closing a portion of a certain undeveloped ORIGINAL ROAD ALLOWANCE to public travel and acquiring title to this land in the name of the TOWN OF DRUMHELLER and selling and consolidating same with a portion of the adjacent Lot 1, Plan 3946 E.T. in accordance with Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

**WHEREAS**; this certain ORIGINAL ROAD ALLOWANCE hereinafter described is not required for public travel and an application has been made by an adjacent owner to close and acquire same for consolidation with his adjacent lands, and

**WHEREAS**; this ORIGINAL ROAD ALLOWANCE has not been developed or has ever been used for public travel nor will these lands be required for public streets or other public purposes in the foreseeable future, and

**WHEREAS**; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on January 20, 2010 and January 27, 2010 the last of such publications being at least five days before the day fixed for the passing of this By-Law, and;

**WHEREAS** the Council of the Town of Drumheller held a public meeting on the 1st day of February, 2010 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard, and;

**WHEREAS** the Council of the TOWN OF DRUMHELLER is satisfied that closing this portion of this ORIGINAL ROAD ALLOWANCE will not adversely affect the traffic flow or prejudicially affect the public at large.

**NOW THEREFORE**; be it resolved that THE COUNCIL of THE TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close the following described ORIGINAL ROAD ALLOWANCE from public use, obtain the title in the name of THE TOWN OF DRUMHELLER, a Municipal Body Corporate, of 703 - 2<sup>nd</sup> Avenue West, DRUMHELLER, Alberta, T0J 0Y3 and dispose of same for consolidation with adjacent lands.

#### **ROADWAY CLOSED BY THIS BY-LAW**

THOSE PORTIONS OF THE ORIGINAL ROAD ALLOWANCE  
SHOWN ON ATTACHED "SCHEDULE - A"

AND MORE PARTICULARLY DESCRIBED AS

Page Two of Three

ALL THAT PORTION OF CLOSED ORIGINAL ROAD ALLOWANCE  
WHICH LIES WITHIN

PLAN .....

EXCEPTING THEREOUT ALL MINES AND MINERALS

THIS BY-LAW takes effect on the day of the final passing thereof.

READ AND PASSED THE FIRST TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this      of January A.D., 2010.

\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

\_\_\_\_\_  
RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
MINISTER OF TRANSPORTATION

## Agenda Item # 10.2

Page Three of Three

READ AND PASSED THE SECOND TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this \_\_\_\_\_ of \_\_\_\_\_ A.D., 2010.

\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

\_\_\_\_\_  
RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this \_\_\_\_\_ of \_\_\_\_\_ A.D., 2010.

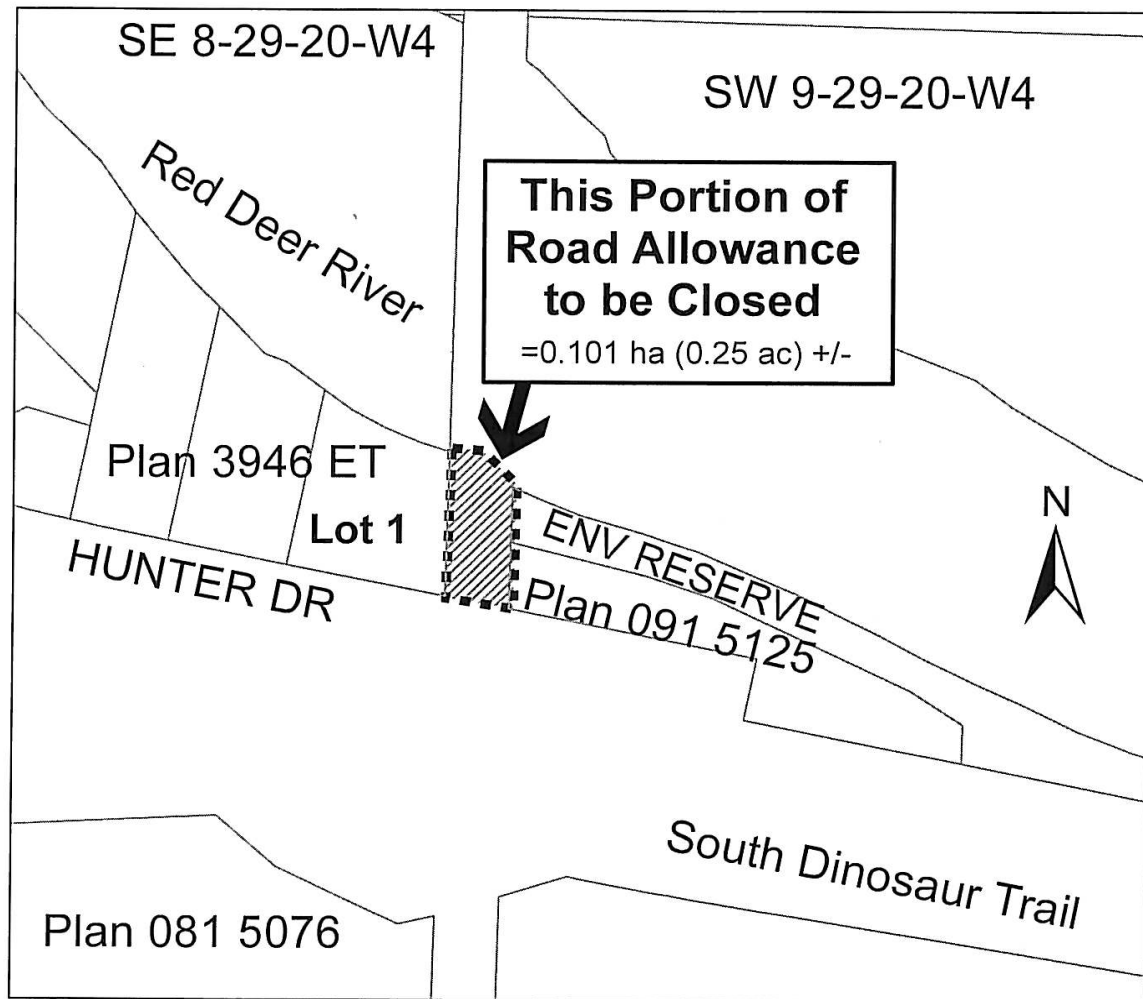
\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

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RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER



**Schedule A**



### Raymond Romanetz - lane closure

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**From:** "Drogheda Farm" <irishpon@telus.net>  
**To:** <rmroman@dinosaurvalley.com>  
**Date:** 2/10/2010 3:39 PM  
**Subject:** lane closure

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Hello,

I have no issue with the lane closure between my property in nacmine and my nieghbors with its intend to be retitled and sold, as long as it does not limit or interfere with access to my own property.

Brian Donegan

[www.Droghedafarm.com](http://www.Droghedafarm.com)

"National&International Champion Ponies"

file:///C:/Documents and Settings/rmroman/Local Settings/Temp/XPgrpwise/4B72D315DV... 2/12/2010