

Town of Drumheller COUNCIL MEETING AGENDA

**June 30, 2014, 2014 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta**



Page

1.0 CALL TO ORDER

- 1.1 Councillor Sharel Shoff to be sworn in as Deputy Mayor for the months of July and August, 2014.

2.0 MAYOR'S OPENING REMARK

- 3-4 2.1 Summer Calendar for Council Meetings

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 5-10 5.1.1 Regular Council Meeting Minutes of June 16, 2014

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

- 11-18 5.2.1 Municipal Planning Commission Meeting Minutes of May 15, 2014

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. CAO

8.1.1 Update on Flood Mitigation

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.2.1 Update on Petro Canada Park

8.3. DIRECTOR OF CORPORATE SERVICES

8.4. DIRECTOR OF COMMUNITY SERVICES

9.0 PRESENATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

14.1 Land Matter

14.2 Legal Matter

JULY, 2014

SUMMER CALENDAR

Agenda Item # 2.1

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	30-Jun	1	2	3	4	5
	4:30 PM COUNCIL MEETING	STATUTORY HOLIDAY				Page 3 of 18
6	7	8	9	10	11	12
13	14	15	16	17	18	19
	4:30 PM COUNCIL MEETING					
20	21	22	23	24	25	26
27	28	29	30			
..					Red - Council Meeting cancelled. Blue - Council Meeting is scheduled. Committee Meetings will be called by the Mayor.	Summer Calendar for Council Meetings

AUGUST, 2014 SUMMER CALENDAR

Agenda Item # 2.1

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4	5	6	7	8	9
STATUTORY HOLIDAY						
10	11	12	13	14	15	16
	4:30 PM COUNCIL MEETING					
17	18	19	20	21	22	23
24	25	26	27	28	29	30
	4:30 PM COUNCIL MEETING					
..						

Red - Council Meeting cancelled.
Blue - Council Meeting is scheduled.
Committee Meetings will be called
by the Mayor.

**Town of Drumheller
COUNCIL MEETING
MINUTES**

June 16, 2014 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Jay Garbutt

Patrick Kolafa

Tara McMillan

Sharel Shoff

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Corinne Macdonald

ABSENT: Councillor Lisa Hansen-Zacharuk

1.0 CALL TO ORDER - 4:31 PM

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2014.93 Zariski, 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 June 3, 2014
MO2014.94 McMillan, Shoff moved to adopt the Regular Council Meeting minutes of June 3, 2014. Carried unanimously.

5.2 MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

Councillor T. McMillan excused herself from the meeting due to a possible conflict.

- 6.1 Chris Curtis - Permit for Street Closure
Chris Curtis, DMO presented a proposal on the Centre Street Pedestrian Mall from a group of Downtown Merchants. He advised that a small group of merchants wish to make the downtown busier and more vibrant. Several ideas were suggested, some are moving forward, one being the Centre Street Pedestrian Mall. Their proposal would be from July 15th to August 31st to transform Centre Street between 3rd Avenue and Railway Avenue into a pedestrian mall; Corner Restaurant to Econolodge. He outlined activities for the Pedestrian Mall; entertainment ,Kiosks, porter services to carry bags and farmers market. He noted three programs that they will need to discuss with the Town Administration for permission and implementation; 1. signage for public parking; 2. signage identifying shops down each side street in the downtown area; 3. hanging of pennants to attract attention. They request Council's approval for; 1. Make up an unbiased questionnaire, approved by Town Administration and present to each merchant on the affected portion of Centre Street. 2. If 40% or more of the merchants on the street are opposed to the proposal they will not proceed. 3. If the approval is given then we would like to proceed with fulfilling the requirements outlined and get the necessary approvals from the Town Administration. 4. They are asking for advice and support from Town Administration on the elements of this proposal.

Councillor J. Garbutt asked the costs attached to this proposal. C. Curtis advised that the businesses have their own resources.

Mayor T. Yemen asked if Council wanted to approve in principle the Pedestrian Mall as presented. Question was denied by Council.

Mayor T. Yemen noted that this group does not need Council's approval to do further work in investigating the feasibility in this proposal.

Councillor T. McMillan returned to the meeting.

70 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

Flood Mitigation Update

R. Romanetz advised that a number of updates have been provided by the Province. The Town has received \$642,000 from the Disaster Recovery Program. He advised that he and A. Kendrick have met with the Contractors to start the 2014 Street Improvement Program. \$400,000 of these dollars will go towards roads damaged in the flood. He acknowledged the significant effort by Town staff to complete the grant application for the Flood Readiness Grant Program. He advised that last week the Minister approved an amount of \$984,949 and we will now proceed with the purchasing of the equipment; extra pumps, dam bags, etc. The only major qualification the Province required is to ensure the availability to surrounding municipalities in need. Another grant for hiring consultants/staff in the amount of \$325,000 has been forwarded for approval to Municipal Affairs.

R. Romanetz also reported that he is a participant on a Committee dealing with floodways and flood fringes. The regulation will prescribe what type of development can occur in a floodway.

The Alberta Community Resilience Program recently announced cost sharing arrangements would be 90% for projects under \$3 million and 70% on projects over \$3 million. He advised that 100% of all improvements installed to date in Drumheller, were paid by the Province and dykes are owned by the Province. He noted that the Province must commit to finishing the dykes as agreed too.

Councillor S. Shoff asked if any decisions were made for Lehigh. R. Romanetz advised that options for Lehigh are being reviewed with the Province.

Councillor T. Zariski asked if we have identified any urgent priorities for this year to deal with high water. R. Romanetz advised that operational and maintenance requirements identified in the October 2013 mitigation requirements have been addressed by Staff. The identified 'hot spots' should be done as soon as possible and Staff will prioritize areas for mitigation as part of a grant application to the Province. Councillor T. Zariski recommended getting this out to the public.

R. Romanetz advised that there is still work to be done.

8.2 DIRECTOR OF INFRASTRUCTURE SERVICES

RFP Waterslide Drumheller Aquaplex

A.Kendrick reported that two proposals were received one from Pearl Rose Construction Ltd. for the sum of \$250,000 and one from Western Recreation & Development for \$509,000. The Town brought in a Consultant with 20 years of experience with waterslides to assist in reviewing the options and design specifications. He advised that he had received another email on costs from Pearl Rose to upgrade flume size, in the amount of \$20,000, which was written into the RFD. He suggested awarding the bid to Pearl Rose with a maximum approval limit of up to \$350,000. A. Kendrick advised the timeframe would be the end of September. However, they would complete inside components first and complete outside features later so as not to delay the opening of the indoor pool.

MO2014.95 Shoff, Zariski that Council approve the bid from Pearl Rose/ Aquatics by Westwind for the design, delivery, install and construction of a waterslide up to \$350,000 (including options for translucent/colour flume, epoxy coating, flooring, electrical and necessary contingencies, including gst).

Motion carried unanimously.

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

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

MO2014.97 Garbutt, Kolafa moved to go in camera at 5:42 PM.

14.1 Drumheller & District Solid Waste Management Association

14.2 BCF Lease Update

MO2014.98 Kolafa, Garbutt moved to revert back to the regular Council meeting 6:35 PM. Carried unanimously.

MO2014.99 Kolafa, Garbutt moved that due to the extraordinary involved, Council support the Drumheller & District Solid Waste Management Association resolution that the Association be authorized to pay for the capital upgrades to the Acme transfer station with the funds to be accessed from the Transtor Reserve and further, that a complete review of the agreements and bylaws be conducted prior to any further capital expenditures be considered by the Association. Carried unanimously.

Adjournment at 6:36 PM

Mayor

Chief Administrative Officer

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Agenda Item # 5.1.1



**Municipal Planning Commission
MINUTES
Meeting of Thursday May 15, 2014**

Present: Paul Salvatore, Director of Community Services
Brad Wiebe, Palliser Regional Municipal Services
Jaiden Henry, PRMS Planning Intern
Sharel Shoff, Councillor/Member – Chair
Cindy Woods, Development Officer
Linda Taylor, Recording Secretary
Donna Kittridge, Job Shadow Recording Secretary
Scott Kuntz, Member
Stacey Gallagher, Member
Clayton Gillis, Member

Absent: Tom Zariski, Councillor/Member - regrets
Shawn Francis, Chairperson - regrets
Sharon Clark, Vice Chairperson – regrets

1.0 CALL TO ORDER – 12:09 pm

1.1 Agenda - Additions or Deletions

Addition of 3.2 T00036-14D Royal Tyrrell Museum Expansion

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 April 24, 2014

Motion: S. Kuntz moved to accept the minutes of April 24, 2014 as presented.

Second: C. Gillis – Carried

3.0 DEVELOPMENT PERMITS

3.1 T00028-14D – Kneehill Soil Services - Addition of 8 Fertilizer Storage Bins "M-2"

C. Woods presented Development Permit T00028-14D submitted by Kneehill Soil Services for addition of 8 fertilizer storage bins located at 700 Railway Avenue, Drumheller on Plan 9512732; Block 10; Lot 1. Zoning is "M-2" Medium Industrial District. Fertilizer storage and distribution is a discretionary use in this district.

C. Woods advised Kneehill Soil Services Ltd proposes to demolish an existing fertilizer shed and replace it with 8 new fertilizer bins. At present the shed encroaches on the neighboring property; the new bins would be placed so there is no longer an encroachment. The residential set back requirements have been met, however the set back from the property line does not. The Fire Chief has no concerns with the addition of eight (8) fertilizer storage bins on this property.



C. Woods read from "Canadian Fertilizer Industry Storage and Handling Guidelines 2001";

2.1.1 Recommendations

2. All Fertilizer Blenders and/or Bulk/Bagged Fertilizer Storage (existing facilities) – Facilities located closer than 25 meters from blending facility to closest neighboring property line should install dust control system.

3. Distance from rivers, lakes, streams and /or environmentally sensitive areas – 50 metres from bulk storage facility or blender to rivers, lakes, streams and/or environmentally sensitive areas. Facilities located closer than 50 metres should have a plan for containing emergency response water including an evaluation on dyking requirements.

B. Weibe spoke about other fertilizer storage facilities, issues and solutions. One such facility in Special Area 3 in an Agricultural land use district was appealed by a neighboring resident; and was taken to the Subdivision and Development Appeal Board.

Municipal Planning Commission members discussed the application. Dust control is to be added to the conditions on the notice of decision for this development.

Motion: S. Kuntz moved Development Permit T00028-14D submitted by Kneehill Soil Services for addition of 8 fertilizer storage bins located at 700 Railway Avenue, Drumheller on Plan 9512732; Block 10; 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. Construction and placement of Fertilizer Storage Bins shall be in accordance with submitted site plan.
4. Construction to be in accordance with the Alberta Building and Fire Code.
5. Development to conform and meet the requirements of the local Fire Authority.
6. External finished appearance of the proposed construction to be compatible with that of existing development.
7. Appropriate dust abatement measures as required during the demolition of the Fertilizer Shed.
8. All necessary permits (building, electrical, gas, etc) to be in place prior to construction/installations.
9. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services.
10. 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.
11. Landscaping 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. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment should be provided for the disposal and recycling of cardboard materials.
13. Development to conform to requirements of the Federal, Provincial and/ or Municipal Acts, regulations and/or guidelines as well as any and all Environmental regulations and/or guidelines that may apply.
14. Contractor(s) to have a valid Business License with the Town of Drumheller.

Second: – S. Gallagher, Carried

3.2 T00024-14D – Royal Tyrrell Museum – Museum Expansion – "P"

C. Woods presented Development Permit T00036-14D submitted by Kasian Architecture Interior Design and Planning Ltd for an expansion to the Royal Tyrrell Museum located at Hwy 838 on SW-16-29-20-W4M. Zoning is "P" Community Service District. Museum is a discretionary use in this district.



C. Woods advised the Royal Tyrrell Museum is proposing a 12,000 square foot expansion to the existing museum. This addition will be increasing classroom space, and non-exhibit space for a rest stop for the public, washrooms, vending area, seating and interpretive play items. Filling in the existing courtyard was a part of the overall master plan and funds are now available. Infrastructure had no concerns with this expansion proposal.

Municipal Planning Commission members discussed the application.

Motion: S. Gallagher moved Development Permit T00036-14D submitted by Kasian Architecture Interior Design and Planning Ltd for an expansion to the Royal Tyrrell Museum located at Hwy 838 on SW-16-29-20-W4M 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. Construction shall be in accordance with submitted site plan.
4. 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.
5. All necessary Safety Codes permits (building, electrical, gas, plumbing, etc.) to be in place prior to commencement of any construction/installation.
6. Prior to commencement of occupancy and business activities, confirmation must be provided to the Development Officer from the Local Fire and Health Authorities that the building is occupiable for such purposes.
7. Construction shall be in conformance with the Alberta Building and Fire Codes.
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. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares.
10. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
11. All Contractors and Sub-Contractors to be in possession of a valid Town of Drumheller business license.
12. Exterior finishing to be compatible with exiting development and to the satisfaction of the Development Authority. Exterior finishing to be completed within one (1) year from commencement of construction.

Second: – C. Gillis, Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 Subdivision Report 80/129

B. Weibe presented the following Subdivision Report;

FILE No. 80/129 **PRMS No.** 2014-014 **PROPOSAL:** Residential

LOCATION: Located within the Nacmine district along the east side of First Street, north of Hunter Drive and south of Second Avenue. Civic addresses 118 First Street and 124 First Street.

LEGAL DESCRIPTION: Lot 11, Block 2, Plan 7125 DD
NW 1/4 Sec.08 - Twp. 29 - Rge 20 W4M

APPLICANT: Joe Castonguay

OWNERS: Kevin Richard Johnson



TITLE AREA: 1,108.6 m² (11,933.4 sq. ft.) 0.111 ha. (0.274 ac.)

PROPOSED Proposed Northern Lot 13 554.3 m² (5,966.7 sq. ft.) 0.055 ha. (0.137 ac.)

SUBDIVISION AREA: Proposed Southern Lot 14 554.3 m² (5,966.7 sq. ft.) 0.055 ha. (0.137 ac.)

Total 1,108.6 m² (11,933.4 sq. ft.) 0.11 ha. (0.274 ac.)

NUMBER OF PROPOSED PARCELS: Two (2)

EXISTING USE: Residential

PROPOSED USE: Residential

LAND USE CLASSIFICATION: "R-1" – Residential District

CIRCULATION: No objections were received through circulation.

STAFF COMMENTS: The purpose of this subdivision is to create two (2) lots of equal width and area, by moving an existing boundary line, 3.048 metres (10 ft.) to the north, with both parcels being under the same owner. Lot 11, Block 2, Plan 7125 DD had been previously subdivided into two (2) unequal parcels by C. of T.'s 001 235 230 and 001 235 230 +1 with the existing smaller southerly parcel being 12.182 metres (40 ft) and the northern parcel being 18.288 metres (60 ft.) wide. These two certificates of titles had been created from Lot 11, which was 30.48 metres (100 ft.) wide by 36.576 metres (120 ft.) deep and 1,114.3 m² (12,000 sq. ft.) in total area. The applicant would like to adjust this boundary creating each of the two parcels at 15.24 metres (50 ft.) in width and 1,114.3 m² (12,000 sq. ft.) in area. Both of these proposed lots, with the boundary adjustment between them, will meet the minimum requirements for site area and lot width for a single-detached dwelling within the "R-1" – Residential District. However, this new lot line will now be located through the existing residence and as noted by the applicant this home will be required to be either removed or demolished as it will no longer comply with the required side yard setback distances.

Surrounding Area Features: As shown in the following map this proposal falls well outside the floodway and flood fringe of the Red Deer River. Also noted within this map is that these proposed lots lie within an area that is a residential district with lots of various areas where the purpose is to provide for low density residential development in the form of single-detached housing. Highway 575 is located to the south of the affected block with the Urban Transitional District beyond the Highway and including the south Drumheller Valley wall where the purpose is to reserve lands on the periphery of developed areas for future growth or areas that require planning direction prior to development.

Access: Legal access to all parcels is via the local street network. Both proposed parcels will have access from the westerly boundary onto First Street and there is a laneway that lies along the easterly boundaries.

Title Encumbrances: There is an existing restrictive covenant, Registered Document No. 4369 DF; Order Number: 25887028, that was placed on the property in February 1924 and agreed upon by the owner at the time and North American Collieries Limited. It was established to allow the Company and successors the right to enter onto the property to maintain, grade and improve the streets and lanes. And to not use the site for the working of mines, quarries, pits, seams and veins for mines, minerals, coal and other substances, nor for the purpose of sinking, driving, mining and using pits for mineral extraction. That the Company will not be held for damages to the land, persons or animals through underground workings. As well as no tavern, inn, hotel, beer house or licensed establishment, be constructed on the site.

Sewage and Water System Details: municipal services are available.

STAFF RECOMMENDATIONS:

That the application be approved, subject to the following conditions:

- (1) Registration of the subdivision by means suitable to the Registrar of the Land Titles Office, [Section 81 and 89 of the Land Titles Act];
- (2) All outstanding taxes to be paid to the municipality, [Section 654 (1)(d) of the Municipal Government Act];



- (3) Satisfactory arrangement to be made with the municipality for the provision of services, at the cost of the developer, [Section 655 of the Municipal Government Act].
- (4) Concurrent registration of utility easements and right-of-ways as required by relevant authorities [Section 654(1) (a) of the Municipal Government Act].
- (5) The structure (existing house) located on the proposed lot line between the proposed Lots 13 and 14 and shown on the approval sketch, be removed or demolished prior to final endorsement of documents [Section 655(1)(a) of the Municipal Government Act].

MUNICIPAL PLANNING COMMISSION RECOMMENDATION:

MPC recommends that the application be approved in accordance with staff recommendations.

4.2 Subdivision Report 80/130

B. Weibe presented the following Subdivision Report;

FILE No. 80/130 **PRMS No.** 2014-017 **PROPOSAL:** Residential (Condominium development)
LOCATION: Riverside Gardens – south of Willow Point Estates. Located north of Wal-Mart, across Highway 10 and the CN Railway right-of-way and east of 19th Street East. Civic address: 650 – 19 Street East

LEGAL DESCRIPTION: Lot 32, Block 20, Plan 951 1637
Within the SE 1/4 Sec. 1 - Twp. 29 - Rge 20 W4M

APPLICANT: Pavel Bouchal Bohemia Developments Inc.

OWNERS: Bohemia Developments Inc.

TITLE AREA: 5,995.99 m² (64,529.25 sq. ft.) 0.600 ha. (1.480 ac.)

PROPOSED	Unit 1	286.66 m ² (3,085.54 sq. ft.)	0.029 ha. (0.071 ac.)
SUBDIVISION AREA:	Unit 2	297.01 m ² (3,196.93 sq. ft.)	0.030 ha. (0.073 ac.)
	Unit 3	304.54 m ² (3,278.03 sq. ft.)	0.031 ha. (0.075 ac.)
	Unit 4	304.54 m ² (3,278.03 sq. ft.)	0.031 ha. (0.075 ac.)
	Unit 5	260.75 m ² (2,806.70 sq. ft.)	0.026 ha. (0.064 ac.)
	Unit 6	348.30 m ² (3,749.08 sq. ft.)	0.035 ha. (0.086 ac.)
	Unit 7	343.78 m ² (3,700.42 sq. ft.)	0.034 ha. (0.085 ac.)
	Unit 8	263.38 m ² (2,824.25 sq. ft.)	0.026 ha. (0.065 ac.)
	Unit 9	264.21 m ² (2,843.97 sq. ft.)	0.026 ha. (0.065 ac.)
	Unit 10	335.23 m ² (3,608.33 sq. ft.)	0.034 ha. (0.083 ac.)
	Unit 11	263.29 m ² (2,834.00 sq. ft.)	0.026 ha. (0.065 ac.)
	Unit 12	223.28 m ² (2,403.34 sq. ft.)	0.022 ha. (0.055 ac.)
	Unit 13	223.65 m ² (2,407.36 sq. ft.)	0.022 ha. (0.055 ac.)
	Unit 14	261.76 m ² (2,817.51 sq. ft.)	0.026 ha. (0.065 ac.)
	Unit 15	393.16 m ² (4,231.91 sq. ft.)	0.039 ha. (0.097 ac.)

Common Area 117.598 m² (189.425 sq. ft.) 0.002 ha. (0.004 ac.)

Common Area 21604.85 m² (17,274.42 sq. ft.) 0.161 ha. (0.397 ac.)

Total 5,995.99 m² (64,529.25 sq. ft.) 0.600 ha. (1.480 ac.)



NUMBER OF PROPOSED PARCELS: fifteen (15)

EXISTING USE: Residential/ Vacant

PROPOSED USE: Residential – Bare Land Condominium Units

LAND USE CLASSIFICATION: "R-4" – Residential District

CIRCULATION: An adjacent landowner commented by letter that water drainage is a huge concern because the proposed subdivision will be higher than their property. The planting of Swedish Columnar Aspen trees may be good or bad; what are the leaves like when they shed in the fall? In earlier sketches there was visitor parking approximately where Unit 10 is proposed. This would be better to have the visitor parking where Unit 10 is proposed. They no longer see any visitor parking in the latest plans or where is it to be proposed? If these questions could be answered and a drainage plan provided it would be helpful to lessen any of his concerns.

STAFF COMMENTS: The purpose of this subdivision is to create fifteen (15) new condominium units and two (2) common areas from a balance of a lot that was initiated as a condominium project back in 2003 (File No. 80/044; 2003-029). This current project and development, consisting of Phases 4, 5 and 6 will be use up the remainder of the parent parcel, Lot 32, Block 20, Plan 951 1637. The proposed units range from 260.75 m² (2,806.70 sq. ft.) to 393.16 m² (4,231.91 sq. ft.) in area and widths of 8.177 metres to 25.817 metres.

History and Background:

The initial condominium project started in 2003 (File No. 80/104; PRM5 2003-029) when thirteen (13) units and two (2) common areas; A – being used for vehicular access and B – as a green space, was proposed to develop all of the Lot 32. Into the application the development was changed from a Phased Condominium Subdivision to a "bareland" condominium project to allow the owners of the units to own their own lots. As part of this change to the application the westerly half of Lot 32 was to be developed creating eleven (11) units, a common area for a roadway, a second common area as an open area, and the easterly portion remaining in an undeveloped state.

In 2005 an application was made to re-subdivide nine (9) existing condo lots into a further twenty-five (25) "bareland" lots (File No. 80/062; PRMS # 2005-037). These new lots were to be created to provide a lot for each housing unit to be constructed. The issue of maintenance of the drainage ditch between the project and the residences in Willow Estates and the fact that one of the proposed lots did not meet the required standards, were to be addressed.

A boundary adjustment application was made in 2010 to move the boundaries of the existing bareland condominium units along the north boundary of the Riverside Garden site to increase the frontage of each lot and provide enough width to allow double garages rather than single (File No. 80/107; PRMS # 2010-018). It reduced the number of units from 10 to 8 as market demands for the larger garages. The condition of the approval called for the cancellation of Overland Drainage right-of-way and replaced by a blanket Overland Drainage Easement.

An addition application was again made in 2011 to re-align the boundaries of Units 23 – 32, Plan 051 4281, reducing the total number of bareland units from 10 to 8 (File No. 80/113; PRMS # 2011-026). The applicant requested the change due to the market demand for double garage units rather than single garage units. A development permit for the overall building concept of these lots was approved over the summer of 2011 by MPC and the boundary adjustment was in compliance with the boundaries of the approved development permit.

Surrounding Area Features: Located to the north of this development is the "R-1" residential district of Willow Estates where the purpose is to provide for low density residential development in the form of single-detached housing. Beyond this area is the Red Deer River and as the following map indicates this proposal is located within the Flood Fringe area. Located to the west across 19 Street E. is the Drumheller High School located within the "CS" – Community Service District providing for recreational, educational and community uses. Located to the south is the discontinued Canadian National Railway and Highway 10, with Walmart further to the south, within the "Hwy-C" – Highway Commercial District. Located at the south-east end of this proposal is an existing gas regulator and access site of 0.57 acres (Plan 7366 JK).

Access: Legal access to all parcels will be from the continuation and extension of an existing common area within the whole Riverside Gardens condo project which connects onto the Town street network, 19 Street East to the west and possible connection to 7 Avenue to the south.

Title Encumbrances: There are two (2) existing development agreements registered on title represented by registration numbers; 951 139 412 – June 22, 1995 and 041 163 452 – May 07, 2004. In addition there are three



(3) easements registered on title by registration numbers; 051 254 519 – July 18, 2005, 051 254 520 – July 18, 2005 and 051 254 521 – July 18, 2005.

Sewage and Water System Details: Servicing of the property is to be accomplished through exiting Town services to be extended to the future development of the condominium property.

STAFF RECOMMENDATIONS:

That the application be approved, subject to the following conditions:

- (6) *Registration of the subdivision by means suitable to the Registrar of the Land Titles Office, [Section 81 and 89 of the Land Titles Act];*
- (7) *All outstanding taxes to be paid to the municipality, [Section 654 (1)(d) of the Municipal Government Act];*
- (8) *Satisfactory arrangement to be made with the municipality for the provision of services, at the cost of the developer, [Section 655 of the Municipal Government Act].*
- (9) *Concurrent registration of utility easements and right-of-ways as required by relevant authorities [Section 654(1)(a) of the Municipal Government Act].*
- (10) *Concurrent registration of a blanket Overland Drainage Easement to the satisfaction of the Town of Drumheller [Section 654(1)(a) of the Municipal Government Act].*

MUNICIPAL PLANNING COMMISSION RECOMMENDATION:

MPC recommends that the application be approved in accordance with staff recommendations.

5.0 OTHER DISCUSSION ITEMS

5.1 Wal-Mart

Discussion on the retaining wall along the highway; it has about 5 cave-ins and is a safety concern. Wal-Mart has plans to remove the retaining wall and start over once the ground is workable. Alberta Transportation has had conversation with Wal-Mart in regards to the delivery and emergency entrance on the west side being used as a public entrance.

5.2 T00002-14S Jurassic Ink – SDAB Hearing

The Subdivision and Development Appeal Board varied the decision of the Municipal Planning Commission regarding Application No. T0002-14S at 242 3rd Avenue West, Drumheller, Alberta (Plan 2691BC, Block 22, Lot 7) for the existing wall sign on the south (front) of the building to remain and for the existing wall sign on the east side of the building to be removed by painting over the existing sign and returning the wall to its original condition within 30(thirty) days of the date of the Notice of Appeal Decision.

The appellant cannot reapply for a new development permit for the east wall signage for a minimum of six months.

5.3 Gas Station

The poor access to the Oasis was brought up for discussion. A drawing by a member for a possible access change was discussed. Due to an increase in intensity with this proposed gas station, a transportation traffic assessment and analysis would need to be done.



5.4 Mobile Home Park

Discussion on the mobile home parks on the removal of homes and demolitions. Changes in construction of the newer manufactured homes may allow a lesser setback from the current requirement of 15 feet. Many of the homes are not currently meeting the separation requirement. Discussion continued on the mobile homes and the age of the homes being moved in to the park. PRMS is going to research requirements in other jurisdictions.

5.5 Land Use Bylaw Amendments

The public meeting will be held on Tuesday May 20, 2014 at 4:00pm for the general Land Use Bylaw amendments.

6.0 Adjournment – Meeting adjourned by S. Shoff at 1:29 pm.

Chairperson

Development Officer

Attachments:

- ✓ Notice of Appeal Decision – Jurassic Ink
- ✓ SDAB Minutes – Jurassic Ink
- ✓ Subdivision Report 80-129
- ✓ Subdivision Report 80-130