

Town of Drumheller COUNCIL MEETING AGENDA

**September 6, 2016 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta**



Page

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

3 2.1 Proclamation Muscular Dystrophy Awareness Month September 2016

3.0 PUBLIC HEARING

4-13 3.1 Public Hearing to consider Bylaw 10-16 which proposes amendments to Land Use Bylaw No.10-08, to provide clarification for existing land uses as well as new definitions; amend portions of the general regulations; and refine standards pertaining to front setbacks within the Town of Drumheller

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

14-18 5.1.1 Regular Council Meeting Minutes of August 22, 2016

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

19-25 5.2.1 Municipal Planning Commission Meeting Minutes of July 7, 2016
Municipal Planning Commission Meeting Minutes of July 14, 2016

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 Update on Pool Modernization Upgrades

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.3. DIRECTOR OF CORPORATE SERVICES

8.4. DIRECTOR OF COMMUNITY SERVICES

8.4.1 Update Safety Codes Services Contract

8.5. DIRECTOR OF PROTECTIVE SERVICES

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

26-34 10.1 Bylaw 10.16 - second and third readings

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

**Proclamation
Muscular Dystrophy Awareness Month
September 2016**

Muscular Dystrophy is a group of neuromuscular disorders that have no known cure. In almost all cases, there are few treatments and no way to stop the disorder's progression. Muscular Dystrophy Canada is a national, non-profit organization committed to funding research into the causes, treatments, and eventual cure of neuromuscular disorders, as well as providing services to people with neuromuscular disorders and public education.

WHEREAS: People today have the opportunity to live longer lives because of breakthroughs in medical research, and;

WHEREAS: Muscular dystrophy is a neuromuscular disorder that affects many and has no known cure, and;

WHEREAS: Only through the support of the community may a cure be found;

NOW THEREFORE: THE COUNCIL OF TOWN OF DRUMHELLER does hereby declare September 2016 as "Muscular Dystrophy Awareness Month in "DRUMHELLER".

Mayor's Signature

September 6, 2016

TOWN OF DRUMHELLER
NOTICE OF PUBLIC HEARING
BYLAW 10-16

A PROPOSED AMENDMENT TO LAND USE BYLAW NO. 10-08

DATE: September 6, 2016

TIME: 4:30 p.m.

PLACE: Town of Drumheller Council Chambers, 224 Centre Street, Drumheller, Alberta

PURPOSE: The purpose of Bylaw 10-16 is to consider amendments to Land Use Bylaw No.10-08, to provide clarification for existing land uses as well as new definitions; amend portions of the general regulations; and refine standards pertaining to front setbacks within the Town of Drumheller.

PRESENTATION: Oral and written comments and suggestions are invited and should be addressed to the specifics 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 wishes 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 September 6th, 2016. 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 Bylaw 10-16 to amend Land Use Bylaw No. 10-08 are available in their entirety 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: August 19th, 2016

Second Publication: August 26th, 2016

Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 10-16

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:

(All new additions and proposed changes are noted in red.)

1. The addition, deletion and amendment of the following definitions, in the appropriate alphabetical order, in Part 1 (2) Definitions:

“Dwelling – Duplex” means a single building containing two dwelling units divided ~~either vertically or~~ horizontally, each of which is totally separated from the other by appropriate construction standards ~~an unpierced ceiling and floor extending from exterior wall to exterior wall,~~ and may contain a common stairwell ~~exterior external~~ to both dwellings.

“Dwelling – Multiple Unit (Attached Housing)” means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall with each unit having separate entrances from grade level. (For purposes of this Bylaw, ~~garden~~, linked, row, townhouses and multiplex units that meet these criteria are considered to be attached ~~houses-housing~~.)

~~**“Dwelling – Semi-detached”** means a building comprised of two dwelling units side-by-side in one building with a common party wall which separates vertically, without opening the two dwelling units throughout the entire structure, and each dwelling unit having separate access to the outside grade.~~

“Granny Suite” or **“Garden Suite”** means a self-contained, secondary, portable dwelling without a basement. It is installed in the rear or side yard of a lot with an existing, permanent, single-family dwelling. Usually, a granny suite has a kitchen, living area, one bedroom, bathroom and storage space. A granny suite may take the form of a park model or manufactured home.

“Media Production Services” refers to full-time or freelance workers in any field of communication, entertainment or information that reaches a wide range of people. Media production refers to the professional creation of such content and the ancillary uses associated with contributing to the creation of a product. This may include, but not be limited to: construction, technological services, and exotic animal handling all in accordance with Provincial and Federal regulatory bodies.

“Medical Marijuana Production Facility” means the use of land or structures for the purpose of growing, processing, packaging, testing, destroying, storing and/or shipping of marijuana used for medical purposes as authorized by a license issued under the Federal Government *Marijuana for Medical Purposes Regulation* (MMPR) legislation or any amendments thereto.

“Mural” means an artistic rendering applied to or affixed to any exterior permanent surface and does not constitute a sign. A Mural shall be approved by the Town of Drumheller in accordance with Town policies.

“Secondary Suite” means an accessory dwelling unit that is located on the same parcel as a single detached dwelling which meets the requirements of ~~Part VII Section 46~~ this Bylaw and ~~any other applicable requirements or regulations of this Bylaw and~~ shall only be approved as one of the following:

- (a) Secondary Suite – Attached Above Grade: where the secondary suite is located above the first storey of a single detached dwelling;
- (b) Secondary Suite – Attached At Grade: Where the Secondary Suite is located at grade and is attached to the side or rear of a single detached dwelling;
- (c) Secondary Suite – Attached Below Grade: where the Secondary Suite is located below the first storey of a single detached dwelling;

“Self Storage Facility” means a use:

- (a) where goods are stored in a building; or
- (b) where the building is made up of separate compartments and each compartment has separate access; or
- (c) that may include appropriately screened outside storage sites for recreational vehicles; or
- (d) where units are available for rental or lease to the general public; or
- (e) that may include the administrative functions associated with the use.

2. The addition, removal and amendment of the following Sections of PART III – Development Permits:

9. Deciding on Development Permit Applications

Discretionary Uses

(4)

- (a) ~~In-When~~ making a decision on a development permit application for a discretionary use, the Municipal Planning Commission ~~may~~ shall take into account:

- i. any plans and policies affecting the parcel;
- ii. the purpose statements in the applicable land use district;
- iii. the appropriateness of the location and parcel for the proposed development;
- iv. the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
- v. the merits of the proposed development;
- vi. the servicing requirements;
- vii. access and transportation requirements;
- viii. vehicle and pedestrian circulation within the parcel; and
- ix. sound planning principles.

(b) The Municipal Planning Commission may:

- i. approve the application unconditionally; or
- ii. approve the application permanently or for a limited period of time and impose conditions considered appropriate; or
- iii. refuse the application, stating reasons for the refusal.

Relaxation/ Variance of Development Standards

(7)

- (b) Notwithstanding the above, the Municipal Planning Commission, at its discretion, may relax the minimum requirements or maximum limits beyond 20% in the following situations and in accordance with the following criterion: ~~the standards outlined in the Land Use Bylaw in the following cases:~~

(vi) Test for Criteria:

- (i) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (ii) the proposed development conforms with a use prescribed by this Bylaw for that land or building; and
- (iii) the proposed use or development conforms to the purpose and intent of the Land Use District; and
- (iv) consideration of whether granting the relaxation would make the proposed development incompatible with existing developments or uses; and
- (v) must take into consideration the future land uses of the parcel and surrounding area as depicted in any statutory plans of the municipality.

- (c) The Development Authority may, as a condition of approving a development permit that does not comply with all of the applicable

requirements and rules of this Bylaw, require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the Development Authority, conformance to a higher standard will off-set any impact of granting the relaxation.

3. The amendment of the following Sections under PART IV – Land Use Districts:

The addition of **“Secondary Suite”** and **“Granny Suite”** as discretionary uses in the following land use districts:

- A - Agriculture
- CR-Country Residential

The addition of **“Dwelling - Duplex”** as a discretionary use in the following land use district:

- R1-a Residential District

The addition of **“Media Production Services”** as a discretionary use in the following land use districts:

- A- Agriculture
- CR- Country Residential

The addition of **“Medical Marijuana Production Facility”** as a discretionary use in the following land use districts:

- M-2 Medium Industrial District
- M-2R Restricted Industrial District

The addition of **“Self Storage Facility”** as a discretionary use in the following land use districts:

- M-1 Light Industrial District
- M-2 Medium Industrial District
- M-2R Restricted Industrial District

Insert the following in the R-1, R-1a, R-2, R-3, R-4, MHR, SCR and DT residential land use districts, under *Front Yard Setback Requirements* and renumber accordingly:

“An attached garage shall have a minimum setback distance of 7.6 m (25 ft.) from the front property line; and”

19. R-1a—Residential District

The purpose of this district is to provide for single ~~detached~~ and two unit (duplex), residential development on smaller parcels and at densities higher than those in the R-1 District.

(a) Permitted Uses

~~Dwelling – Duplex~~

(c) Minimum Requirements

1. Site Area:

- (a) 278.7 m² (3,000 sq. ft.) for ~~single-detached each~~ dwelling;
and

2. Lot Width:

- (a) 7.6 m (25 ft.) for ~~single-detached each dwellings-unit-~~; and

3. Front Yard:

- (a) 6.1 m (20 ft.) for ~~single-detached all~~ dwellings; and

~~6. Gross Floor Area:~~

- (a) 74.3 m² (800 sq. ft.) for dwellings – single detached; and
(b) 56 m² (600 sq. ft.) for each unit in a dwelling- duplex.

20. R-2 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

21. R-3 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

22. R-4 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

27. SCR – Suburb Community Residential District

(b) Discretionary Uses

~~Dwelling—Semi-Detached~~

30. DT – Downtown Transition District

(b) Discretionary Uses

~~Dwelling—Semi-Detached~~

4. The Amendment of the following Sections under Part VII General Land Use Regulations:

46. Secondary Suites

- (c) A secondary suite shall not exceed 40% of the total floor area of the principal building, including upper floors and basement combined and shall not be smaller than ~~38.0 sq. m. (400 sq. ft.)~~ 30 m² (322 sq. ft.).
- (h) A principal building with a secondary suite must be owner occupied; ~~and~~
- (i) ~~A Granny Suite shall follow the height requirements for accessory buildings within the applicable land use district.~~

52. Parking

- (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; ~~and/or~~
 - (ii) ~~consider a relaxation of the minimum parking requirements for a development when:~~
 - the test for a relaxation referenced in Section 9(7)b is satisfied; and
 - the type of use, the size or shape of the parcel, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the development permit; and/or
 - an applicant submits a parking study, as part of a development permit application that demonstrates that the parking requirement should be less than the requirements of this Bylaw due to unique site, location, or use characteristics and the conclusions of the study are considered acceptable to the Development Authority.
 - ~~(ii)~~ (iii) require the developer to provide...

~~(f) — A parking space shall not be less than 14.8 m² (160 sq. ft.) in area and not less than 2.4 m (8 ft.) wide.~~

(f) Parking spaces sized in accordance with standards acceptable to the Town of Drumheller.

(i) Adequate curbs or fences shall be provided to the satisfaction of the Development Authority ~~Officer or the Municipal Planning Commission~~ if, in his/her or its opinion, it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or on an abutting site, from contact with vehicles using such parking space or area.

75. Industrial and Commercial Development

(a) An application for the establishment of industries shall be considered by the Development Authority who may request advisory comment by ~~the following authorities whose interest or jurisdiction may be affected:~~

- ~~• Palliser Regional Municipal Services~~
- ~~• Alberta Business Development and Tourism~~
- ~~• Alberta Infrastructure and Transportation~~
- ~~• Alberta Agriculture~~
- ~~• Alberta Environment~~
- ~~• Alberta Energy and Utility Board Regulator~~
- ~~• David Thompson Health Region~~
- ~~• Alberta Health Services~~

referral agencies in accordance with the requirements outlined in the Municipal Government Act, or any other body deemed affected.

(b) Each application for industrial or commercial development shall be accompanied by the following information ~~completed by a certified professional~~ as required by the Development Authority:

- Location
- Type of Industry
- Size of Buildings
- Estimated Number of Employees
- Estimated Water Demand and Anticipated Source
- Geotechnical Evaluation
- Environmental Site Assessment
- **Emergency Response Plan**
- Traffic Impact Assessment
- Storm Water Management Plan
- Other information as may be reasonably required by the Development Authority

78. Physical Environment

The Development Authority ~~may~~ **shall** consider the environmental impact of any proposed development. The Development Authority may refer the proposal to a relevant provincial department for comment on the nature of the environmental concern. Where a development is considered to have a significant environmental impact **beyond the development site**, the Development Authority may ~~request~~ **require** the developer to have an environmental evaluation prepared and submitted by an appropriate professional, or undertake its own environmental evaluation regarding the proposed development. All costs associated with an environmental evaluation are the responsibility of the developer.

81. Signs

1. General

- (p) No sign shall be erected that is offensive or promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

13. Wall Signs

- (a) A wall sign may be affixed anywhere on a building wall.
- (b) The design, size and orientation of a wall sign shall be appropriate for the location in consideration of surrounding land uses and neighbourhood characteristics.
- (c) A wall sign shall be consistent with other signage on the property.
- (d) If a wall sign is removed, the wall it was displayed on must be refinished to be consistent with the rest of the building.

87. Medical Marijuana Production Facilities

(1) Medical Marijuana Production Facilities:

- (a) Shall maintain the neighbourhood characteristics and appearance;
- (b) Must include equipment designed and intended to remove odors from the air where it is discharged from the building as part of a ventilation system;
- (c) May require a waste management plan and all waste material must be secured and contained within the building containing the use;

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- (d) Shall be designed and located to minimize any impacts on the natural environment; and
- (e) Shall minimize any exposure or disturbance to the surrounding area including dust, pollution, noise, odor, or any other related land use nuisance effects.

**Town of Drumheller
COUNCIL MEETING
MINUTES**

August 22, 2016 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Lisa Hansen-Zacharuk

Patrick Kolafa

Tara McMillan

Sharel Shoff

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Darryl Drohomerski

DIRECTOR OF CORPORATE SERVICES:

Barb Miller

DIRECTOR OF PROTECTIVE SERVICES:

Greg Peters

INFRASTRUCTURE TRANSITION OFFICER:

Al Kendrick

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Jay Garbutt

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

1.0 CALL TO ORDER

1.1 Councillor Tom Zariski was sworn in as Deputy Mayor for the months of

September and October, 2016

Mayor Terry Yemen advised that the lobbying efforts through Red Deer River Municipal Users Group membership has seen a number of municipalities write a letter to Hon. Shannon Phillips - Minister of Environment & Parks requesting the Alberta Government to honor their 100% funding commitment for flood protection priorities for the communities of Drumheller and Sundre. As well, Mayor Yemen advised that further to a meeting held in Red Deer with ADM Rick Blackwood – AEP on July 12th and the March 8th meeting with Hon. Brian Mason – Alberta Infrastructure, no answers have come forward on our questions / concerns. Mayor Yemen stated that he would like to increase our lobbying efforts. Council agreed.

1.2 Introduction of Darryl Drohomerski - New Director of Infrastructure Services

R. Romanetz introduced Darryl Drohomerski noting that Darryl hails from Winnipeg and has experience in landfill operations, roads, water and waste water and all aspects of public works – bringing new ideas to the organization. Darryl stated he is excited to be on board and is enjoying the community and people. He further stated that he is looking forward to many more Council meetings.

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2016.111 Hansen-Zacharuk, McMillan moved to adopt the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of July 25, 2016

MO2016.112 Shoff, Zariski moved to adopt the Regular Council Meeting minutes of July 25, 2016 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1.1 Bylaw 14.16 being a bylaw to amend the Land Use Bylaw 10.08 by redesignating Lot 11, Plan 3867HU within the SW-1/4 28-28-19-W4M in the Rosedale District from "UT" Urban Transitional District to "R-CH" Residential Cottage Housing District - first reading

R. Romanetz advised the Palliser Regional Municipal Services received an application from R.A. Hamilton which proposes to reclassify Plan 3867 within the Rosedale District from "UT" Urban Transitional District to "R-CH" Residential Cottage Housing District. He recommended that Council give first reading Bylaw 14.16 to allow for the process that requires advertising and a public hearing to be held on October 17th. He further stated that anyone who had concerns would present them at the public hearing.

MO2016.113 Shoff, Hansen-Zacharuk moved first reading of Bylaw 14.16

Discussion on Motion:

Councillor S. Shoff clarified the process involved. She reiterated that Council will review the pros and cons of the proposed rezoning. She explained that Palliser Regional Municipal Services does the circulation and the Town is responsible for the advertising so that all parties are informed. She further stated that the public hearing process allows for concerns to be heard.

Councillor T. McMillan asked for a list of permitted and discretionary uses under the UT and R-CH Districts. It was noted that the Land Use Bylaw is on the Town's website at www.dinosaurvalley.com. Councillor S. Shoff stated that if anyone wishes a hard copy of these sections of the Land Use Bylaw, the Town will provide one.

Council L. Hansen-Zacharuk reiterated that anyone who attends the public hearing and wishes to speak will have an opportunity to do so. She further stated that Council wishes to ensure the process is unbiased for all involved.

Mayor Terry Yemen stated that the Town has received a number of letters in opposition to the rezoning and as such, a brief summary of issues will be read into the record rather the letters in their entirety, at the Public Hearing.

Vote on Motion:

Carried unanimously.

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.2.1 Update on Infrastructure Projects

D. Drohomerski provided an overview on the infrastructure projects:

- Cast iron watermain replacement program is completed for 2016 with only a few minor deficiencies to be corrected within the next few weeks;
- Asphalt pavement program near completion with only minor landscaping to be completed. This work will be completed following the gas line installation work.

- Aquaplex Project has two tenders closing later this week and evaluations will take place over the next week with a decision to Council at the meeting of September 6;
- Two medians are being beautified along Hwy 9 South with red stamped concrete with the placements of planters with native plantings in the spring. There was a concern that the Town skipped a median however Alberta Transportation has some work to complete on this median before the Town can do the beautification work.
- Pterosaur (bird dinosaur) and pad have been installed about 100 ft east of fountain. This project is in partnership with the Rotarians.
- The Elks Walkway Project behind the BCF was completed with recycled rubber blocks supported from grant dollars from Alberta Recycling Management Authority. Grass seed has been planted and picnic benches will be installed shortly.
- As a lot of issues have been raised with the restoration of lanes and streets, the Town will ensure that following the gas line installations, the contractor will complete the proper restoration work.

Mayor Terry Yemen asked if there will be improvements to 9th Street NW (adjacent to the hospital). R. Romanetz advised that chips and a seal coat will be applied before the winter months. This improvement should last for five years.

8.3. DIRECTOR OF CORPORATE SERVICES

8.4. DIRECTOR OF COMMUNITY SERVICES

8.5. DIRECTOR OF PROTECTIVE SERVICES

8.5.1 Update on Tough Mudder Event

G. Peters advised that although there are no official numbers on attendance at the Tough Mudder event held on August 6 & 7, there were approximately 3500 participants / spectators. He further advised that Tough Mudder considers the Drumheller event a success and they were pleased with the attendance. In speaking with the Drumheller RCMP detachment, G. Peters advised that their members reported minimal calls for service as well as the Fire Department reporting that no calls for service were related to the Tough Mudder event. He explained that issues relating to remediation are now being worked through.

Councillor L. Hansen-Zacharuk, who was a participant, stated that the event appeared to be a better overall organized event regardless of numbers being down.

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

MO2016.114 Zariski, Hansen-Zacharuk moved to go in camera at 4:55 PM. Carried unanimously.

14.1 Personnel / Labour Matters

MO2016.115 Shoff, Zariski moved to revert back to Regular Council Meeting at 6:10 PM.

There being no further business, the Mayor declared the meeting adjourned at 6:10 PM.

Chief Administrative Officer

Mayor



**Municipal Planning Commission
MINUTES
Meeting of Thursday July 7, 2016**

Present: Paul Salvatore, Director of Community Services
Julie Steeper, Development Officer
Donna Kittridge, Recording Secretary
Sharon Clark, Vice Chairperson
Clayton Gillis, Member – Acting Chair
Sharel Shoff, Councillor/Member

Absent: Cynthia Cvik - Palliser Regional Municipal Services Representative - regrets
Tom Zariski, Councillor/Member - regrets
Scott Kuntz /Member - regrets
Stacy Gallagher, Member - regrets
Linda Taylor – Recording Secretary - regrets

1.0 CALL TO ORDER – 12:10 pm

C. Gillis presented the Agenda for July 7, 2016 meeting.

1.1 Agenda – Additions or Deletions

1.2 Acceptance of Agenda

Motion: S. Clark

Second: S.Shoff

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 June 23, 2016 - not presented

2.2 June 23, 2016 – on line – not presented

3.0 DEVELOPMENT PERMITS

3.1 T00178-16D – Daniel Mac Dermid – Garage extension

J. Steeper presented Development permit T00178-16D submitted by Daniel Mac Dermid regarding an extension to the garage located at 181 Huntington Park, Drumheller, Plan 8010446, Block 1; Lot 18. Zoning is R-1 Residential District. Intent is to provide a larger garage to accommodate vehicles. Application needs relaxation for distance.

Julie Steeper advises she has supplied a Real Property Report from the land file which shows that a three and a half foot extension to the front of the garage will still leave 5.27 meters to the property line.

Municipal Planning Commission members discussed the application.



Motion: S. Clark moved to approve Development Permit T00178-16D submitted by Daniel Mac Dermid located at 181 Huntington Park , Drumheller on Plan 8010446; Block 1; Lot 18, subject to the following conditions;

CONDITIONS

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Placement of construction as per submitted site plan.
3. Height of accessory building as per plans submitted and not to exceed 4.57 m (15 ft.).
4. An accessory building shall be located at least 2m (6.1 ft) from any principle building.
5. Construction to be in accordance with the Alberta Building Code.
6. Contact Alberta One-Call to request that buried utilities be located and marked before you dig; secondary utilities are the property owners responsibility. 1-800-242-3447 Alberta One-Call.
7. 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.
8. All necessary Safety Codes permits (building, electrical, gas, plumbing, etc.) to be in place prior to commencement of any construction/installation.
9. Construction to be in accordance with the Alberta Building Codes.
10. Any and all local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner.
11. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
12. All Contractors and Sub-Contractors to be in possession of a valid Town of Drumheller business license.
13. External finished appearance to be compatible with existing development and to the satisfaction of the Development Authority.

Second: S. Shoff. – Carried

3.2 T00196-16D – Tough Mudder Events Ltd. – Special Event

J. Steeper presented Development Permit T00196-16D submitted by Tough Mudder Events Ltd. located at SE 35-28-20 W4/ SE 1-29-20 – W4 / NW 36-28-20 W4 / SW 36-28-20 W4. Zoning is A, Agricultural District.

J. Steeper advised this application is for a Special Event, Obstacle Run Course and that pictures of the various obstacle designs are available. A permit for digging the parts of the course that require pits has been issued by the province.

Municipal Planning Commission members discussed the application.

Motion: S. Shoff moved to approve Development Permit T00196-16D submitted by Tough Mudder Events Ltd. located at 15 Metrotech Centre, 7th Floor, Brooklyn , New York for an event at SE 35-28-20 W4/ SE 1-29-20 – W4 / NW 36-28-20 W4 / SW 36-28-20 W4 subject to the following conditions;



CONDITIONS

1. Development shall conform to Land Use Bylaw 10-08.
2. Applicant or authorized organizer(s) to provide additional details pertaining to event, including but not limited to, off site land uses where a change in use occurs due to the event.
3. Applicant to enter into a Development/Servicing Agreement with the Town of Drumheller prior to event and the commencement of any construction or modifications to Town property or services. Development/Servicing Agreement may include, however not be limited to grading plan, site servicing plan and extension of services.
4. All necessary permits (building, electrical, plumbing, etc) to be in place prior to any construction/installations.
5. Applicant to ensure the event causes minimal impact to environment and that regulations and/or guidelines of Alberta Environment are adhered to.
6. Must provide Certificate of Insurance prior to the event in favour of the Town of Drumheller and such policy will keep the Town harmless and indemnified against any and all expenses, loss, damage, claim or action to which the Town may be put arising out of the operation of the said event.
7. Development to conform and meet the requirements of the AGLC (Alberta Gaming and Liquor Commission).
8. A paleontology review of the event area(s) from a certified Paleontologist is required. Applicant to ensure any/ all recommendations/requirements from the review are met. Copy of documentation to be provided to the Town of Drumheller.
9. Security and Policing to meet and comply with the requirements of the Drumheller RCMP detachment. Confirmation of agreement to be provided to the Development Authority prior to event.
10. Prior to commencement of occupancy and/or activities, confirmation must be provided to the Development Authority event conforms and meets the requirements of the Regional Fire and Health Authority.
11. Applicant to adhere to and meet the requirements of Alberta Transportation and Highways for the event, a permit may be required. Confirmation to be provided to the Town of Drumheller.
12. Applicant to ensure authorization from property owner(s) is obtained prior to any renovation, modification or use of the lands.
13. If the holder of the permit wishes to make any change in the location of the Special Event 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.
14. Development application may be required for signage placement and made under separate application prior to placement.
15. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
16. 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.
17. Parking plan(s) to be submitted to the satisfaction of the Development Authority. Applicant to ensure proper signage is erected to direct parking to designated zones once approved.



Second: S. Clark. – Carried

3.3 T00197-16D – Blake Lind – Sea Can & Garden Shed

J. Steeper presented Development Permit T00197-16D submitted by Blake Lind for a Sea Can and garden shed located at Drumheller on Plan 0915125; Block 2, Lot 3. Zoning is "C-R" Country Residential District.

J. Steeper advised this application is to place a sea can on the property to store the artifacts that are being uncovered, railway ties, mine cars etc. The garden shed will be to store maintenance equipment such as mowers etc.

Municipal Planning Commission members discussed the application. The recommendation is to approve for one year and a new application be required after the year is up.

Motion: S. Shoff moved to approve Development Permit T00197-16D submitted by Blake Lind for a Sea Can & shed located at vacant lot, Nacmine on Plan 0915125; Block 2, Lot 3 subject to the following conditions;

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. Placement of storage structure as per plot plan submitted.
4. Construction to be in accordance with the Alberta Building Code.
5. A Building permit to be in place prior to construction.
6. A storage structure shall not be used as a sign.
7. All local improvements at owner's expense including, however not limited to, driveways, and frontage charges, (Call 823.1330 for the regulations).
8. A storage structure shall be screened from view as required by the Municipal Planning Commission and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development.
9. 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.
10. An additional development permit may be necessary.
11. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
12. The Storage Structure is Temporary and must be removed by September 15, 2017

Second: S. Clark. – Carried



DRUMHELLER

COMMUNITY SERVICES

Agenda Item # 5.2.1



4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 No Discussion Items

5.0 OTHER DISCUSSION ITEMS

5.1 Updates

Black Stallion – discussion was held on the progress of this property. Clean up is noted as an issue and Julie advised that By- law has been sent out to issue clean up notice. There is a fourteen day window for this to take place. Otherwise progress has been slow on the finishing of requirements for placement of the house.

6.0 Adjournment – Meeting adjourned by C. Gillis at 1:03 pm.

Chairperson

Development Officer



**Municipal Planning Commission
MINUTES
Meeting of Thursday July 14, 2016**

Present: Paul Salvatore, Director of Community Services – Exit 1:45pm
Sharel Shoff, Councillor/Member
Tom Zariski, Councillor/Member
Cynthia Cvik - Palliser Regional Municipal Services Representative
Julie Steeper, Development Officer
Linda Taylor, Recording Secretary
Sharon Clark, Vice Chairperson – Chair – Exit 1:25pm
Stacey Gallagher, Member
Clayton Gillis, Member - Chair

Absent: Scott Kuntz, Member - Regrets

1.0 CALL TO ORDER – 12:05 pm

S. Clark presented the Agenda for July 14, 2016 meeting.

1.1 Agenda – Additions or Deletions

No additions or deletions

1.2 Acceptance of Agenda

Motion: S. Shoff moved to accept the agenda of July 14, 2016 as presented

Second: – S. Gallagher. Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 June 23, 2016

2.2 June 23, 2016 – online meeting

Motion: S. Shoff moved to accept the minutes of June 23, 2016 and June 23, 2016 – online meeting.

Second: – S. Gallagher. Carried

3.0 DEVELOPMENT PERMITS

3.1 no development permits



4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 Bylaw Amendments

The bylaw amendments were originally presented to council in 2014, however were defeated as presented as a package.

Definitions – additions, deletions and amendments have been made to clarify and better define the definitions . MPC members discussed minor changes to wording. Storage structures; discussion on the use of c-cans as storage structures verses storage building.

Development Permit Applications – clarified and defined. The right to consider more than a 20% variance with guidelines in the test for criteria; MPC members discussed the guidelines.

Land Use Districts – MPC members discussed the attached garage setbacks, verses the area required to park a full size vehicle on the property.

General Land Use Regulations - MPC members discussed the requirements in the general land use regulations.

- Curbs, roads etc are set to engineering standards and is dealt with through Infrastructure.
- Signs were discussed, signage to be removed should business cease to exist, benches with signage are placed in areas where seating isn't really usable and discussion on wall signs.
- Emergency Response Plans discussed.
- Discussion on environmental impact and evaluations on proposed developments.

5.0 OTHER DISCUSSION ITEMS

5.1 Change of Use (in camera)

Motion: S. Shoff moved to go in camera to discuss change of use. In camera – 1:35pm.

Second: – S. Gallagher. Carried

Motion: S. Gallagher moved to go out of camera to regular MPC meeting. Out of camera 1:42pm.

Second: – S. Shoff. Carried

5.2

MPC members discussed having G. Peters Director of Protective Services, attend meeting to discuss enforcement issues, maintenance of buildings, unsightly properties and community standards bylaws, in regards to enforcement and development to work together.

6.0 Adjournment – Meeting adjourned by C. Gillis at 1:50 pm.

Chairperson

Chairperson

Development Officer

Attachments: Agenda July 14, 2016

TOWN OF DRUMHELLER

BYLAW NUMBER 10-16

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:

(All new additions and proposed changes are noted in red.)

- 1. The addition, deletion and amendment of the following definitions, in the appropriate alphabetical order, in Part 1 (2) Definitions:**

“Dwelling – Duplex” means a single building containing two dwelling units divided ~~either vertically or~~ horizontally, each of which is totally separated from the other by appropriate construction standards ~~an unpierced ceiling and floor extending from exterior wall to exterior wall,~~ and may contain a common stairwell ~~exterior external~~ to both dwellings.

“Dwelling – Multiple Unit (Attached Housing)” means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall with each unit having separate entrances from grade level. (For purposes of this Bylaw, ~~garden~~, linked, row, townhouses and multiplex units that meet these criteria are considered to be attached ~~houses-housing~~.)

~~**“Dwelling – Semi-detached”** means a building comprised of two dwelling units side by side in one building with a common party wall which separates vertically, without opening the two dwelling units throughout the entire structure, and each dwelling unit having separate access to the outside grade.~~

“Granny Suite” or **“Garden Suite”** means a self-contained, secondary, portable dwelling without a basement. It is installed in the rear or side yard of a lot with an existing, permanent, single-family dwelling. Usually, a granny suite has a kitchen, living area, one bedroom, bathroom and storage space. A granny suite may take the form of a park model or manufactured home.

“Media Production Services” refers to full-time or freelance workers in any field of communication, entertainment or information that reaches a wide range of people. Media production refers to the professional creation of such content and the ancillary uses associated with contributing to the creation of a product. This may include, but not be limited to: construction, technological services, and exotic animal handling all in accordance with Provincial and Federal regulatory bodies.

“Medical Marijuana Production Facility” means the use of land or structures for the purpose of growing, processing, packaging, testing, destroying, storing and/or shipping of marijuana used for medical purposes as authorized by a license issued under the Federal Government *Marijuana for Medical Purposes Regulation* (MMPR) legislation or any amendments thereto.

“Mural” means an artistic rendering applied to or affixed to any exterior permanent surface and does not constitute a sign. A Mural shall be approved by the Town of Drumheller in accordance with Town policies.

“Secondary Suite” means an accessory dwelling unit that is located on the same parcel as a single detached dwelling which meets the requirements of ~~Part VII Section 46~~ this Bylaw and ~~any other applicable requirements or regulations of this Bylaw and~~ shall only be approved as one of the following:

- (a) Secondary Suite – Attached Above Grade: where the secondary suite is located above the first storey of a single detached dwelling;
- (b) Secondary Suite – Attached At Grade: Where the Secondary Suite is located at grade and is attached to the side or rear of a single detached dwelling;
- (c) Secondary Suite – Attached Below Grade: where the Secondary Suite is located below the first storey of a single detached dwelling;

“Self Storage Facility” means a use:

- (a) where goods are stored in a building; or
- (b) where the building is made up of separate compartments and each compartment has separate access; or
- (c) that may include appropriately screened outside storage sites for recreational vehicles; or
- (d) where units are available for rental or lease to the general public; or
- (e) that may include the administrative functions associated with the use.

2. The addition, removal and amendment of the following Sections of PART III – Development Permits:

9. Deciding on Development Permit Applications

Discretionary Uses

(4)

- (a) ~~In-When~~ making a decision on a development permit application for a discretionary use, the Municipal Planning Commission ~~may-shall take into account:~~

- i. any plans and policies affecting the parcel;
- ii. the purpose statements in the applicable land use district;
- iii. the appropriateness of the location and parcel for the proposed development;
- iv. the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
- v. the merits of the proposed development;
- vi. the servicing requirements;
- vii. access and transportation requirements;
- viii. vehicle and pedestrian circulation within the parcel; and
- ix. sound planning principles.

(b) The Municipal Planning Commission may:

- i. approve the application unconditionally; or
- ii. approve the application permanently or for a limited period of time and impose conditions considered appropriate; or
- iii. refuse the application, stating reasons for the refusal.

Relaxation/ Variance of Development Standards

(7)

- (b) Notwithstanding the above, the Municipal Planning Commission, at its discretion, may relax the minimum requirements or maximum limits beyond 20% in the following situations and in accordance with the following criterion: ~~the standards outlined in the Land Use Bylaw in the following cases:~~**

(vi) Test for Criteria:

- (i) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (ii) the proposed development conforms with a use prescribed by this Bylaw for that land or building; and
- (iii) the proposed use or development conforms to the purpose and intent of the Land Use District; and
- (iv) consideration of whether granting the relaxation would make the proposed development incompatible with existing developments or uses; and
- (v) must take into consideration the future land uses of the parcel and surrounding area as depicted in any statutory plans of the municipality.

- (c) The Development Authority may, as a condition of approving a development permit that does not comply with all of the applicable**

requirements and rules of this Bylaw, require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the Development Authority, conformance to a higher standard will off-set any impact of granting the relaxation.

3. The amendment of the following Sections under PART IV – Land Use Districts:

The addition of **“Secondary Suite”** and **“Granny Suite”** as discretionary uses in the following land use districts:

- A - Agriculture
- CR-Country Residential

The addition of **“Dwelling - Duplex”** as a discretionary use in the following land use district:

- R1-a Residential District

The addition of **“Media Production Services”** as a discretionary use in the following land use districts:

- A- Agriculture
- CR- Country Residential

The addition of **“Medical Marijuana Production Facility”** as a discretionary use in the following land use districts:

- M-2 Medium Industrial District
- M-2R Restricted Industrial District

The addition of **“Self Storage Facility”** as a discretionary use in the following land use districts:

- M-1 Light Industrial District
- M-2 Medium Industrial District
- M-2R Restricted Industrial District

Insert the following in the R-1, R-1a, R-2, R-3, R-4, MHR, SCR and DT residential land use districts, under *Front Yard Setback Requirements* and renumber accordingly:

“An attached garage shall have a minimum setback distance of 7.6 m (25 ft.) from the front property line; and”

19. R-1a—Residential District

The purpose of this district is to provide for single ~~detached~~ and two unit (duplex), residential development **on smaller parcels and** at densities higher than those in the R-1 District.

(a) Permitted Uses

~~Dwelling – Duplex~~

(c) Minimum Requirements

1. Site Area:

- (a) 278.7 m² (3,000 sq. ft.) for ~~single-detached each~~ dwelling;
and

2. Lot Width:

- (a) 7.6 m (25 ft.) for ~~single-detached each dwellings-unit-~~; and

3. Front Yard:

- (a) 6.1 m (20 ft.) for ~~single-detached all~~ dwellings; and

~~6. Gross Floor Area:~~

- (a) 74.3 m² (800 sq. ft.) for dwellings – single detached; and
(b) 56 m² (600 sq. ft.) for each unit in a dwelling- duplex.

20. R-2 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

21. R-3 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

22. R-4 – Residential District

(a) Permitted Uses

~~Dwelling—Semi-Detached~~

27. SCR – Suburb Community Residential District

(b) Discretionary Uses

~~Dwelling—Semi-Detached~~

30. DT – Downtown Transition District

(b) Discretionary Uses

~~Dwelling—Semi-Detached~~

4. The Amendment of the following Sections under Part VII General Land Use Regulations:

46. Secondary Suites

- (c) A secondary suite shall not exceed 40% of the total floor area of the principal building, including upper floors and basement combined and shall not be smaller than ~~38.0 sq. m. (400 sq. ft.)~~ **30 m² (322 sq. ft.)**.
- (h) A principal building with a secondary suite must be owner occupied; ~~and~~
- (i) ~~A Granny Suite shall follow the height requirements for accessory buildings within the applicable land use district.~~

52. Parking

- (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; ~~and/or~~
 - (ii) ~~consider a relaxation of the minimum parking requirements for a development when:~~
 - ~~the test for a relaxation referenced in Section 9(7)b is satisfied; and~~
 - ~~the type of use, the size or shape of the parcel, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the development permit; and/or~~
 - ~~an applicant submits a parking study, as part of a development permit application that demonstrates that the parking requirement should be less than the requirements of this Bylaw due to unique site, location, or use characteristics and the conclusions of the study are considered acceptable to the Development Authority.~~
 - ~~(ii)~~ (iii) **require the developer to provide...**

~~(f) — A parking space shall not be less than 14.8 m² (160 sq. ft.) in area and not less than 2.4 m (8 ft.) wide.~~

(f) Parking spaces sized in accordance with standards acceptable to the Town of Drumheller.

(i) Adequate curbs or fences shall be provided to the satisfaction of the Development Authority ~~Officer or the Municipal Planning Commission~~ if in his/her or its opinion, it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or on an abutting site, from contact with vehicles using such parking space or area.

75. Industrial and Commercial Development

(a) An application for the establishment of industries shall be considered by the Development Authority who may request advisory comment by ~~the following authorities whose interest or jurisdiction may be affected:~~

- ~~• Palliser Regional Municipal Services~~
- ~~• Alberta Business Development and Tourism~~
- ~~• Alberta Infrastructure and Transportation~~
- ~~• Alberta Agriculture~~
- ~~• Alberta Environment~~
- ~~• Alberta Energy and Utility Board Regulator~~
- ~~• David Thompson Health Region~~
- ~~• Alberta Health Services~~

~~referral agencies in accordance with the requirements outlined in the Municipal Government Act, or any other body deemed affected.~~

(b) Each application for industrial or commercial development shall be accompanied by the following information ~~completed by a certified professional~~ as required by the Development Authority:

- Location
- Type of Industry
- Size of Buildings
- Estimated Number of Employees
- Estimated Water Demand and Anticipated Source
- Geotechnical Evaluation
- Environmental Site Assessment
- **Emergency Response Plan**
- Traffic Impact Assessment
- Storm Water Management Plan
- Other information as may be reasonably required by the Development Authority

78. Physical Environment

The Development Authority ~~may~~ **shall** consider the environmental impact of any proposed development. The Development Authority may refer the proposal to a relevant provincial department for comment on the nature of the environmental concern. Where a development is considered to have a significant environmental impact **beyond the development site**, the Development Authority may ~~request~~ **require** the developer to have an environmental evaluation prepared and submitted by an appropriate professional, or undertake its own environmental evaluation regarding the proposed development. All costs associated with an environmental evaluation are the responsibility of the developer.

81. Signs

1. General

- (p) No sign shall be erected that is offensive or promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

13. Wall Signs

- (a) A wall sign may be affixed anywhere on a building wall.
- (b) The design, size and orientation of a wall sign shall be appropriate for the location in consideration of surrounding land uses and neighbourhood characteristics.
- (c) A wall sign shall be consistent with other signage on the property.
- (d) If a wall sign is removed, the wall it was displayed on must be refinished to be consistent with the rest of the building.

87. Medical Marijuana Production Facilities

(1) Medical Marijuana Production Facilities:

- (a) Shall maintain the neighbourhood characteristics and appearance;
- (b) Must include equipment designed and intended to remove odors from the air where it is discharged from the building as part of a ventilation system;
- (c) May require a waste management plan and all waste material must be secured and contained within the building containing the use;

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- (d) Shall be designed and located to minimize any impacts on the natural environment; and
- (e) Shall minimize any exposure or disturbance to the surrounding area including dust, pollution, noise, odor, or any other related land use nuisance effects.

READ A FIRST TIME THIS 25th DAY OF July, 2016

READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2016.

MAYOR

CHIEF ADMINISTRATIVE OFFICER