

# **Town of Drumheller COUNCIL MEETING AGENDA**

June 6, 2011 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**

## **3.0 PUBLIC HEARING**

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- 3.1 Bylaw 10.11 proposed Amendment to Land Use Bylaw No. 10-08 - to consider an application to amend Land Use bylaw No. 10-08 Section 32 "HWY-C - Highway Commercial District" by adding "Education Facility - Unconventional" to the list of discretionary uses.

## **4.0 ADOPTION OF AGENDA**

## **5.0 MINUTES**

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

4-7

- 5.1.1 Regular Council Meeting - May 24, 2011

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

8-18

- 5.2.1 Municipal Planning Commission Minutes - May 12, 2011

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

## **6.0 DELEGATIONS**

19-20

- 6.1 Presentation from Dino Art Committee, a sub-committee of the Drumheller Chamber of Commerce, formed to oversee and manage the Dino Art Program. Their goal is to promote and enhance the dinosaur sculptures and murals throughout Drumheller.

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

## **8.0 REQUEST FOR DECISION REPORTS**

**8.1. CAO**

8.1.1 Paul Salvatore received his Certified Local Government Manager

**8.2. Director of Infrastructure Services**

**8.3. Director of Corporate Services**

**8.4. Director of Community Services**

21-26

8.4.1 RFD - Appointment to Policing Committee

**9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

**10.0 PUBLIC HEARING DECISIONS**

27

10.1 Bylaw # 10.11 Amendment to the Land Use Bylaw 10-08 - Second and Third Readings

**11.0 UNFINISHED BUSINESS**

**12.0 NOTICES OF MOTIONS**

**13.0 COUNCILLOR REPORTS**

**14.0 IN-CAMERA MATTERS**

NOTICE of PUBLIC HEARING FOR BYLAW 10-11  
**Agenda Item # 3.1**  
PROPOSED AMENDMENT TO LAND USE BYLAW NO. 10-08

**DATE:** June 6, 2011

**TIME:** 4:30 p.m.

**PLACE:** Town of Drumheller Council Chambers, Drumheller, Alberta

**PURPOSE:** The purpose is to consider an application to amend Land Use Bylaw No. # 10-08 Section 32 "HWY-C – Highway Commercial District" by adding 'Education Facility – Unconventional' to the list of discretionary uses.

**PRESENTATION:** Oral and written comments and suggestions are invited and should be addressed to the point of the proposed amendment. They may be made by any person or group of persons or a person acting on his/her or their behalf, who claims to be affected by the proposed amendment, and by any other persons that the Council agrees to hear at the hearing. If you are not able to attend the hearing, written submissions may be made by the persons above, and may be received in the Municipality office by 3:00 P.M. on June 6, 2011. Oral presentation may be made at the hearing by the persons above. The time limit of oral presentations is subject to the direction of the Chairperson.

**DOCUMENTATION:** Copies of the proposed amendment to Land Use Bylaw No. 10-08 are available for public inspection at the Town of Drumheller office during regular office hours.

This notice is given pursuant to Sections 606 and 692 of the Municipal Government Act.

First Publication: May 25, 2011

Second Publication: June 1, 2011

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**Chief Administrative Officer**

**Town of Drumheller  
COUNCIL MEETING  
MINUTES**

May 24, 2011 at 4:30 PM  
Council Chamber, Town Hall  
703-2nd Ave. West, Drumheller, Alberta



**PRESENT:**

**MAYOR:**

Terry Yemen

**COUNCIL:**

Andrew Berdahl

Jay Garbutt

Lisa Hansen-Zacharuk

Sharel Shoff

Doug Stanford

Tom Zariski

**CHIEF ADMINISTRATIVE OFFICER/ENGINEER:**

Ray Romanetz

**DIRECTOR OF INFRASTRUCTURE SERVICES:**

Allan Kendrick

**DIRECTOR OF CORPORATE SERVICES:**

Michael Roy

**DIRECTOR OF COMMUNITY SERVICES:**

Paul Salvatore

**RECORDING SECRETARY:**

Linda Handy

**1.0 CALL TO ORDER**

**2.0 MAYOR'S OPENING REMARK**

2.1 Mayor Terry Yemen proclaimed May 31, 2011 as World No Tobacco Day.

2.2 Mayor T. Yemen proclaimed June 6 – 12, 2011 as Seniors' Week.

2.3 Mayor T. Yemen presented a letter from Brian Reid, Infrastructure Manager, Alberta Transportation advising that a grant in the amount of \$475,920 was transferred to the Town of Drumheller. This amount represents the total grant payment under the 2011 Basic Municipal Transportation Grant (BMTG).



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**4.0 ADOPTION OF AGENDA**

***Agenda Item # 5.1.1***

**MO2011.198** Garbutt, Shoff moved to adopt the agenda as presented. Carried unanimously.

**5.0 MINUTES**

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

**5.1.1 Regular Council Meeting Minutes of May 9, 2011**

**MO2011.199** Shoff, Hansen-Zacharuk moved to adopt the agenda as presented. Carried unanimously.

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

**5.3. BUSINESS ARISING FROM THE MINUTES**

**6.0 DELEGATIONS**

**7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

**8.0 REQUEST FOR DECISION REPORTS**

**8.1. CAO**

**8.1.1 Bylaw 10.11 Amendment to Land Use Bylaw (Education Facility - HWY C)**

R. Romanetz presented Bylaw 10.11 being a bylaw to amend the Land Use Bylaw 10.08 Section 32 Hwy-C – Highway Commercial District by adding Education Facility – Unconventional to the list of discretionary uses. He recommended that Council proceed to first reading to allow for the public hearing process.

**MO2011.200** Shoff, Berdahl for first reading of Bylaw 10.11.

In response to a question from Council, R. Romanetz explained that although the addition would impact all of the Hwy-C Districts within the Town of Drumheller, the applicant is proposing to use the vacant office space (Q91 building) for this purpose.

Vote on Motion: Carried unanimously.

**8.1.2 RFD - Strategic Business Plan**

Regular Council Meeting May 24, 2011  
R. Romanetz provided an overview of the Strategic Business Plan as developed by Council and Administration at their workshop held on  
Page 5 of 27

March 3 and 4, 2011.

## **Agenda Item # 5.1.1**

**MO2011.201** Shoff, Zariski that Council approve the Strategic Business Plan as presented. Carried unanimously.

- 8.1.3 RFD - Marigold Library System - Amendment to Schedule C  
R. Romanetz advised the Schedule C forms part of the Agreement between member municipalities and the Marigold Library System. It sets the levy for municipalities and library boards. Since 2007, the Town of Drumheller has paid \$4.70 per capita (\$37,280.40). Marigold Library Systems is proposing an increase for each of the next three years: 2012 - \$4.90 per capita; 2013 - \$5.25 per capita and 2014 - \$5.60 per capita. He further stated that Marigold Library System will need 60% of the parties to agree in order to move forward.

**MO2011.201** Hansen-Zacharuk, Shoff approve an Amendment to Schedule C of the Agreement between the Parties comprising the Marigold Library System for 2012, 2013 and 2014.

In response to a question from Council, it was understood that both the Library and the Town of Drumheller would pay a per capita fee.

Vote on Motion:

In favour – Zariski, Garbutt, Yemen, Shoff, Berdahl, Hansen-Zacharuk  
Opposed - Stanford  
Carried.

- 8.1.4 Information - Proposed Streetlight Group Standards  
R. Romanetz advised that about two years ago, the Town of Drumheller agreed to go with the AUMA Program in terms of retailing of power and gas. One of the concerns at that time was the Town had 1000 street lights and was billed a monthly charged for each of the identifiers for the streetlights, which amounted to \$20,000. This charge was not consistent throughout the Province. He explained that the former Council chose to request AUMA to lobby on behalf of the municipalities to treat streetlights in a consistent manner across Alberta. The letter advises that the change has been made which will now provide the flexibility for streetlight customers to customize the grouping of streetlights to better align with their operating and accounting requirements which will be a cost savings to the Town of \$20,000.

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

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

... **MO2011.202** Shoff, Zariski for third reading of Bylaw 09.11. Carried unanimously.

## ***Agenda Item # 5.1.1***

### **8.3.2 RFD - Council Retirement Plan**

M. Roy presented information to Council on retirement plans. He asked for Council to select their preferred option.

Councillor J. Garbutt abstained from deliberations and voting on the matter due to a conflict of interest. He stated that Sunlife Financial is his employer. He left the meeting at 6:05 PM.

**MO2011.203** Berdahl, Hansen-Zacharuk that Council direct Administration to establish a group RRSP with AMSC at 3% matching with immediate eligibility, and employee portion withdrawal at the discretion of the employee and employer portion withdrawal is at the discretion of the employer.  
Carried unanimously.

Councillor J. Garbutt returned to the meeting at 6:12 PM.

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

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

### **10.0 PUBLIC HEARING DECISIONS**

### **11.0 UNFINISHED BUSINESS**

### **12.0 NOTICES OF MOTIONS**

### **13.0 COUNCILLOR REPORTS**

### **14.0 IN-CAMERA MATTERS**

There being no further business the Mayor declared the meeting adjourned at 6:13 PM.

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Mayor

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Chief Administrative Officer



Municipal Planning Commission  
MINUTES  
Meeting of Thursday, May 12, 2011

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**Present:** Sharel Shoff, Councillor/Member  
Andrew Berdahl, Councillor/Member  
Robert Greene, Chairperson  
Cindy Woods, Development Officer  
Linda Taylor, Recording Secretary  
Jeanette Neilson, Member  
Dennis Simon, Member  
Irene Doucette, Member  
Ray Romanetz, Chief Administrative Officer  
Allan Kendrick, Director of Infrastructure  
Brad Wiebe, Palliser Regional Municipal Services  
David Suen, Intern for Palliser Regional Municipal Services  
4 members of Willow Estates

**Absent:** Shawn Francis, Member  
Paul Salvatore, Director of Community Services

**1.0 CALL TO ORDER – 12:00 p.m.**

**2.0 MINUTES FROM PREVIOUS MEETINGS**

**2.1 April 14, 2011**

**Motion:** S. Shoff moved to approve the minutes of April 14, 2011 as presented.

**Second:** D. Simon - Carried

**3.0 DEVELOPMENT PERMITS**

**3.1 T00014D – Bohemia Group – Condominium Development – “R-4”**

Chairman R. Greene addressed the gallery and stated *the Municipal Planning Commission deals with development and how it applies to the Land Use Bylaw. Drainage issues and issues outside the Land Use Bylaw are not within the scope of the Municipal Planning Commission's duties. Ray Romanetz, Chief Administrative Officer and Al Kendrick, Director of Infrastructure are in attendance to answer questions about drainage issues.*

C. Woods presented Development Permit T00014D submitted by the Bohemia Group Inc. for multiple unit attached housing with more than four dwelling units in Phase 1 of the Riverside Gardens project located at 650 – 19 Street East, Drumheller on Plan: 051-4281 Units: 23-32. Zoning is “R-4” Residential District and multiple unit attached housing (more than four units) is a discretionary use in this district. This Development Permit was tabled at the April 14, 2011 Municipal Planning Commission meeting for more information on the drainage agreement.

C. Woods read 2 letters from Willow Estate residents, both concerned about the Condominium development, and drainage issues.



A Kendrick noted that the swale is to move from its current location giving better drainage to the area. The swale was formerly too close to the property line causing problems on the fence line. The swale is to be moved 1.5 meters away from the property line which will now meet and exceed any requirements for proper drainage.

Gallery: concerned that the swale would not be built until after the construction of the development

R. Romanetz noted that as construction proceeds drainage will be dealt with on an on going basis, as the landscape changes so will drainage requirements.

Gallery: concerns about the builder, as previous development had not proceeded as specified by the builder and drainage problems occurred.

R. Romanetz addressed the concern about the previous swale. The swale was not constructed properly and this issue has now been addressed by moving the swale away from the property line.

Gallery: concerned that the development of the buildings will happen before any drainage preparation takes place.

A Kendrick and R. Romanetz assured the gallery that the swale now far exceeds the requirements for drainage for the area and noted that the swale is to be of properly graded concrete and not grass as previously approved.

Gallery: concerns about temporary drainage and how it had not worked well in the past. They wanted the Town of Drumheller to accept the liability if any damages occurred from possible drainage problems.

*A Berdahl addressed the gallery, the Municipal Planning Commission has seen this application for development at least three times, as a group, and the development had been tabled to ensure the Land Use Bylaws were being met. The Municipal Planning Commission has limited responsibility, and drainage issues are out of the scope of the Commission's responsibilities. The Municipal Planning Commission can't guarantee there will be no problems; however what is needed is a little give and take from both sides.*

Gallery: concerns on whether the development is meeting the required set backs.

C. Woods, this development meets all required rear yard set backs under Land Use Bylaw 10-08 as requested by both Willow Estates residents and the Town of Drumheller.

A Kendrick stated this development meets the Land Use Bylaws and can not be held indefinitely due to drainage issues out of the scope of the Municipal Planning Commission's responsibilities.

Gallery: concerned about the property developer meeting their responsibility for proper drainage on the site. Had the drainage had been done right the first time we (Willow Estate residents) would not be here.

S. Shoff reminded the gallery that the Municipal Planning Commission see to it that the Land Use Bylaws are being met by the developer. This application had been presented before and was tabled to have the Town of Drumheller look further into the drainage issues. These issues are dealt with by Ray Romanetz, Chief Administrative Officer and Allan Kendrick, Director of Infrastructure, who are both here today. A plan for the drainage has been submitted by the developer and this is the plan they must follow. Should there be any deviation from the plan then it will be dealt with by the Town of Drumheller.

Gallery: concern about the swale being placed on the property where it might be blocked, changed, altered or not maintained properly by the property owner.



R. Romanetz addressed the gallery, ultimately it is the Condo Associations responsibility to maintain the swale and keep it in working condition. A registered easement has been placed on the property giving the Town of Drumheller the ability to gain access to the swale should the drainage not be working or maintained properly. The original easement from 2005 is also still in place.

A. Kendrick reminded the gallery that with a concrete swale in place there would be a less chance of change or alterations happening to the swale than with the original concept of a grass swale.

Gallery: expressed concern about the address on the application and the number of units shown.

C. Woods stated she wanted to clarify the address on the application. The submitted application states the Units numbers are 23-32 as this is the legal land description currently registered with Alberta Land Titles. Originally the developer had submitted an application with ten units, however the setbacks of that application did not meet the requirement of the Land Use Bylaw and the Municipal Planning Commission did not approve it. If this revised application is approved a condition would be placed for a new subdivision or boundary adjustment and registration with Alberta Land Titles to reflect the changes on the application from ten units to seven.

Gallery: could ditching be done before construction so no problems occur

Discussion about the drainage concerns continued with the property owners in attendance and the Municipal Planning Commission. The Municipal Planning Commission went "In Camera" at 12:27 p.m. and came out at 12:35 p.m.

**Motion:** A. Berdahl that Development Permit T00014D submitted for multiple unit attached housing with more than four dwelling units of the Riverside Gardens project located at 650 – 19 Street East, Drumheller on Plan: 051-4281 Units: 23 – 32 be approved as presented subject to the following conditions:

1. Development shall conform to Land Use Bylaw 10-08.
2. Subject to approved subdivision of existing units 23-32 to units 9-15, as per plans submitted and subsequent registration with Alberta Land Titles.
3. Developer to enter into a revised drainage agreement with the Town of Drumheller prior to the commencement of any construction. Rough grading completed by applicant to ensure proper drainage to undeveloped areas.
4. Placement of construction as per plans submitted with application.
5. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor.
6. Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
7. Offsite levies to be paid prior to the issuance of Safety Codes permits.
8. Make provisions for proper installation of water meter as per Town of Drumheller Water/Sewer Bylaw.
9. All contractors have to be in possession of a valid Town of Drumheller business license.
10. Landscaping Plan to be in accordance with Policy C04-02 and Land Use Bylaw 10-08 and to the satisfaction of the Development Officer/Municipal Planning Commission.
11. Placement of trees for privacy between units 9-15 and the adjacent properties located in Willow Estates, type, spacing and size to the satisfaction of the Development Officer.
12. All local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner.
13. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.





#### 3.2 T00026D – J O'Dwyer Enterprises Ltd – Exterior/Interior Renovations – "Hwy-C"

C. Woods presented Development Permit T00026D for exterior and interior renovations to the building located at 1011 Highway Nine South, Drumheller on Plan 2772JK, Block 1, Lot(s) 3 to 6. Zoning is "Hwy-C" Highway Commercial District. The dealership wants to remove the original facade and sign and replace it with a new sign as Ford is changing it's signage at all dealerships. The entrance of the dealership encroaches on the front yard set back and will require a 20% relaxation. There will be a 5 foot encroachment, this is above the door and is not at ground level.

C. Woods read Land Use Bylaw, Part VII, Sec. 56:

#### "56. Projection Over Yards

##### (a) Front Yards

*(i) Eaves, cantilevers, balconies, bay windows, shade projections, chimneys, unenclosed decks, may project a maximum of 0.6 m (2 ft.) over or onto a required front yard unless otherwise approved by the Municipal Planning Commission."*

**Motion:** J. Nielsen that Development T00026D for exterior and interior renovations to the building located at 1011 Highway Nine South, Drumheller on Plan 2772JK, Block 1, Lot(s) 3 to 6. Zoning is "Hwy-C" Highway Commercial District be approved as presented subject to the following conditions:

1. Development shall conform to Land Use Bylaw 10-08.
2. Relaxation granted for front yard setback as per plans submitted.
3. Construction shall be in accordance with submitted site plan. If the holder of the permit wishes to make any changes from the site plan, the details of the application or from any condition, guideline or restriction imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development permit application may be necessary.
4. All necessary Safety Codes permits (building, electrical, gas, plumbing, etc.) to be in place prior to commencement of any construction/installation.
5. Parking plan as per parking regulations in Land Use Bylaw 10-08.
6. Construction shall be in conformance with the Alberta Building and Fire Codes.
7. External finished appearance of proposed construction to be compatible with that of existing development.
8. Any and all local improvements at owner's expense including, however not limited to driveways, curb cuts, service connections, etc.
9. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares.
10. Landscaping Plan to be in accordance with Policy C04-02 and Land Use Bylaw 10-08.
11. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
12. All Contractors and Sub-Contractors to be in possession of a valid Town of Drumheller business license.

**Second:** I. Doucette - Carried



#### 3.3 T00036D – Badlands Community Gardens – Community Garden – “R-1a”

C. Woods presented Development Permit T00036D submitted by the Badlands Community Gardens for a community garden consisting of 20, 4' x 4' garden boxes, a small shed and one picnic table located at 700 2 Avenue West, Drumheller on Plan 2193CC Block 45 Lot 17, to be leased from owner. Zoning is “R-1a” – Residential, parks and playgrounds are a discretionary use in this district.

C. Woods explained that this would be the same use as the location in Newcastle. The Newcastle location does not have enough space to accommodate all applicants and the new location would be accessed by down town residents who do not drive.

Municipal Planning Commission members discussed the application.

**Motion:** S. Schoff that the Development Permit T00036D submitted by the Badlands Community Gardens for a community garden consisting of 20, 4' x 4' garden boxes, a small shed and one picnic table located at 700 2 Avenue West, Drumheller on Plan 2193CC Block 45 Lot 17 be tabled until a circulation to the neighbours of the adjacent properties is done, and a look into the history of the other community garden in Newcastle for any complaints received is provided to the Municipal Planning Commission.

**Second:** J. Nielsen - Carried

#### 4 PALLISER REGIONAL MUNICIPAL SERVICES

B. Wiebe introduced D. Suen to the Municipal Planning Commission. D. Suen is doing a two year internship with Palliser Regional Municipal Services.

B. Wiebe read the Palliser Regional Municipal Services “Planning Report” dated May 12, 2011, regarding the Land Use Bylaw No. 10-08 Section 81 Signs – evaluation and recommendations. Prepared by B. Wiebe RPP, MCIP.

Municipal Planning Commission members discussed sign content, monitoring signs and rights and responsibilities of removing signs with offensive messages. Tables and chair(s) placement on downtown side walks was also discussed.

A Berdahl left the meeting at 12:55.

B. Wiebe presented Town of Drumheller Bylaw Number XX-11 being a bylaw to amend Land Use Bylaw No. 10-08 for the Town of Drumheller in the Province of Alberta.

Addition, and or amendments of the following:

- Night Club as drinking establishment
- Sign(s)
- Enforcement and administration

B. Wiebe discussed an application for subdivision at Starmine Drive in Rosedale. The lot sizes would be approximately 3 acres in size and the proposal called for private sewage holding tanks, which would be required to be pumped out. At this time there is no public sewage system to the area of this subdivision.

Municipal Planning Commission members discussed different types of sewage systems and the costs of pumping out holding tanks.

Municipal Planning Commission Minutes, May 12, 2011  
Municipal Planning Commission members supported B. Wiebe's request to the owner to have a assessment done, prior to the subdivision of the property, on having private sewage holding tanks installed in the subdivision.





**5 OTHER DISCUSSION ITEMS**

**6.0 Adjournment – J. Neilsen motion to adjourn at 1:20 pm.**

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**Chairperson**

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**Development Officer**



Municipal Planning Commission  
MINUTES  
Meeting of Thursday, April 14, 2011

**Present:** Sharel Shoff, Councillor/Member  
Robert Greene, Chairperson  
Linda Taylor, Recording Secretary  
Cindy Woods, Development Officer  
Judy Quintin-Arvidson, Acting Recording Secretary  
Jeanette Neilson, Member  
Dennis Simon, Member  
Paul Salvatore, Director of Community Services  
3 members of Willow Estates  
Pavel Bouchal (Bohemia Group Inc.)

**Absent:** Irene Doucette, Member  
Shawn Francis, Member  
Andrew Berdahl, Councillor  
Brad Wiebe, PRMS

**1.0 CALL TO ORDER – 12:05 p.m.**

**2.0 MINUTES FROM PREVIOUS MEETINGS**

**2.1 March 31, 2011**

**Motion:** S. Shoff moved to approve the minutes of March 31, 2011 as presented.

**Second:** D. Simon - Carried

**3.0 DEVELOPMENT PERMITS**

**3.1 T00014D – Bohemia Group – Condominium Development – “R-4”**

C. Woods presented Development Permit T00014D submitted by the Bohemia Group Inc. for multiple unit attached housing with more than four dwelling units in Phase 1 of the Riverside Gardens project located at 650 – 19 Street East, Drumheller on Plan: 051-4281 Units: 23-32. Zoning is “R-4” Residential District and this is a discretionary use in this district.

C. Woods stated she wanted to clarify the address on the application for the property owners of Willow Estates as they expressed concern over the address submitted on the application. The submitted application states the Units numbers are 23-32 as this is the legal land description currently registered with Alberta Land Titles. Originally the developer had submitted an application with ten units, however the setbacks of that application did not meet the requirement of the Land Use Bylaw and the Municipal Planning Commission did not approve it. If this revised application is approved a condition would have to be placed for a new subdivision and registration with Land Titles to reflect the proposed changes on the application from ten units to seven.

C. Woods advised that the applicant has revised his plans to reflect the concerns of the neighbouring property owners and the Municipal Planning Commission. The development meets the requirements of the rear yard setback of 7.6 m (25ft) 10-08 in that Land Use Bylaw 10-08 states under;



#### **Part VII**

#### **56. Projections over yards**

##### **(c) Rear Yards**

**(i) Eaves, cantilevers, balconies bay windows, shade projections, chimneys, unenclosed decks and steps may project a maximum of 1.5 m (4.9 ft) over or onto a required rear yard."**

The side yard setbacks of the development meet the requirements of Land Use Bylaw 10-08 in that under;

#### **Part VII**

#### **56. Projections over yards**

##### **(b) Side Yards**

**(iv) Cantilevers and balconies may project into a side yard but must maintain a minimum 4 ft. Separation from property lines.**

C. Woods advised that the application was circulated to property owners who reside in Willow Estates as well as Riverside Gardens and that five responses to the proposed application were received. C. Woods explained that all had concerns with the development and read the letters to the Municipal Planning Commission.

C. Woods stated that concerns raised with drainage on the property and the placement of the concrete swale the developer started to build last year. A review of the site confirmed that the placement of the swale will compromise the stability of the existing fence belonging to the neighbouring properties. The review also revealed that the degree of slope is not what was submitted under the service agreement with the Town of Drumheller. A condition of the application should be that a new or revised drainage plan be submitted and approved by the Town of Drumheller prior to the issuance of any building permits.

C. Woods presented conditions, (on behalf of B. Wiebe in his absence), that could be placed on the development: Time limits could be set for any of the following: the development, completion of the swale, fencing, and/or trees to be planted for privacy.

Gallery comments: since the development started there have been meetings with the Town of Drumheller in regards to drainage and the agreements between the Town of Drumheller and the developer made over the last 7 years. The drainage has been an issue, and if the development is approved, there would be more water drainage issues with less open land for the water to seep into and there should be better water drainage put in place before any development takes place.

S. Shoff asked Chairman R. Greene, since drainage is within the Town of Drumheller jurisdiction can the Municipal Planning Commission place a condition on the developer that appropriate installed drainage is in place before any construction takes place on the development site. P. Salvatore stated the developer has submitted all the required drawings, and elevations in relation to the site development as required. Town of Drumheller infrastructure is the authority who can deal with the drainage issue and with whom the developer needs to work to improve the drainage from the site area under a service agreement.

Discussion about the drainage concerns continued with the property owners in attendance and the Municipal Planning Commission. The Municipal Planning Commission went "In Camera" at 12:30 p.m. and came out at 12:45 p.m.

**Motion:** S. Shoff that Development Permit T00014D submitted for multiple unit attached housing with more than four dwelling units of the Riverside Gardens project located at 650 – 19 Street East, Drumheller on Plan: 051-4281 Units: 23 – 32 be tabled until a review of the drainage plan and service agreement is done and clarification is provided to the Municipal Planning Commission.



**Second:** J. Neilson - Carried

### 3.2 T00020D – Peter Nobel – Detached Garage – “R-1”

C. Woods presented Development Permit T00020D for a second detached garage located at 410 – 14 Street E., Drumheller on Plan 8157GW, Block 15, Lot(s) N 1/2 of 6 & 7. Zoning is “R-1” Residential. This building meets the required setbacks in Land Use Bylaw 10-08 but the applicant is requesting a relaxation for the size as both garages combined exceed the maximum limit of 728 sq. ft. Land Use Bylaw 10-08 does not define the number of accessory buildings allowed on a property only the minimum requirements and maximum limits.

**Motion:** S. Shoff that Development Permit T00020D to build a second detached garage to be located at 410 – 14 Street E. Drumheller on Plan: 8157 GW Block: 15 Lot(s): N ½ of 6 & 7 be approved as presented subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. Placement of construction as per plot plan submitted.
3. Relaxation granted for oversized accessory buildings to 864 sq ft.
4. Construction to be in accordance with the Alberta Building Code.
5. External finished appearance of the proposed construction to be compatible with that of existing development.
6. All necessary permits (building, electrical, gas, etc) to be in place prior to construction/installations.
7. All local improvements at owner’s expense including, however not limited to, driveways, frontage charges, water/sewer services. (Call 823.1330 for the regulations)
8. If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
9. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
10. Contractor(s) to have a valid Business License with the Town of Drumheller.

**Second:** D. Simon - Carried

### 3.3 T00022D – PDGA – Special Event - 2011 Lost Egg Disc Golf Tournament – “A”

C. Woods presented Development Permit T00022D submitted by the Professional Disc Golf Association for the Lost Egg Disc Golf Tournament on August 6 & 7<sup>th</sup>. 2011 located at NE ¼ sec. 7 Twp. 28 Rng. 19 W4th. Wayne, Alberta. Zoning is “A” – Agricultural.

This event has been held at this location for the last few years and requires Council’s approval for the use of the land in Wayne. The Wayne community association reported no problems with last years event so I would recommend the same conditions apply. They must provide a copy of insurance as Business License Bylaw 04.09 Page 4, Section 3.13 states;

***“,or file proof in form satisfactory to the Town Solicitor, that such a policy is in effect, such policy to remain in effect during the currency of the license. Such policy shall provide that the applicant will keep the Town harmless and indemnified against any and all expenses, loss, damage, claim or action to which the Town maybe put arising out of the operation of the said show.”***

It is also requested the licensee provide washroom facilities to prevent the overuse of the Rosedeer Hotel facilities. There will be no camping unless in an approved campground per Community Standards Bylaw



**Motion:** J. Neilsen that the Development Permit T00022D to hold the 2011 Disc Golf Tournament located at NE ¼ sec. 7 Twp. 28 Rng. 19 W4th. Wayne, AB approved as presented subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. Special Event Permit effective August 6, 2011 to August 7, 2011.
3. Must provide Certificate of Insurance prior to the event in favour of the Town of Drumheller and such policy will keep the Town harmless and indemnified against any and all expenses, loss, damage, claim or action to which the Town may be put arising out of the operation of the said event.
4. Refuse containers and a minimum of two porta sans available on site for public use during the event.
5. There will be absolutely no camping on the premises or on adjacent or nearby properties at any time. Those Patrons wishing to camp should be directed to approved campgrounds only.
6. Development to conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
7. Town of Drumheller Community Standards Bylaw to be strictly adhered to at all times.

**Second:** D. Simon - Carried

#### **3.4 T00023D – Occupy as a Tourist Dwelling – “R-1A”**

C. Woods presented Development Permit T00023D to occupy a single family residential home as a tourist dwelling located at 455 – 3 Street E. Drumheller, on Plan 2089BN, Block 11, Lot(s) 13. Zoning is “R-1” Residential District. Tourist Dwellings are a discretionary use in this district.

Robert Greene excused himself due to conflict of interest.

C. Woods explained that this is the applicant’s personal home and she vacates it for the summer to rent out to tourists. The maximum occupancy will be four people at a time (one family) as indicated on the application submitted.

C. Woods read Land Use Bylaw, Part I, Sec. 2, Page 24:

***“Tourist Dwelling” means a single dwelling unit:***

- (a) Occupied by guests for a temporary period less than 28 days;***
- (b) Contains sleeping and sanitary facilities and may contain cooking or eating facilities;***
- (c) Occupied by a single party at any given time;***
- (d) Maximum occupancy to be limited by the number of rooms available for sleeping accommodation and shall be determined by the development authority.***

**Motion:** S. Schoff that Development Permit T00023D to vacate the personal dwelling for the summer and rent out as a Vacation Home located at 455 – 3 Street E. Drumheller, Plan 2089BN, Block 11, Lot(s) 13 be accepted as presented subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. The fence or hedge located within the front yard of lot shall not exceed 1.2m (4 ft) in height as per Land Use Bylaw 10.08.
3. Tourist Dwelling means a single dwelling unit: occupied by guests for a temporary period less than 28 days; contains sleeping and sanitary facilities and may contain cooking or eating facilities; occupied by a single



- ... party at any given time; maximum occupancy to be limited by the number of rooms available for sleeping accommodation and shall be determined by the development authority.
4. Maximum occupancy at any given time shall be one party of up to four (4) people as indicated on submitted application.
  5. If the holder of the permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission.
  6. There shall be no outside storage of materials, commodities or finished products.
  7. A Tourist Dwelling shall not have signage associated with the use.
  8. The owner or manager shall be available within the Town of Drumheller at all times when the tourist dwelling is in use.
  9. The owner or manager shall maintain garbage to the satisfaction of the Development Authority.
  10. Tourist dwellings shall not cause or create nuisance factors that extend beyond what is normal and incidental to residential uses.
  11. The site and buildings, structures and improvements shall be maintained in a clean, neat, tidy and attractive condition and free from all rubbish and debris.
  12. Development to conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
  13. An Annual Business Licence is required.

**Second:** – D. Simon – Carried

#### **4 PALLISER REGIONAL MUNICIPAL SERVICES**

#### **5 OTHER DISCUSSION ITEMS**

R. Greene voiced concerns regarding the old hospital site and the possibility of St. Anthony's School site becoming vacant as well. He wondered if there is some way we could make sure these buildings get torn down after a certain period of time. Discussion continued on abandoned or unused derelict properties within the Town of Drumheller.

#### **6.0 Adjournment – J. Neilsen motion to adjourn at 1:05 pm.**

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**Chairperson**

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**Development Officer**



## Agenda Item # 6.1

### Overview

The Dino Art Committee is a sub-committee of the Drumheller Chamber of Commerce, formed to oversee and manage the DinoArt Program. Its' goal is to promote & enhance the dinosaur sculptures and murals throughout Drumheller.

### Specific tasks:

- Ongoing maintenance & cataloguing of sculptures
- Ongoing maintenance & cataloguing of Wall murals
- Fundraising for repairs & new additions
- Budgeting for maintenance and new purchases
- Approval of design ideas
- Approval of placement locations
- Purchasing additional Dino sculptures for placement around the ENTIRE Drumheller valley in targeted high traffic areas

### Fundraising Details:

To assist in both the capital cost of purchasing additional sculptures, and the ongoing repairs & maintenance, we will require ongoing funding. Our goal is to canvas the local business community for sponsorship of the DinoArt project on an annual basis. This funding campaign has already begun.

The Chamber of Commerce has committed to a budget \$10,000 for this project for 2011, and we are asking the Town of Drumheller for a commitment of a similar figure.

Our goal is to purchase several small to medium size dino sculptures in 2011, & 2012, and continue with ongoing additions, replacements & repairs into the future.

### Sponsorship Program:

The sponsorship program will replace the existing "adopt a dino" program, with the intent on increasing the revenue, to allow for major purchases of new dino sculptures. The current "adopt a dino" program is revenue deficient, and currently has no funds available for any repair costs.

### Proposed Motions:

#### Proposed Motion #1:

To engage the Town of Drumheller to match the funds raised by the Dino Art committee for purposes of maintenance and upgrades to the dino related sculptures and murals in the valley to a maximum dollar amount of \$10,000.00

#### Proposed Motion #2:

## **Agenda Item # 6.1**

To engage the Town of Drumheller to provide work in kind, for purposes of maintenance and upgrades to the dino related sculptures and murals in the valley. This would pertain to removal / additions of dino sculptures and murals.

Proposed Motion #3:

We would benefit by having one or more members on this committee representing the Town of Drumheller. Whether that be from the town council or perhaps a member of the town staff would also want to be involved?

For more information, or if you would prefer us to come and further discuss this with you, we would be very happy to attend the next council meeting and give a presentation.

Respectfully Yours,

John Shoff - Chair of DinoArt Committee







### Request for Decision

<b>Date:</b> June 2, 2011	
<b>Topic:</b>	<b>Municipal Police Committee – Regional Representatives</b>
<b>Background:</b>	<p>In 2009, the Town of Drumheller formed the Drumheller and District Policing Committee in response to requests from Alberta's Solicitor General to consider the implementation of such a body under the province's goal of increased civilian oversight for police service.</p> <p>Accordingly, The Town of Drumheller adopted Town of Drumheller BYLAW NO. 16-09 – the bylaw for the establishment of a Policing Committee. Included within the bylaw is reference to the composition of the Policing Committee, mainly that the Committee should be comprised as follows:</p> <p>9 voting members who shall be appointed by resolution of Council as follows:</p> <p>(a) Five (5) members selected from the public at large as residents of the Town of Drumheller. (current positions held by: 1) Mike Hansen, 2) Colin Kloot 3) Fred Makowecki 4) Jim Decore 5) George Kallay</p> <p>(b) One (1) Mayor (Yemen) or designate by resolution of the Town of Drumheller,</p> <p>(c) Three (3) public members selected to a maximum of one (1) from any of the following communities, as defined within the boundaries of the Drumheller Detachment, Royal Canadian Mounted Police:</p> <ul style="list-style-type: none"> <li>i. Starland County (Terri Hebert – Pending Council approval)</li> <li>ii. Kneehill County. (Brian Holsworth – until 2012)</li> <li>iii. The Village of Delia (Jeff Collins – Pending Council approval)</li> <li>iv. The Village of Morrin</li> <li>v. The Village of Carbon</li> <li>vi. The Village of Munson</li> </ul>
<b>Proposed by:</b>	As a requirement under the Bylaw
<b>Correlation to Business (Strategic) Plan</b>	<p>Enhance the effectiveness of the policing service.</p> <p>To ensure appropriate governance of the RCMP in our region.</p> <p>Increase public participation and regional cooperation.</p>

Office of the Director of Community Services

Telephone: (403) 823-1316

<b>Benefits:</b>	<b>Agenda Item # 8.4.1</b> 1. Provides a formal structure for relations between municipal governments, the public and the Police Service. 2. Provides a formal complaint structure for the public regarding police services. 3. Expected to be a future requirement of the Solicitor General's Office. 4. Limits direct political involvement in policing operations.		
<b>Disadvantages:</b>	1. May require increased volunteer and budgetary resources.		
<b>Alternatives:</b>	1. Current arrangement (non- statutory committee) 2. No Action, limited involvement		
<b>Finance/Budget Implications:</b>	As determined by Council		
<b>Operating Costs:</b>	Up to \$5,000 per year	<b>Capital Cost:</b>	N/A
<b>Budget Available:</b>	\$0.00	<b>Source of Funds:</b>	
<b>Budget Cost:</b>	\$0.00	<b>Underbudgeted Cost:</b>	
<b>Communication Strategy:</b>			
<b>Recommendations:</b>	That Council pass a formal resolution to appoint Jeff Collins and Terri Hebert to the Drumheller Policing Committee as per the recommendations received by Starland County and the Village of Delia.		
<b>Report Writer:</b>	Paul Salvatore	<b>CAO:</b>	
<b>Position:</b>	Director, Community Services		

# DRUMHELLER POLICING COMMITTEE CONTACT INFORMATION 2011

## Agenda Item # 8.4.1

NAME	TERM - IF APPLICABLE		POSITION
	START	END	
Mike Hansen	Oct. 2010	Oct. 2013	Member Urban 820-0301 c
George Ellay	Sept. 2008	Sept. 2011	Vice Chairman
Terri Heist	Sept. 2008	Sept. 2010	Member Rural
Brian Hownorth	Oct. 2009	Sept. 2012	Member Rural
Fred Makowacki	Sept. 2008	Sept. 2011	Chairman
Jim Decore	Sept. 2008	Sept. 2011	PCD
Colin Kloot	Oct. 2011	Oct. 2013	Member Urban
Paul Salvatore	Sept. 2008		Director Community Services
Ray Romanetz	Sept. 2008		CAO Drumheller
Mayor Terry Yemen	Oct. 2010	Oct. 2013	Mayor of Drumheller
S. Sgt. Art Hopkins	Sept. 2008		S. Sgt. RCMP Drumheller
Judy Quintin-Arvidson	Sept. 2008		Recording Secretary
Gordon Isaac	Oct. 2010	Oct. 2013	Member Rural Delia
Jeff Collins	Oct. 2010	Oct. 2013	Member ALT Delia



232 Main Street  
Post Office Box 400  
Three Hills, AB T0M 2A0  
**Agenda Item # 8.4.1**  
Phone 403-443-5541  
Toll Free 866-443-5541  
Fax No. 403-443-5115  
Email: office@kneehillcounty.com  
www.kneehillcounty.com

July 15, 2009

Town of Drumheller  
703 – 2 Avenue West  
Drumheller, AB  
T0J 0Y3

Attention: Paul Salvatore, Community Services Director

Re: Drumheller Municipal Policing Committee

Thank you for providing Kneehill County Council with an amended Policing Committee Bylaw. We appreciate that our concerns identified earlier have been addressed with this new revision.

Council appointed Councillor Brian Holsworth to be considered for selection on this committee. Councillor Holsworth resides in Division 1 of Kneehill County, our only division that is entirely serviced by the Drumheller Detachment of the Royal Canadian Mounted Police.

Thank you for the opportunity to serve on this committee.

Regards,  
KNEEHILL COUNTY

  
Kevin Miner, CLGM  
CAO

**From:** Paul Salvatore  
**Sent:** Thursday, January 27, 2011 11:30 AM  
**To:** Raymond Romanetz  
**Subject:** FW: Policing Committee - Starland Decision - Terri H

***Agenda Item # 8.4.1***

FYI

Paul Salvatore

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**From:** Ross Rawlusk [mailto:[ross@starlandcounty.com](mailto:ross@starlandcounty.com)]  
**Sent:** Thursday, January 27, 2011 10:18 AM  
**To:** Paul Salvatore  
**Subject:** RE: Policing Committee - Starland Decision

Council has endorsed Terri's participation on the Policing Committee.  
Ross

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**From:** Paul Salvatore [mailto:[PSalvatore@dinosaurvalley.com](mailto:PSalvatore@dinosaurvalley.com)]  
**Sent:** Monday, January 24, 2011 3:15 PM  
**To:** Ross Rawlusk  
**Subject:** Policing Committee - Starland Decision

Ross...

Our next meeting of the Policing Committee is this Thursday (January 27) at 1pm in TOD Council Chambers.

Please give me a ring if you have a decision regarding the appointment. (If Terri is good to go –that works for us).

Thanks.

Paul

From: Jeff Collins [jcollins@netago.ca]  
Sent: Thursday, December 23, 2010 6:13 PM  
To: Paul Salvatore  
Cc: cao.delia@netago.ca; gisaac@netago.ca; Arthur HOPKINS  
Subject: Re: Policing Committee Members

***Agenda Item # 8.4.1***

Paul, Gord Issac is away for the winter so I will attend your first meeting on Jan 27 in his stead. Any idea how long that meeting will be? I may also have to attend the second day of a tourism seminar, then a board meeting of the Drumheller Seniors Foundation, so I will be tight for time.

I am coming to Drumheller for yet another meeting on Jan 12th so I will visit the detachment for a record check about 10AM that day.

On Wed, Dec 22, 2010 at 1:33 PM, Paul Salvatore <[PSalvatore@dinosaurvalley.com](mailto:PSalvatore@dinosaurvalley.com)> wrote:

Thank you Caroline for your notice of appointments -Gordon Isaac and Jeff Collins (alternate)to the Drumheller Policing Committee.

It will be great to have a representative from the Village of Delia on the Committee in the New Year.

The next meeting of the Policing Committee is on January 27, 2011 at 9:30am at the Town Hall in Drumheller.

Please note that Mr. Isaac and Mr. Collins must obtain a clear criminal records check from the RCMP prior to official appoint under the bylaw and swearing-in at the first meeting. Such notification should be submitted to me in confidence. They must attend the detachment for the completion of the records check as soon as possible (usually it takes 2 weeks to process these).

Please contact me if you have any questions.

All the best to you throughout the holiday season.

BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF  
DRUMHELLER IN THE PROVINCE OF ALBERTA. **Agenda Item # 10.1**

**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. 10-08;

**AND WHEREAS** the Council deems it desirable to amend Land Use Bylaw 10-08; and

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

1. **Amendment to Part VI Land Use Districts as follows:**

Addition of "Education Facility - Unconventional" as a *discretionary use* in the following district:

32. HWY-C - Highway Commercial District

READ A FIRST TIME THIS \_\_\_\_<sup>th</sup> DAY OF \_\_\_\_\_, 2011

READ A SECOND TIME THIS \_\_\_\_<sup>th</sup> DAY OF \_\_\_\_\_, 2011.

READ A THIRD TIME AND PASSED THIS \_\_\_\_<sup>th</sup> DAY OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

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