

Town of Drumheller COUNCIL MEETING AGENDA

**October 7, 2013 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

- 3-8 3.1 Purpose of the Public Hearing is to consider Bylaw 12.13 by amending Part VI Land Use Districts:
Addition of 'Storage of Hazardous Goods' as a discretionary use in Section (33) M-1 - Light Industrial
Land Use District

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 9-12 5.1.1 Regular Council Meeting Minutes of September 23, 2013

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

- 13-18 5.2.1 Municipal Planning Commission Meeting Minutes of August 8, 2013
19-21 5.2.2 Municipal Planning Commission Meeting Minutes of August 30, 2013
22-29 5.2.3 Municipal Planning Commission Meeting Minutes of September 19, 2013
30-31 5.2.4 Municipal Planning Commission Meeting of September 27, 2013

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.2 Director of Infrastructure Services

8.2.1 Discussion Item - Policy on Water Connections to East Coulee Transmission Line

8.3 Director of Corporate Services

8.4 Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

10.1 Bylaw 12.13 - second and third readings

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

13.1 Councillor D. Stanford - Finalization of Badlands Ambulance Society

13.2 Councillor S. Shoff - Update on Health Advisory Council

14.0 IN-CAMERA MATTERS

**NOTICE of PUBLIC HEARING FOR BYLAW 12.13
PROPOSED AMENDMENT TO LAND USE BYLAW NO. 10.08**

DATE: **October 7, 2013**

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 33. M-1 – Light Industrial Land Use District by adding 'Storage of Hazardous Goods' as a discretionary use.

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. Written submissions may be made by the persons above, and may be received in the Town of Drumheller office by 4:00 P.M. on October 7, 2013. Oral presentation may be made at the hearing by the persons above, whether or not they have made a written presentation. 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: September 20, 2013
Second Publication: September 27, 2013

Chief Administrative Officer

۷

FORM D

TOWN OF DRUMHELLER
Land Use Bylaw No. ~~36-98~~ 10-08

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

I / We hereby make application to amend the Land Use Bylaw

APPLICANT

NAME: Platinum Chemical Solutions Inc. TELEPHONE: 403 823-3304
ADDRESS: P.O. Box 1288 Drumheller, AB T0J 0Y0

OWNER OF LAND

NAME: Platinum Chemical Solutions Inc. TELEPHONE: 403 823-3304
ADDRESS: P.O. Box 1288 Drumheller, AB T0J 0Y0

LEGAL DESCRIPTION

LOT: 4 BLOCK: 2 REGISTERED PLAN: 7911034

QTR./L.S.D.: SEC: TWP: RNG: M:

CERTIFICATE OF TITLE: See attached

AMENDMENT PROPOSED

FROM: M-1 Zone

TO: M-1 Discretionary Use to include storage of Hazardous Goods

REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

Please see attachment.

1.2.2603.291



I / We enclose \$ 1500.00 being the application fee

DATE:

Aug 29, 2013

SIGNED:

Valma Reake

Town of Drumheller – Land Use Bylaw 10-08

33. M-1 – Light Industrial District

The purpose of this district is to provide for a variety of industrial and business uses that are compatible with each other and do not adversely affect non-industrial land uses.

(a) Permitted Uses

- Accessory buildings and uses
- Professional, financial and administrative office which provides a direct service to the industrial uses within the area
- Permitted sign

(b) Discretionary Uses

- Auto-body and paint shops
- Automotive, truck and recreation vehicle service and repair establishments
- Electrical, plumbing, heating, building and mechanical contractor establishments
- Equipment and machinery sales and rental establishments
- Kennel
- Manufacturing, packaging or assembly of articles from previously prepared material
- Manufacturing, assembly, repair and maintenance of electrical and mechanical equipment
- Portable sign
- Recreational and municipal uses that are not restrictive and are compatible with an industrial area
- Satellite dish
- Small Animal Care Centre
- Small Wind Energy System
- Storage Structure
- Storage Yard
- Truck and freight terminals

Amended:
Bylaw # 11-10
April 23, 2010

Amended:
Bylaw # 11-10
April 23, 2010

Amended:
Bylaw # 06-09
March 16, 2009

Town of Drumheller – Land Use Bylaw 10-08

- Veterinary clinic, small animal hospitals and pet shelters
- Warehousing, including retail and wholesale outlets

(c) Minimum Requirements

1. Area of Site:
 - (a) 743 m² (8,000 sq. ft.).
2. Front Yard:
 - (a) 20 m (66 ft.) adjacent to a highway without a service road;
 - (b) 6.1 m (20 ft.) adjacent to a highway with a service road; and
 - (c) 6.1 m (20 ft.) or as required by the Municipal Planning Commission for internal roads.
3. Side Yard:
 - (a) 1.5 m (5 ft.);
 - (b) 3 m (10 ft.) where abutting a residential district; and
 - (c) One 4.57 m (15 ft.) side yard to provide alternate access to the rear of buildings in a laneless subdivision.
4. Rear Yard:
 - (a) 6.1 m (20 ft.); however, the Municipal Planning Commission may modify the rear yard requirement if parking, loading and unloading facilities are located at the rear of the building/ site.

(d) Maximum Limits

1. Height:
 - (a) 10 m (32.8 ft.) unless otherwise permitted by Municipal Planning Commission.

(e) Special Requirements

1. All uses in this District shall carry out their operations such that no nuisance factor is created or transmitted beyond the walls of the building housing the industrial operation. In general, nuisance factors shall include objectionable or dangerous conditions caused by: noise, vibration, smoke, dust, odor, toxic or noxious matter, radiation, flammable or explosive materials, heat, humidity or glare.
2. The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government.

(f) Landscaping and Screening

1. The boulevard and a minimum of five (5%) percent of the site area must be landscaped in accordance with the plan approved by Municipal Planning Commission.
2. Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season.
3. Garbage and waste material must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares excluding lanes.

(g) Parking

Type of Development	Parking Spaces Required
Warehouses Plus: Loading space	One (1) One (1) Per 93 m ² (1,000 sq. ft.) of gross floor area Per 1858 m ² (20,000 sq. ft.) gross floor area
Manufacturing establishments Plus: Loading space	Two (2) One (1) Per 93 m ² (1,000 sq. ft.) of gross floor area Per 1858 m ² (20,000 sq. ft.) gross floor area
Equipment and machinery sales and rental	One (1) Per 93 m ² (1,000 sq. ft.) of gross floor area
Electrical, plumbing, heating, building and mechanical contractor establishments	One (1) Per 93 m ² (1,000 sq. ft.) of gross floor area
Veterinary clinics etc.	One (1) Per 93 m ² (1,000 sq. ft.) of gross floor area
All other uses as required by the Municipal Planning Commission.	

**Town of Drumheller
COUNCIL MEETING
MINUTES**

September 23, 2013 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Andrew Berdahl

Jay Garbutt

Sharel Shoff

Doug Stanford

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

DIRECTOR OF CORPORATE SERVICES:

Byron Nagazina

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Corinne Macdonald

ABSENT: COUNCILLOR Lisa Hansen-Zacharuk

1.0 CALL TO ORDER at 4:30 PM

2.0 MAYOR'S OPENING REMARK

2.1 Proclamation of Breast Cancer Awareness Month - October 2013

Mayor T. Yemen proclaimed October 2013 as Breast Cancer Awareness month.

2.2 Proclamation Canadian Library Month - October 2013

Mayor T. Yemen proclaimed October 2013 as Canadian Library month.

2.3 Canadian Diabetes Association - Door to Door Campaign

Mayor T. Yemen presented a letter from Canadian Diabetes advising they will be doing a Door to Door Campaign in Drumheller from October 15, 2013 to November 15, 2013.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2013.126 Zariski, Berdahl moved the adoption of agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Minutes September 9, 2013

MO2013.127 Shoff, Stanford moved to approve the regular Council Meeting Minutes of September 9, 2013 as presented.

A question was asked regarding the Music Festival and the piano. P. Salvatore advised that he had sent a message to Linda Evans, Music Festival, however had not received anything back as yet.

Motion carried.

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 2013 Flood Update

R. Romanetz provided an overview of a report will be presented to the Province on October 3rd. Administration has been working with Palm Engineering and Hunter Survey Systems on the preparation of this report. The report identifies improvements required within the existing dyking system in Nacmine, Midland, Newcastle and Drumheller Central. The second part of the report identifies new dyking for unprotected developed areas. Questions that need to be put forward to the Province for clarification include individual property owner costs, land acquisition and the 1:100 flood elevations. The flood mapping has been updated as well as the order of magnitude costs and erosion protection along the bank of the river has been included in some areas. He presented letters from Minister Griffiths – Minister of Municipal Affairs and Administration from Alberta Environment dealing with a grant program. The guidelines for this program are quite general. B. Nagazina has been working to find out who is eligible and what the specific terms of reference include for making a claim. The money that has been expended to date was used for temporary repairs to the dyking system during the flood.

Councillor D. Stanford asked about the certainty of including all of the areas that need mitigating. R. Romanetz advised that the report provides an overall big picture - the design details will be the next step so all areas are properly assessed. Councillor T. Zariski asked where Drumheller fits into the Province's recovery process. R. Romanetz advised that our application has been submitted to the Province and will be dealt with in a similar manner to other affected communities. Councillor A. Berdahl asked if the report will be presented to the public. R. Romanetz stated that the report will become public following the Province's review.

B. Nagazina advised that he is involved in the administration of a number of grants relating to the flooding. The Town has submitted our costs for the flood as follows; \$310,000 for flood preparation, \$417,000 for flood recovery, \$10,000 for evacuation; AECOM (road repair) \$373,000; repair and replace pumps and motors at the Fountain / Spray Park \$125,000 for a total of \$1.35 million recovery costs dollars. B. Nagazina advised that a representative from the

Provincial Disaster Recovery Program will visit Drumheller shortly to review our claim. He further advised that staff costs are as follows: \$93,500 for flood prevention, \$96,200 for flood recovery and \$6,000 for the Evacuation Centre.

With regards to the flood clean up, A. Kendrick noted that staff are working on silt clean up issues, some access points along the river, camera work on the storm sewers in Midland out to the flap gates to inspect how water came in on 19th Street NW, and other camera work on sanitary sewers. Issues at the 5th Street East Lift Station area need some further work. He further advised that the majority of pathways and trails are open, with the exception of a small portion of trail by the Tyrrell Museum, ball diamonds are opened, and road repairs still need to be carried out with pricing through our 2013 Street Improvement Program once provincial approval is received.

R. Romanetz noted that the Province is looking at installing temporary flood planks / containment barriers strategically that can be used to raise the dyke another meter to the 1:200 flood frequency. Councillor J. Garbutt noted that discussion at the Premier's meeting included dialogue regarding the Dixon dam. R. Romanetz noted that the Province agreed to attend a meeting in Drumheller to clarify the dam operations and answer concerns from the public once the existing operational policies are reviewed with Alberta River Forecasting and the Town of Drumheller.

8.2. Director of Infrastructure Services

8.2.1 RFD Aquaplex HVAC System

A. Kendrick noted that on July 26th Council rejected the tenders for HVAC upgrades including the Water Treatment Plant and the Aquaplex. We re-started the process for the HVAC upgrades at the Aquaplex. Tenders were prepared by DBK Engineering Ltd. Three tenders were received from Dee Jay Plumbing & Heating, Gateway Mechanical Services and Westcor Construction. Funds for the project would come from the approved Capital Plan and Grant funding.

MOTION2013.128 Berdahl, Stanford moved Council award the HVAC upgrades at the Aquaplex to Dee Jay Plumbing & Heating Ltd. for the sum of \$361,853.10 (GST included).

Motion carried.

8.3. Director of Corporate Services

8.4. Director of Community Services

8.4.1 RFD Hope College

P. Salvatore provided an update on progress on Hope College. On January 28th a delegation from Hope College provided an update and projections for proposed educational programs that would be offered starting September 12, 2013. On September 18th an announcement confirmed their accreditation for the Business Administration and Tourism Programs in partnership with the University of Lethbridge. A request was received on September 10th to consider providing funding in support of Hope College.

MOTION2013.129 Zariski, Shoff moved that Council commit \$5,000 for 2013 and then review the status of the funding commitment for Hope College in subsequent budget years.

Councillor T. Zariski noted he has been involved in Hope College and any expansion will keep money in Town and bring people to Drumheller. This is a small commitment from the Town. Councillor S. Shoff asked if this was in the budget. The money was confirmed to be in the budget for 2013. Councillor D. Stanford noted he had voted against this previously, however

Agenda Item # 5.1.1

since that time they have come through with all commitments and he indicated that he now supports Hope College moving forward.

Motion carried.

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

Councillor D. Stanford asked if we did a test on the condenser at the Arena. R. Romanetz advised that the Town working with accredited sound equipment from the oil patch did some testing for noise levels, the unit is loud, numbers were reading in the 75 decibel range. He noted that for the short term we have put an enclosure around the unit. We are looking at bringing in some insulation jacketing and will have to ensure we have the proper air flow around the unit. We need to bring the unit up to our Land Use Bylaw regulations.

14.0 IN-CAMERA MATTERS

ADJOURNMENT - 5:18 PM



**Municipal Planning Commission
MINUTES
Meeting of Thursday August 8, 2013**

Present: Bob Cromwell, Economic Development
Doug Stanford, Councillor/Member
Andrew Berdahl, Councillor/Member
Garry Wilson, Palliser Regional Municipal Services
Cindy Woods, Development Officer
Linda Taylor, Recording Secretary
Donna Kittridge, Job Shadow the Recording Secretary
Shawn Francis, Chairperson
Sharon Clark, Vice Chairperson
Scott Kuntz, Member
Stacey Gallagher, Member

Joel Fabrick - Applicant
Michelle Fabrick - Applicant
Debra Jungling – Jungling Works & area resident
Jeff Dallmann - Denture Clinic & area resident

Absent: Paul Salvatore, Director of Community Services - Regrets

1.0 CALL TO ORDER – 12:04 pm

S. Francis welcomed delegates to the meeting.

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 July 4, 2013

Motion: D. Stanford moved to accept the minutes of July 4, 2013 as presented.

Second: S. Gallagher – Carried

3.0 DEVELOPMENT PERMITS

3.1 T00059-13D – Newcastle Towing – Occupy as a Salvage / Wrecking Yard – “M-2”

C. Woods presented Development Permit T00059-13D submitted by Newcastle Towing to occupy as a salvage / wrecking yard located at 801 South Railway Avenue, Drumheller on Plan 8310201; Block 3. Zoning is “M-2” Medium Industrial District. Recycling, storage, salvage and wrecking yards are a discretionary use in this district.

C. Woods advised this would be a shop, storage yard and a transfer location for the towing company; the vehicles would be located behind the administration and storage building. This is an industrial property located along a main road; South Railway Avenue.

C. Woods read Town of Drumheller – Land Use Bylaw 10-08

34. M-2 – Medium Industrial District

(f) Landscaping and Screening



1. *The boulevard, where existing and a minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Municipal Planning Commission.*
4. *Outside storage of material and equipment shall be screened from adjacent sites and public thoroughfares.*

Municipal Planning Commission members discussed the application. Regarding screening; this property should have something like privacy slats for screening as it is located along a main road. MPC felt landscaping, environmental and fire conditions for this development are required.

Motion: D. Stanford moved Development Permit T00059-13D submitted by Newcastle Towing to occupy as a salvage / wrecking yard located at 801 South Railway Avenue, Drumheller on Plan 8310201; Block 3 be approved, subject to the following conditions:

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. External finished appearance of site to the satisfaction of the Development Officer/Municipal Planning Commission.
4. All local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner. Driveway and curbs to meet the Town of Drumheller standards and approval. Please contact 403-823-1330 for specifications and approval prior to any installation
5. 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.
6. Development to conform to any and all Federal, Provincial and/or Municipal regulations, and/or guidelines as well as any and all Environmental regulations and/or guidelines that may apply.
7. 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.
8. Garbage and waste material must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares excluding lanes.
9. Outside storage of material, equipment and vehicles shall be stacked or placed so they are not visible from public thoroughfares outside the Industrial District or any Residential Districts.
10. Commercial and Industrial Developments abutting a residential district shall be screened from view to the satisfaction of the Development Authority.
11. **Screened Security fencing required. Materials used to construct fences can be wood, brick, stone, concrete, or metal. Barbed wire and electric fences are not permitted. Fencing shall not exceed 1.8 m (6 ft.) in height. Should a fence be necessary to exceed 6 ft in height, a development permit would be required.**
12. Development to conform to Canadian Auto Recyclers' Environmental Code (CAREC).

Second: S. Clark – Carried

3.2 T00064-13D – Joel Fabrick – Occupy as a Drinking Establishment – “C-B”

C. Woods presented Development Permit T00064-13D submitted by Joel Fabrick to occupy as a drinking establishment located at 17SA 3 Avenue West, Drumheller on Plan 7710AP; Block 20; Lots 2-4. Zoning is “C-B” Central Commercial District. Drinking Establishment is a discretionary use in this district.

C. Woods stated that a circulation for this application was sent to businesses and residents in the downtown area.

C. Woods explained this drinking establishment; “Phoenix” would be opening as a licensed gourmet burger grill with craft beer from all over the world. This location in the past was used as retail and a restaurant; it is currently unoccupied. The parking requirements for this building are; apartment 1, Dry Canyon Collectibles 1, The Faux Den 1,



and the Phoenix would require 9 spaces. On site parking at present is 8, the required parking is 12; most businesses in this area do not meet the parking requirements of the Town of Drumheller Land Use Bylaw. There are 3 parking lots in the downtown area created by the Town of Drumheller for all businesses to use.

C. Woods read from the Town of Drumheller Land Use Bylaw 10-08;

52. Parking

(b) For multiple use sites parking requirements shall be based on the calculation of parking required for each individual use.

(e) The Municipal Planning Commission may:

(i) accept a payment in-lieu on the number of on-site parking spaces deficient, which payment shall be based on the amount of money in accordance with Town policy in return for the equivalent parking space to be provided by the municipality elsewhere in the District in which the development is proposed; on the number of on-site parking spaces deficient.

C. Woods read letters submitted from the circulation of the area.

C. Woods advised the application was also circulated to the RCMP, *Royal Canadian Mounted Police*. A drinking establishment is regulated by AGLC, *Alberta Gaming and Liquor Commission*. Concerns could be addressed through the AGLC and the RCMP.

J. Fabrick presented the Phoenix concept plan to create a classy beer and gourmet burger establishment for a quiet sit down dinner in a social environment, not a loud and obnoxious location. A place for people to feel comfortable and safe in a sophisticated environment. A few arcade games would be available, and the washrooms would be expanded. I would like to have an individual at the door to observe patrons as they leave. Plans would include the exterior and rear of the building; a second entrance, resurface the back to utilize the parking. The plan includes admittance to all ages daily 11:00 until 2:00, close from 2:00 until 4:00 and re-opens at 4:00 to host over 18 customers. Would be open 7 days possibly only 5 days a week. Once a month or every couple of months we may host a dance party, or variation of entertainment. In house sound and lighting systems would be installed, limiting the movement of equipment. An early fall opening is what I am aiming for.

The floor was opened for discussion. D. Stanford asked if the property was owned by the applicant, reply was yes and they live above this location. Questions arose about problems of alcohol being taken out side the establishment and vandalism after hours; AGLC can enforce the use of doormen or security, a night club must have doormen. Questions arose about sound proofing; J. Fabrick has been testing a sound system with no complaints and finds most noise is on the side of Reality Bytes, the system is aimed to the core of the building not to the front or back. A. Berdahl asked for more information on the hours for the restaurant; food served until 11:00pm with consumption until 2:00am and the establishment to be closed at 3:00am. S.Kuntz asked about the concept looking like "Cheers"; applicant reply was yes, it is a niche market with regular customers.

The Phoenix is looking to draw a higher demographic crowd; trending is for customers looking for a craft beer establishment with a quiet social atmosphere. Gourmet burgers and fries would be on the menu, this type of eatery with craft beer is not easy to find here, and the applicant is looking for a different consumer market.

B. Cromwell noted the Phoenix wants to establish a market niche for higher end clients, not an arcade. The arcade games would be a very small diverse part of the business.

The discussion continued. Can conditions contain a probationary period? There are no probationary periods; however conditions would contain sound, nuisance and other concerns covered in the Community Standards Bylaw 16-10. What assurance is there that this would not turn in to a full on dance club? This is not the use applied for any change of use must be done by re-applying for approval for a dance club. Concerns also covered were broken glass and litter, keeping the area clean and parking. J. Fabrick reiterated it would be a one night party once a



month to every other month; for live band or DJ, or theme party, 6 tables could be stored to have a dance floor. A DJ business run by the applicant would be phased out, so more time could be put into the Phoenix.

Delegates were excused at 1:05 pm and the Municipal Planning Commission went in Camera. MPC members discussed the application and conditions; sound proofing, exterior finishing, landscaping, parking, AGLC compliance, community standards, fire and health. Delegates were invited back in for the motion.

Motion: A. Berdahl moved Development Permit T00064-13D submitted by Joel Fabrick to occupy as a drinking establishment located at 175A 3 Avenue West, Drumheller on Plan 7710AP; Block 20; Lots 2-4 be approved, subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. Must conform to the Town of Drumheller Community Standards Bylaw, including but not limited to;
 - a. Sec 9(3) (b) Except as authorized pursuant to this Bylaw, no owner or occupier of a premises shall make or cause or
 - i. allow to be made or continued any noise which emanates from the premises and disturbs or annoys a person
 1. including any loud outcry, shouting, screaming, swearing, movement, music or activity.
 - ii. (f) No drinking establishment shall permit any noise to emanate from the Premises of such drinking
 - iii. establishment such that it annoys or disturbs any person outside the boundary of the drinking establishment
 1. within the Corporate Limits of the Town of Drumheller.
3. Development to conform and meet the requirements of the AGLC (Alberta Gaming and Liquor Commission).
4. ~~Public access to Drinking Establishment/Restaurant shall be from the front door on 3rd Avenue. Access from rear of building is not permitted, rear door to be utilized as emergency exit only.~~
5. Sufficient sound proofing measures required to eliminate noise and disturbance to neighbouring residents and properties. Any future events that exceed sound proofing measures may require additional action of the owner to reduce disturbances.
6. 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.
7. Development to conform to the Town of Drumheller Water & Sewer Bylaw, including, but not limited to, grease traps, with appropriate storage container, and backflow prevention devices. Confirmation of installation to be supplied to the Town of Drumheller. For more information on bylaw requirements please contact the Utilities Manager at 823-1330.
8. Grease trap to be installed with appropriate storage tank
9. Parking as per Land Use Bylaw 10-08; Part VII; Sec 52(e)(i). Payment in-lieu may be required for the number of deficient stalls required under Sec 52 and Town Policy; amounts to be determined by Council.
10. Garbage, grease and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares.
11. 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.
12. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
13. All signage to be made under separate development permit application. ~~Freestanding sign to be approved and updated to reflect new business name no later than August 31, 2013.~~ REMOVED SEPT 24/13 NOT REQ'D
14. Development to conform and meet the requirements of the Regional Fire and Health Authority. Prior to occupancy and commencement of business activities, confirmation of approval from Regional Fire and Health Authority to be provided to the Development Officer.
15. 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. Exterior finishing of the property upgraded to the satisfaction of the Development Authority.
16. Annual Business License is required

Second: S. Kuntz – Carried



3.3 T00013-13S – Dinosaur Trails RV Resort – Placement of Third Party Sign – “Hwy-C”

C. Woods presented Development Permit T00013-13S submitted by Dinosaur Trails RV Resort for placement of fascia signs located at 101 Bridge Street, Drumheller on Plan 4317CQ; Block 2; Lot 16-19. Zoning is “Hwy-C” Highway Commercial District. Third party signs are a discretionary use in this district.

C.Woods advised this signage is a 10 foot by 5 foot directional sign for third party; Dinosaur Trail Golf & Country Club, Badlands Go-Kart Park and Holiday Trails Resorts. Transportation of Highways has no issue with this signage.

Municipal Planning Commission discussed the application. The application showed a sign on the north side of the building and also on the east side of the building. This application was for just one sign; MPC members were unsure which directional sign was asked for on the application, therefore wanted to include both signs in the motion. MPC also wanted the applicant to take some time to look at the directional arrows closer, to ensure the arrows are directing traffic to their advantage.

Motion: A.Berdahl moved Development Permit T00013-13S submitted by Dinosaur Trails RV Resort for placement of fascia signs located at 101 Bridge Street, Drumheller on Plan 4317CQ; Block 2; Lot 16-19; up to and including both directional signs be approved, subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. Placement, components and appearance of sign(s) as per application. Development Officer/Municipal Planning Commission must first approve any modifications.
3. Developer to ensure authorization for sign placement obtained from property owner.
4. Any/all Safety Codes Permits to be obtained prior to the installation of sign.
5. Contractor(s) to have a valid Business License with the Town of Drumheller.
6. Appearance of sign shall be maintained to the satisfaction of the Development Officer/Municipal Planning Commission.
7. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
8. All Signs shall be removed if business ceases operations or the use of the site is terminated.

Second: D.Stanford – Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

5.0 OTHER DISCUSSION ITEMS

Municipal Planning Commission members discussed Provincial Flood Fringe Mapping and the affects it would have on development such as Nacmine Green Close. The Mapping includes a very large area of the Town of Drumheller. Discussion on the affect of the Mapping has had on Banks and Insurance Companies.

Discussion on an existing Antique Store that has had complaints. This property is zoned “UT” Urban Transitional District; it does not meet requirements of a Home Occupation. The property is well kept, clean and has large yard for vehicle parking on site. Six and up to 12 vehicles a day will stop in during tourist season. In this zone a single detached dwelling- on existing parcels, a home occupation and a tourist commercial establishment are discretionary uses. Discussion on the possibility of facilitation to continue the operation of this business.

A small lot development on Third Street is underway and looks good in the location.

Next council meeting is on the 26th of August; Municipal Planning Commission is interested in Council members view on the downtown parking and the “in lieu of parking”.



S. Francis noted this is the last meeting of the Municipal Planning Commission in the Town Hall at 703 2 Avenue West. The next meeting will be at the newly renovated Civic Center at 224 Centre Street, in the upstairs board room.

6.0 Adjournment – Meeting adjourned by S. Francis at 1:45 pm.

Chairperson

Development Officer

Attachments:

- ✓ Circulation letters.
 - Phil Taylor
 - Wade's Jewellery Ltd
 - Lue Martinell
 - Group Point Inc
 - Valley Auto/Newcastle Towing and Prism Inspection Services
 - Jeff & Sandra Dallmann
 - David Carter and Debra Jungling
- ✓ Phoenix, plan by Joel Fabrick



**Municipal Planning Commission
MINUTES
Online Review of Application Friday August 30, 2013**

Respondants;

Doug Stanford, Councillor/Member
Andrew Berdahl, Councillor/Member
Paul Salvatore, Director of Community Services
Brad Wiebe, Palliser Regional Municipal Services
Cindy Woods, Development Officer
Linda Taylor, Recording Secretary
Shawn Francis, Chairperson
Sharon Clark, Vice Chairperson
Scott Kuntz, Member
Stacey Gallagher, Member

1.0 ON LINE REVIEW OF APPLICATION – August 29, 2013 9:56am

I have an application received just before I went on vacation that closes on Tuesday. Would you, Shawn agree and help facilitate approval via email so they don't miss the deadline? It is for an RTM and I didn't see any concerns however they are a discretionary use. If you are in agreement I will have Linda forward all the documents as required for the actual meetings.

Cindy Woods

2.0 DEVELOPMENT PERMIT

Development Permit T00066 13-D submitted by Dylan James Farms Ltd for placement of a Ready to Move single family dwelling located at 546 Hunter Drive, Nacmine on Plan 7611000; Block 1; Lot C. Zoning is "R-1A" Residential District. Ready to Move home is a discretionary use in this district.

The application is for a Ready to Move home at 546 Hunter Drive in Nacmine. The attached orthophoto is a bit out of date; a house is now located on the adjacent property at 524 (to the west). While a discretionary use, you can see from the attached information that it is a new home, and will meet all set-back requirements. There does not appear to be any issues with the application as presented. If approved, Cindy would specify finishing materials to the satisfaction of the Development Officer

Would it be possible for us to have an online 'vote' on this application? Please let me know if you have any concerns or additional questions. If there are concerns or you would like to have further discussion about the application, we will postpone making a decision to our Sept. 5 meeting (Linda just sent a meeting request for this date). If you are in support of this application, please respond in the affirmative and Linda will let the applicant know their proposal can proceed.

Thank you for your consideration,
Shawn

August 29, 2013 11:33am

I have no objection to this development...subject to appropriate conditions re finishing, landscaping and hold-back for compliance with conditions.

Sharon

August 29, 2013 1:35pm

Due to a conflict of interest I will refrain from this vote.

Stacey



August 29, 2013 3:33pm

If memory serves, then there are at least two homes in that area now... which makes it difficult to see how the indicated lot is actually the one being developed. That is to say: isn't there already a home on this location?

Andrew

August 30, 2013 9:47am

I have no problem with this house moved on to this property.

Doug

August 30, 2013 9:57am

Thank you Sharon, Stacie and Doug for your response. Andrew had a question regarding existing houses in the area. So far Sharon and Doug have provided comment on the application (in support). Are there any comments from other members? Technically we now have quorum and are able to proceed with a decision but it would be good to hear from others by noon today, if able.

Shawn

August 30, 2013 9:59 am

I vote in favour of the application

Andrew

August 30, 2013 11:35am

In response to Andrew's question there are two recently built homes on the lots west of this property (built in 2006). Though not exact styles, they all have front attached garages. I believe this development conforms to the district. I have had inquiries to re-zone the bar to residential as well. The deterrent, so far, is demolishing the building.

Cindy

August 30, 2013 12:17pm

Andrew has also provided his support for the application, so we now have three members in favour. Given the nature of the development application, I think this is very adequate to move forward with a formal motion for approval with standard terms and conditions.

Motion:

Sharon, since you were the first to respond, we will record this as your motion

Development Permit T00066 13-D submitted by Dylan James Farms Ltd for placement of a Ready to Move single family dwelling located at 546 Hunter Drive, Nacmine on Plan 7611000; Block 1; Lot C be approved, subject to the following conditions:

1. Must conform to Land Use Bylaw 10-08.
2. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. A copy to be submitted to the Town of Drumheller.
3. Applicant to ensure authorization for development is received from property owner.
1. **Offsite levies to be paid prior to the issuance of Safety Codes permits.**
4. All necessary Safety Codes Permits (building, electrical, gas, plumbing, etc.) to be in place prior to construction/installations.
5. Landscaping to be in accordance with Policy C04-02 and Land Use Bylaw 10-08 and to the satisfaction of the Development Authority.
6. **An over-weight/over-dimensional permit from Road-Data (1-888-830-7623) must be issued prior to relocating structures within the municipality.**
7. If the holder of the permit/property owner wishes to make any changes in the proposed development or additions to same 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.



8. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services. Driveway to meet the requirements of the Town of Drumheller. Please contact 823-1330 for standards and specifications.
9. Development to conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
10. Contractor and subcontractors to have a valid business license with the Town of Drumheller

Second:

Doug providing a second.

Thank you everyone for facilitating this request for review and response on such short notice
Shawn

Thank you everyone. The email is adequate for approval, a copy of the minutes will be presented at the next meeting.

Cindy

3.0 Adjournment of ON LINE REVIEW OF APPLICATION S. Francis August 30, 2013 12:17 pm

Chairperson

Development Officer

Attachments:

- ✓ Application for Development Permit
- ✓ Town of Drumheller – Land Use Bylaw 10-08 – R-1 Residential District
- ✓ Aerial photo of 546 Hunter Drive in Nacmine
- ✓ Floor plan of the home
- ✓ Foundation plan



**Municipal Planning Commission
MINUTES
Meeting of Thursday September 19, 2013**

Present: Paul Salvatore, Director of Community Services
Ryan Seifried, Municipal Projects Co-ordinator
Doug Stanford, Councillor/Member
Brad Wiebe, Palliser Regional Municipal Services
Cindy Woods, Development Officer
Linda Taylor, Recording Secretary
Sharon Clark, Vice Chairperson – Meeting Chair
Stacey Gallagher, Member

Absent: Andrew Berdahl, Councillor/Member
Shawn Francis, Chairperson – Regrets
Scott Kuntz, Member – Regrets

1.0 CALL TO ORDER – 12:00 pm

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 August 8, 2013
Minutes tabled; conditions on 3.2 in question

2.2 August 30, 2013

Motion: D. Stanford moved to accept the minutes of August 30, 2013 as presented.

Second: – S. Gallagher - Carried

3.0 DEVELOPMENT PERMITS

3.1 T00071-13D – Neat Stuff Antiques – Occupy as Antique Store – “UT”

C. Woods presented Development Permit T00071-13D submitted by Wes Holzer for Occupancy as Antique Store located at 701 Secondary Highway S76, Drumheller on Plan 9011210 Lot 1. Zoning is “UT” Urban Transitional District. A Tourist Commercial Establishment is a discretionary use in this district.

C. Woods advised this property has an existing residential dwelling with permitted “Neat Stuff” Antique Store; in use since 2009. This business does not fit within the definition of a Home Occupation; the Store is open on evenings and weekends and is well kept. Transportation of Highways has no concerns with this property. Antique vehicles (non-registered) are stored on the property for resale; approximately 3 to 5 vehicles at one time.

Municipal Planning Commission members discussed the application. A concern was raised in regards to the vehicles being visible from the Highway; the number of units and any unsightly issues could be dealt with through the Town of Drumheller Land Use Bylaw 10-08 or the Town of Drumheller Community Standards Bylaw (16-10).

Motion: D. Stanford moved Development Permit T00071-13D submitted by Wes Holzer for Occupancy as Antique Store located at 701 Secondary Highway S76, Drumheller on Plan 9011210 Lot 1 be approved, subject to the following conditions:



1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. All necessary safety code permits (building, electrical, plumbing, etc) to be in place prior to any construction/installations.
4. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
5. Development to conform and meet the requirements of the Regional Fire and Health Authority.
6. 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. An additional development application may be necessary.
7. Development application is required for signage placement and made under separate application prior to placement.
8. Any and all local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner. Driveway and curbs to meet the Town of Drumheller standards and approval. Please contact 403-823-1330 for specifications and approval prior to any installation.
9. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
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. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment must be provided for the disposal and recycling of cardboard materials.
12. Applicant to ensure buildings and land are kept in a neat and tidy manner and that the use and land do not become a nuisance or detrimental to the area.
13. Annual Business License is required.

Second: – S. Gallagher - Carried

3.2 T00075-13D – Kelly Boyko – New Construction of SFD w Att'd Garage – "R-1"

C. Woods presented Development Permit T00075-13D submitted by 1276808 AB Ltd for new construction of Single Family Dwelling located at 102 9 Street, Nacmine on Plan 1112373; Block 1; Lots 5. Zoning is "R-1" Residential District. A single family dwelling is a permitted use in this district.

C. Woods advised this property was recently sub-divided and lies outside the flood fringe area. The applicant is requesting a one-foot relaxation on both side yards; this is within the 20% relaxation allowable for MPC. This property has an access easement for the neighboring property. A requested set back of 30 feet for this home is consistent with other homes in the area. This development is an improvement to the location.

Municipal Planning Commission members discussed the application.

Motion: S. Gallagher moved Development Permit T00075-13D submitted by 1276808 AB Ltd for new construction of Single Family Dwelling located at 102 9 Street, Nacmine on Plan 1112373; Block 1; Lots 5 be approved, subject to the following conditions:

1. Development shall conform to Land Use Bylaw 10-08.
2. Placement of construction as per plans submitted with application.
3. 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.



4. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be submitted to the Town of Drumheller upon completion of construction.
5. Relaxation granted for side yard setbacks to 4' as per submitted application.
6. Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
7. External finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.
8. Offsite levies to be paid prior to the issuance of Safety Codes permits.
9. Make provisions for proper installation of water meter as per Town of Drumheller Water/Sewer Bylaw.
10. All contractor's to be in possession of a valid Town of Drumheller business license.
11. 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.
12. All local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner. Driveway to be constructed of concrete and to the Town of Drumheller specifications. Please contact (403) 823-1330 for additional information.
13. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.

Second: – D. Stanford - Carried

3.3 T00079-13D – Unique Printing & Design – Occupy as Print Shop – “C-B”

C. Woods presented Development Permit T00079-13D submitted by Dietre Borst for print & design retail shop located at 352 Centre Street, Drumheller on Plan 3099AD; Block 18; Lots 39. Zoning is “C-B” Central Commercial District. Print-shops are a discretionary use in this district.

C. Woods advised this print shop is a retail store only at this time and all printing will be sent into Calgary for completion; however this may change in the future.

Municipal Planning Commission discussed the application. This is not a newspaper. Discussion on the type of equipment, if and what type of chemicals are used; no printing on location at this time. Condition, a new development permit would be required should the business scope change to include printing on site; a circulation would also be done at that time.

Motion: S. Gallagher moved Development Permit T00079-13D submitted by Dietre Borst for print & design retail shop located at 352 Centre Street, Drumheller on Plan 3099AD; Block 18; Lots 39 be approved, subject to the following conditions:

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. All necessary safety code permits (building, electrical, plumbing, etc) to be in place prior to any construction/installations.
4. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
5. Development to conform and meet the requirements of the Regional Fire and Health Authority. Prior to commencement of occupancy and business activities, confirmation must be provided to the Development Officer from the Local Fire and Health Authority that the building is occupiable for such purposes.
6. Applicant to ensure authorization from the property owner is obtained prior to any renovation/modification.
7. 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. An additional development application may be necessary.



8. Additional Development Permit and approval required prior to any on site commercial printing.
9. Development application is required for signage placement and made under separate application prior to placement.
10. Any and all local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner. Driveway and curbs to meet the Town of Drumheller standards and approval. Please contact 403-823-1330 for specifications and approval prior to any installation.
11. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
12. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment must be provided for the disposal and recycling of cardboard materials.
13. No outside storage areas of material and equipment allowed.
14. Annual Business License is required.

Second: S. Clark – Carried

3.4 T00017-13S – Neat Stuff Antiques – Placement of Fascia, Freestanding, Roof and Third Party Signs – “UT”

C. Woods presented Development Permit T00017-13S submitted by Wes Holzer for Placement of Fascia, Freestanding, Roof and Third Party Signs located at 701 Secondary Highway 576, Drumheller on Plan 9011210 Lot 1; other locations noted. Zoning is “UT” Urban Transitional District. Signs shall be revocable at any time should the use become detrimental to the amenities of the neighborhood.

C. Woods advised the applicant is a long term business owner submitting 6 sign placement applications; all will be presented as one application.

- 1) Red, white, blue & black Banner attached to a pole on top of the store. Located on site.
- 2) Red “Antiques” painted on the tin on the West side of a personal storage building. Located on site.
- 3) White with black & green lettering Vinyl sign placed on the south peak of a personal storage building. Located on site.
- 4) Black with yellow lettering Banner on pole placed on an antique rake. Located on the Southwest corner of the property at the base of the hill.
- 5) Red, white, blue & black free standing Banner. This is a third party sign located at the base of the hill on the Town of Drumheller road allowance. There is no issue with this sign placement; it can be revoked should it become detrimental.
- 6) White vinyl sign with black and green lettering. Located on the left hand side of chain link fence, this third party sign is at the entrance to Garry’s Welding Shop at 100 Bridge Street, Drumheller on Plan 7710096; Block 5; Lot 5. Neat Stuff has the owner’s permission to place the sign on the fence.

C. Woods read the Town of Drumheller – Land Use Bylaw 10-08;

81. Signs

2. Free-Standing Signs

One (1) free-standing sign may be permitted per non-residential sites, and a second free-standing sign may be approved on highway commercial sites at the discretion of the Municipal Planning Commission, provided that;

(g) In the UT – “Urban Transitional District”, the sign does not exceed 14 m² (150 sq. ft.) and is setback a minimum distance of 6.1 m (20 ft.) from the road right-of-way.

3. Fascia Signs



Fascia signs shall be permitted on non-residential sites provided that:

(a) the sign does not exceed 25% of the area of the face of the building to which the sign is attached unless otherwise approved by the Municipal Planning Commission.

5. Roof Signs

Roof signs shall be permitted on non-residential sites provided that:

(a) the sign area does not exceed 9.3 m² (100 sq. ft.);

(b) no portion of the sign shall extend beyond the periphery of the roof on which it is located.

(c) Maximum height shall not exceed 3 m (10 ft.).

Municipal Planning Commission discussed the application.

Motion: D. Stanford moved Development Permit T00017-13S submitted by Wes Holzer for Placement of Fascia, Freestanding, Roof and Third Party Signs located at 701 Secondary Highway 576, Drumheller on Plan 9011210 Lot 1; base of the hill on Town of Drumheller road allowance and at 100 Bridge Street, Drumheller on Plan 7710096; Block 5; Lot 5 be approved with the following conditions;

1. Must conform to Land Use Bylaw 10-08.
2. Placement, components and appearance of sign as per application. Development Officer/Municipal Planning Commission must first approve any modifications. Any additional signage will require approval prior to placement.
3. Permission granted for existing freestanding sign located on Municipal Lands as per application. The Town of Drumheller may require, at any time, the applicant to remove the sign at his/her cost.
4. Any/all Safety Codes Permits to be obtained prior to the installation of sign.
5. Contractor(s) to have a valid Business License with the Town of Drumheller.
6. Appearance of sign(s) shall be maintained to the satisfaction of the Development Officer/Municipal Planning Commission.
7. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
8. All Signs shall be removed if business ceases operations or the use of the site is terminated.

Second: S. Gallagher – Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 Planning Report – Chemical Storage in Industrial Land Use Districts

B. Wiebe presented the Planning Report in regards to chemical storage in the Industrial Land Use Districts. Recent investigation in the Town industrial parks have revealed the storage of varying quantities of industrial chemicals for oilfield and other purposes stored within the light industrial land use district. Town administration has requested that Palliser Regional Municipal Services provide information and recommendation on safe and appropriate chemical storage within the Town in consideration of recent findings. The purpose of this report is to provide a review of existing LUB requirements related to industrial chemical storage an use and recommend potential amendments to ensure chemical storage is defined appropriately in terms of setbacks, quantities, siting and suitable locations within the Municipality.



Currently there is no allowance for chemical storage or use within the M-1 – Light Industrial land use district. As M-1 areas are often adjacent to residential land uses and the purpose of the district is to allow compatible uses that do not adversely affect non-industrial land uses it is recommended that this remain.

- ✓ A copy of this report is attached to the minutes.

Municipal Planning Commission discussed chemical storage. The M-1 district (has no chemical storage) acts as a buffer to the residential district; over the years multiple changes in zoning have been done, each time this area has always remained as M-1 Light Industrial Area. The area in question is in close proximity to a creek which empties in to the Red Deer River; the water plant is down stream from the creek. Research in to other Municipalities Industrial Districts show no other industrial district allows chemicals in the M-1 Light Industrial area. Spot zoning is not recommended. Provincial and Federal regulations and legislation need to be applied in Chemical storage areas in the Town of Drumheller.

Recently there was a chemical spill in Town of Drumheller; this was due to a puncture of a chemical container by a fork lift. The Fire Codes along with provincial, federal and industry directives are available to provide guidance with the handling of chemicals and their containment.

MPC discussed M-2 areas (chemical & chemical product industries are a discretionary use); Rosedale has M-2 areas which are located more than double the distance back from residential areas. M-2 Medium Industrial land is currently available in other locations throughout the Town of Drumheller. An M-1 district amendment to an M-2 in this location, would invite development applications with nuisance effects that may not be compatible with the surrounding non-industrial developments.

In conclusion

- The area in question is a longstanding M-1 Light Industrial area.
- M-2 is currently available in other locations throughout the Town of Drumheller.
- Current land uses and developments in the area of considerations are compliant with M-1 Light Industrial requirements.
- A land use district amendment in this location, would invite development applications with nuisance effects that may not be compatible with the surrounding non-industrial development that would currently not be allowable within an M-1 district but may be permissible within an M-2 district.

The Municipal Planning Commission is not in support of Land Use District amendment from an M-1 to M-2.

4.2 Land use Bylaw Amendment – Include storage of hazardous goods as a discretionary use in the M-1

Municipal Planning Commission discussed the application for an amendment to the Land use Bylaw; an M-1 Light Industrial District to include the storage of Hazardous Goods.

- ✓ A copy of this application is attached to the minutes.

In conclusion

- The incompatibility of hazardous good storage in an M-1 district, could establish a potentially hazardous precedence; as the M-1 Light Industrial District is a buffer to residential Districts.

The Municipal Planning Commission is not in support of Land Use Bylaw amendment for M-1 to include Hazardous Goods as a discretionary use.



4.3 Subdivision Report - File 80/124
Dave Greene
Lots A to G, Block 49A, Plan 7251CK
SE ¼ -11-29-20-W4M
Create 3 parcels from existing 5 "UT"

B. Wiebe presented the following subdivision application 80/124. The land is owned by Greene Construction (1990) Ltd. The purpose of this subdivision is to create three parcels from an existing lot that contains five parcels on one title. The proposal is a separation of title of existing lots of varying sizes that would result in three new titles. This area creates transition or buffer from the railway and industrial area to the south and the residential area to the north with the intention of the site to be used largely for storage of construction materials, similar to the existing use on the east end of the property. The intent of the "UT" district states that areas located in the periphery of the developed area and/or considered a future growth area in any planning documents and/or an area within the developed Town that requires planning direction prior to more intensive development.

No objections were received from Alberta Transportation, or Alberta Health Services. Canadian National Railways responded with an attachment to be reviewed when considering a development in close proximity to their Right-of-Way. This is their Drumheller Subdivision and is considered a Principal Branch Line.

B. Wiebe read Town of Drumheller – Land Use Bylaw 10-08:

38. UT—Urban Transitional District

The purpose of this district is to reserve lands on the periphery of the developed area of the Town intended as future urban growth areas or significant areas within the developed Town that require planning direction prior to more intensive development.

(c) Subdivision

No subdivision shall take place until an area structure plan of the area has been approved. The Development Authority shall be satisfied prior to the granting of a permit, that the proposed use will not prejudice the orderly development of the area including the future establishment of commercial, industrial, recreational and service facilities on a neighborhood and community basis.

The Municipal Planning Commission discussed the subdivision report. There have been no formal complaints about the use; construction storage. The applicant applied for an amendment from "UT" Urban Transitional District to an "M-1" Light Industrial District in the past, and was denied by Council with the support of area residents. The applicant would like to ascertain a functional usage for the property in question; as this has been an ongoing matter for years.

Municipal Planning Commission determined this application for subdivision be refused at this time for the reasons indicated in Option B outlined in the Subdivision Report.

- ✓ A copy of this Subdivision Report is attached to the minutes.

Option B: That the application be refused for the following reasons:

- (1) The proposed subdivision does not comply with the "UT" – Urban Transitional Land Use District requirements of the Town of Drumheller Land Use Bylaw No. 10-08 [Section 654(1)(b) of the Municipal Government Act].
- (2) Future planning direction is required for the area to the satisfaction of the Town of Drumheller Council prior to the subdivision or separation of existing parcels to ensure that any proposed use will not prejudice the orderly development of the area. [Section 38(c) of the Town of Drumheller Land Use Bylaw No. 10-08]



5.0 OTHER DISCUSSION ITEMS

Provincial Letter – Development in the flood fringe

Municipal Planning Members discussed the letter received by Mayor Yemen. Town of Drumheller would like to get the long-term residents of the Municipality to pass on the knowledge they have accumulated over the years on the Red Deer River water levels to help in future mitigation.

6.0 Adjournment – Meeting adjourned by S. Clark at 1:47 pm.

Chairperson

Development Officer

Attachments:

- ✓ Planning Report – Chemical Storage in Industrial Land Use Districts
- ✓ Land use Bylaw Amendment – Include storage of hazardous goods as a discretionary use in the M-1
- ✓ Subdivision 80/124 – Dave Greene – Create 3 parcels from existing 5 "UT"
- ✓ Provincial Letter – Development in the flood fringe



**Municipal Planning Commission
MINUTES
Meeting of Friday September 27, 2013
Meeting called on short notice**

Present: Paul Salvatore, Director of Community Services
Doug Stanford, Councillor/Member
Cindy Woods, Development Officer
Linda Taylor, Recording Secretary
Shawn Francis, Chairperson
Stacey Gallagher, Member

1.0 CALL TO ORDER – 12:55 pm

2.0 ~~MINUTES FROM PREVIOUS MEETINGS~~

3.0 DEVELOPMENT PERMIT

C. Woods presented Development Permit T00086-13D submitted by Byron Graham for Construction of Single Family Dwelling located at 811 3 Street SW, Drumheller on Plan 1110970; Block 11; Lot 2. Zoning is "R-1" Residential District. A Single Family Dwelling is a permitted use in this district.

C. Woods advised this development had previously been approved, however construction had halted and a stop work order had been issued. The Court has ordered the developer to commence construction within 7 business days of receiving an approved development permit. This development will require a relaxation to 8.5 feet on the side yard.

Municipal Planning Commission members discussed the application. One 10 foot side yard to provide alternate access to the rear of the building in a lane less subdivision; a lane does run along the length of the lot, access is available. A Geology report was submitted in the first application. The home has been sitting unfinished for approximately 2 years. Construction on the existing building could continue as stated by a Building Safety Code Officer. Conditions discussed; completion of the alleyway, exterior finishing, as well as any/all local improvements.

Motion: S. Gallagher moved Development Permit T00086-13D submitted by Byron Graham for Construction of Single Family Dwelling located at 811 3 Street SW, Drumheller on Plan 1110970; Block 11; Lot 2 be approved, subject to the following conditions:

1. Development shall conform to Land Use Bylaw 10-08.
2. Placement of construction as per plans submitted with application.
3. Relaxation granted to right side yard setback to 8.5' as per submitted application.
4. 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.
5. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be submitted to the Town of Drumheller upon completion of construction.
6. Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
7. External finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.



8. Offsite levies to be paid prior to the issuance of Safety Codes permits. (Received on original application 2010)
9. Make provisions for proper installation of water meter as per Town of Drumheller Water/Sewer Bylaw.
10. All contractor's to be in possession of a valid Town of Drumheller business license.
11. 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.
12. Any and all improvements or modifications required to adjacent alleyway are the responsibility of the applicant. All Improvements must meet the specifications and standards of the Town of Drumheller. A Development/Service agreement may be required.
13. All local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner.
14. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.

Second: – D. Stanford - Carried

4.0 — ~~PALLISER REGIONAL MUNICIPAL SERVICES~~

5.0 OTHER DISCUSSION ITEMS

Next meeting date October 3, 2013, is the day when the Grand Opening is taking place. Alternate date will be Friday, October 4, 2013.

Municipal Planning Commission members would like add agenda items for discussion, when time permits.

- New members, how to interest others in the Planning Commission.
- New GIS mapping will be available in the spring for the Town of Drumheller area.
- Discussions on flood zones and how that will affect Municipal Planning Commission decisions.
- New housing; bonds, landscaping, length of time for completion and finishing.
- Meeting with the Health Authority and Realtors, in regards to sales of properties that are non-conforming.
- Downtown parking.

6.0 Adjournment – Meeting adjourned by S. Francis at 2:00 pm.

Chairperson

Development Officer

Attachments:

**TOWN OF DRUMHELLER
BYLAW NUMBER #12.13**

Agenda Item # 10.1

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. 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. The amendment of the following under Part VI Land Use Districts:

Addition of 'Storage of Hazardous Goods' as a discretionary use in 33. M-1 – Light Industrial Land Use District.

READ A FIRST TIME THIS 9th DAY OF SEPTEMBER, 2013

READ A SECOND TIME THIS ____ DAY OF _____, 2013.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2013.

MAYOR

CHIEF ADMINISTRATIVE OFFICER