

Town of Drumheller COUNCIL MEETING AGENDA

**April 30, 2018 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

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

3-7 5.1.1 Regular Council Meeting Minutes of April 16, 2018

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

8-14 5.2.1 Municipal Planning Commission Meeting Minutes of March 8, 2018

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Presentation of 2017 Audited Financial Statements by Collins Barrow

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

- 8.3. DIRECTOR OF CORPORATE SERVICES**
- 8.4. DIRECTOR OF COMMUNITY SERVICES**
- 8.5. DIRECTOR OF PROTECTIVE 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**
- 14.1 Land Matter (FOIPP Act S. 17 Public Body Confidences)

**Town of Drumheller
COUNCIL MEETING
MINUTES**

April 16, 2018 at 4:30 PM

Council Chamber, Town Hall

224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Heather Colberg

COUNCIL:

Kristyne DeMott

Jay Garbutt

Tony Lacher

Fred Makowecki

Lisa Hansen-Zacharuk

Tom Zariski

DIRECTOR OF INFRASTRUCTURE SERVICES:

Armia Mikhael

DIRECTOR OF CORPORATE SERVICES

Barb Miller

DIRECTOR OF PROTECTIVE SERVICES:

Greg Peters

RECORDING SECRETARY:

Linda Handy

Absent: CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Darryl Drohomerski

1.0 CALL TO ORDER

Mayor Heather Colberg called the meeting to order at 4:30 PM.

2.0 MAYOR'S OPENING REMARK

Mayor Heather Colberg proclaimed Volunteer Week April 15 - 21, 2018.

Mayor Heather Colberg recognized two events this weekend: 2018 Spring Expo Trade Show from April 20-22 at the Greentree Mall as well as the Dinosaur Trail Golf Course Fundraising and Auction held at the BCF on April 21st.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

Additions to Agenda: In camera – Legal Matter

MO2018.71 Hansen, Garbutt moved to adopt the agenda as amended. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of April 3, 2018

MO2018.72 Zariski, DeMott moved to adopt the Regular Council Meeting Minutes of April 3, 2018 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 ACTING CAO

8.1.1 RFD - Dog Park Design and Construction

G. Peters prepared a short summary on the benefits, issues and matters of consideration on the construction of a dog park in the Town of Drumheller. He presented information on the various locations, sizes and design. He stated that he is seeking direction on the location and design of the park as well as whether Council wanted community consultation.

Council concurred that during the election campaign, the construction of a dog park was a high priority on the citizens' list.

Council agreed on the following:

- 2018 budget approval is \$15,000 for a dog park construction;
- G. Peters to provide dog park designs with a section for small and large dogs;
- G. Peters to provide Council with the costs to pipe in fresh water;
- G. Peters to arrange a public consultation with originating group, preferably at an open meeting; and
- Council welcomes sponsorship opportunities and community fundraising as avenues to enhance the dog park.

8.1.2 Brownfields Redevelopment

G. Peters presented the following information on redevelopment of brownfield sites:

- Excerpt from City of Hamilton Program – Hamilton's offers a grant incentive to pay for certain eligible costs towards the assessment and remediation of brownfield properties;
- Excerpt from FCM Green Fund – The FCM has produced a series of brownfield roadmaps to help municipalities and their private-sector partners better understand how to redevelop brownfields in their communities. The Green Municipal Fund (GMF) provides grants and loans for brownfield action plans, feasibility studies and brownfield capital projects; and
- Municipal Affairs Implementation Fact Sheet – The amended MGA allows municipalities to grant multi-year tax exemptions, deferrals or reductions as a means of incentivizing cleanup and redevelopment of brownfields. Councils are permitted to pass bylaws encouraging remediation and redevelopment of brownfield properties by developers through full or partial tax exemptions or collection deferrals. Section 364.1(2)

Council concurred that a dedicated reserve be established in 2019 and for a brownfield redevelopment project to be identified in 2020. Councillor T. Zariski recommended that similar to the process used by the Heritage Arts and Culture Committee in identifying historical properties, this Committee or a new Committee be tasked with identifying and creating a inventory list of all brownfield redevelopment sites, identifying one property for redevelopment annually, providing all the available grants and options to the property owner, as well as creating a bylaw as permitted under the MGA for partial tax exemptions for that property. He stated that once a Committee / Council works through the process with that one property owner it creates the template for moving forward with other brownfield sites on an annual basis. Councillor T. Lacher stated that Munchie Park is a good example of what can be done with a brownfield site.

Councillor L. Hansen-Zacharuk explained that when properties change hands, the new property owners are responsible for remediation. She further cited the City of Detroit experiment by using specific vegetation for soil remediation.

8.1.3 RFD - Assessment Review Board Appointment

G. Peters presented an application from Linda Gerlinger for Council's consideration to the Assessment Review Board. B. Miller advised that recently the City of Red Deer has established a Regional Assessment Review Board for a membership fee. Council requested a report from B. Miller on whether the Town of Drumheller should join the City of Red Deer's Regional Assessment Review Board rather than the Town having their own Assessment Review Board.

MO2018.73 Hansen-Zacharuk, Lacher moved that Council approve the appointment of Linda Gerlinger to the Assessment Review Board.

MO2018.74 Garbutt, Makowecki moved to table MO2018.73 until Council has had an opportunity to review the merits of a Regional Assessment Review Board. Carried unanimously.

8.2 DIRECTOR OF INFRASTRUCTURE SERVICES

8.3 DIRECTOR OF CORPORATE SERVICES

8.3.1. Bylaw 05.18 being a bylaw to authorize the rates of taxation to be levied against assessable property within the Town of Drumheller for the 2018 taxation year

B. Miller presented Bylaw 05.18 which reflects a 3% tax increase over 2017. She explained that a residential assessment of \$200,000 in 2017 will see an increase of \$76.73 (\$54.79 municipal, \$17.05 education, \$4.88 DDSF) on their 2018 tax notice. She further advised that the tax bills will be mailed the first week of May with a payment deadline of August 31st, 2018.

MO2018.75 Zariski, Hansen-Zacharuk moved first reading of Bylaw 05.18. Carried unanimously.

MO2018.76 Lacher, Garbutt moved second reading of Bylaw 05.18. Carried unanimously.

MO2018.77 Garbutt, Hansen-Zacharuk moved no objection to third reading of Bylaw 05.18. Carried unanimously.

MO2018.78 DeMott, Makowecki moved third reading of Bylaw 05.18. Carried unanimously.

8.4. DIRECTOR OF COMMUNITY SERVICES

8.5 DIRECTOR OF PROTECTIVE 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 MAYOR AND COUNCILLORS REPORTS

13.1 Mayor Heather Colberg - Youth Representatives

Mayor Colberg explained that when she was campaigning she attended the schools and was able to see what our youth has to offer to the community. She suggested that a representative from the schools come before Council as a delegation periodically so that Council is aware of their activities within the community and Council is able to hear the students concerns on issues affecting the community. Mayor Colberg asked Council to give some thought on how they can increase youth representation at Council meetings.

14.0 IN-CAMERA MATTERS

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MO2018.79 Hansen-Zacharuk, DeMott moved to go in camera at 5:35 PM Legal Matter (*FOI PP Act S.17 Public Body Confidences*). Carried unanimously.

MO2018.80 Hansen-Zacharuk, DeMott moved to go out of camera at 6:07 PM. Carried unanimously.

14.1 Legal Matter

There being no further business, the Mayor declared the meeting adjourned 6:07 PM.

Acting Chief Administrative Officer

Mayor



**Municipal Planning Commission
MINUTES
Meeting of Thursday March 8, 2018**

Present: Paul Salvatore, Director of Community Services
Julie Steeper, Development Officer
Linda Taylor, Recording Secretary
Clayton Gillis, Chair
Sharon Clark, Vice Chair
Stacey Gallagher, Member
Scott Kuntz, Member
Shelley Rymal, Member
Tom Zariski, Councillor/Member
Tony Lacher, Councillor/Member

Absent: Cynthia Cvik - Palliser Regional Municipal Services Representative - Regrets

Delegate: T00060-18D applicant – entered 12:06 – exited 12:18

1.0 CALL TO ORDER – 12:05 pm

C. Gillis presented the Agenda for the March 8, 2018 meeting.

1.1 Agenda – Additions or Deletions

Deletion

3.3 T00049-18D – New Vintage Homes – placement of manufacture home **withdrawn**

Addition

5.2 Cannabis - Retail

5.3 T00002-15D

1.2 Acceptance of Agenda

Motion: S. Gallagher moved to accept the agenda with changes noted for March 8, 2018

Second: – S. Rymal - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 February 22, 2018

Motion: S. Rymal moved to accept the minutes of February 22, 2018, with changes to T00302-17D, (submitted by Robert Barnes).

Second: – T. Zariski - Carried



3.0 DEVELOPMENT PERMITS

3.1 T000257-16D – Applicant – Extension

J. Steeper presented Development Permit T00257-16D submitted by Applicant for an extension to the development permit located at 140 Centre Street, Drumheller on Plan 3099AD; Block 30; Lot 13 & 14.. Zoning is DT – Downtown Transition District.

J. Steeper advised this development permit expired on December 30, 2017. The applicant requires an extension to June 15, 2018 to complete the finishing on the exterior of the shed constructed.

Municipal Planning Commission discussed the application.

Motion: S. Gallagher moved to grant an extension for Development Permit T00257-16D submitted by Applicant for an extension to the development permit located at 140 Centre Street, Drumheller on Plan 3099AD; Block 30; Lot 13 & 14. The time extension for the permit is until the date of June 15, 2018.

Second: S. Kuntz - Carried

3.2 T00030-18D – Christa Bossert - Occupancy

J. Steeper presented Development Permit T00030-18D submitted by Christa Bossert for occupancy of a dog grooming and boutique located at 560 Premier Road (Bay 4), Drumheller on Plan 9710916; Block 15; Lot 1. Zoning is M2 – Medium Industrial District.

J. Steeper advised this application was submitted for occupancy of Bay 4 in the medium industrial district for a dog grooming and boutique. Small animal care is a discretionary use in this district. Parking availability meets requirements. A condition of no outside kennelling of animals would be required.

Municipal Planning Commission discussed the application. The MPC agreed with the condition of no outside kennelling of animals.

Motion: S. Rymal moved to approve Development Permit T00030-18D submitted by Christa Bossert for occupancy of a dog grooming and boutique located at 560 Premier Road (Bay 4), Drumheller on Plan 9710916; Block 15; Lot 1, 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 permits (building, electrical, plumbing, etc) to be in place prior to any construction/installation.
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. Development application is required for signage placement and made under separate application prior to placement.
9. Applicant to ensure any/all modifications to water/sewer services to the satisfaction of the Town of Drumheller. Please contact Utilities Manager at 403-823-1330 for approval and specifications.
10. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
11. No outside kennelling of animals.
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. Annual Business License is required.

Second: C. Gillis – Carried.

3.3 ~~T00049-18D – New Vintage Homes – placement of manufacture home withdrawn~~

3.4 T00054-18D – Applicant – addition and upgrade

J. Steeper presented Development Permit T00054-18D submitted by Applicant for an addition and upgrade to the house located at 249 Centre Street, Drumheller on Plan 1712473; Block 24: Lot 39. Zoning is DT – Downtown Transitional District.

J. Steeper advised this development permit is to add a covered front porch with upgrade to the windows, doors and siding. The front covered porch would be similar in nature to the building to the North. The front yard would require a variance to 4.41 meters to incorporate the addition. This lot had a subdivision, and zoning change within the last year.

Municipal Planning Commission discussed the application.

Motion: T. Zariski moved to approve Development Permit T00054-18D submitted by Applicant for an addition and upgrade to the house located at 249 Centre Street, Drumheller on Plan 1712473; Block 24: Lot 39, subject to the following conditions;

1. Front yard variance to 4.41 meters to allow for the front covered porch.
2. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
3. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
4. Construction as per plans submitted with application
5. Construction to be in accordance with the Alberta Building Code.
6. Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
7. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services.
8. Exterior finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.



9. 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.
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. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
12. Contractor(s) to have a valid Business License with the Town of Drumheller.
13. 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

Second: T. Lacher - Carried

3.5 T00060-18D – Applicant – new construction

J. Steeper presented Development Permit T00060-18D submitted by Applicant for a new construction craft brewery brew house located at 242 3 Avenue West, Drumheller on Plan 2691BC; Block 22; Lot 7. Zoning is CB – Central Commercial District.

J. Steeper advised this development permit is for a two (2) storey building with a 29 foot building height connected to the existing building by a breezeway. The first (main) floor would be for a craft brewery brew house and the second floor would be for office space. At this time an old home is situated to the rear of the existing commercial building, this home would be demolished to make room for the new construction addition. The site coverage of the lot would be approximately 70%, well within the 80% coverage allowable. The original development permit submitted by the applicant, T00250-17D, was approved for a garage for storage, with living quarters above to replace the existing home at the rear of the lot. The new application adds 173 square feet to the size of the addition and shortens the breezeway.

J. Steeper stated this new construction would be built slab on grade and connected to the existing commercial building on the front of the lot with a breezeway to make it one building. The existing building would get a facial upgrade/update. This unique application requires the two (2) feet additional height on the main floor to house the larger brewery system for the brew house. A parking variance would be required for this establishment. A Craft Brewery is not defined in the Town of Drumheller Bylaws.

J. Steeper read from the Town of Drumheller Land Use Bylaw 10-08;

PURPOSE & DEFINITIONS

"Drinking Establishment" means a use where:

- i. *liquor is sold for consumption on the premises;*
- ii. *where a license for the sale of liquor is issued by Alberta Gaming and Liquor Commission that may prohibit minors on the premises during certain hours or at any time;*
- iii. *that may include the preparation and sale of food for consumption on the premises;*
- iv. *must not have any openings , except emergency exits, non-opening windows or loading bay doors on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;*



- v. *considerations are made for appropriate distances from a residential district including access, egress and parking areas including screening as determined appropriate by the development authority.*

"Liquor Store" means a use where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;"

GENERAL LAND USE REGULATIONS

"Liquor Store"

- (a) *must not be located within 300 metres of any other liquor store, when measured from the closest point of a liquor store to the closest point of another liquor store; and*
- (b) *must not be located within 150 metres of a parcel that contains a school, when measured from the closest point of a liquor store to the closest point of a parcel that contains a school;*

Unless otherwise approved by the development authority."

The applicant was at the meeting and spoke to the development; there would be a room for selling the product as well as a tasting room. The product has no preservatives; therefore the shelf life is shorter than that of other beers. The applicant would also like to sell the beer to local restaurants, bars and possibly even the liquor stores. The craft brewery is one of the largest growing industries in Alberta. A brew master would be hired to run the brewery.

Municipal Planning Commission discussed the application.

P. Salvatore brought up the requirements for this type of development; AGLC would be Class A to serve, Class D to sell and Class E to brew.

Fire inspection and Alberta Health inspection would be conditions of the development permit.

As a condition, J. Steeper stated real property reports (RPR) would be requested at foundation and at completion of the development to ensure the setbacks are met.

Motion: S. Gallagher moved to approve Development Permit T00060-18D submitted by Applicant for a new construction craft brewery brew house located at 242 3 Avenue West, Drumheller on Plan 2691BC: Block 22: Lot 7, with a variance to the land use regulation in regards to the distance required between liquor stores, 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. Placement of construction as per plot plan submitted.
4. Construction to be in accordance with the Alberta Building Code.
5. All necessary permits (building, electrical, gas, etc) to be in place prior to construction/installations and demolition.
6. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services. (Call 823.1330 for the regulations).
7. Exterior finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.
8. If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
9. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.



10. Contractor(s) to have a valid Business License with the Town of Drumheller.
11. 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
12. Offsite levies to be paid prior to the issuance of Safety Code Permits.
13. Annual Business License is required.
14. There shall be no outside storage of materials, commodities or finished products.
15. Placement/replacement of signage must be made under separate development application.
16. Development to conform and meet the requirements of the Regional Fire and Health Authority, reports to be submitted to the Town of Drumheller.
17. Real Property Reports to be submitted to the Development Officer at completion of foundation as well as at completion of the project.

Second: T. Zariski - Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 No Discussion Items

5.0 OTHER DISCUSSION ITEMS

5.1 MPC membership

T. Lacher would like a consensus of the MPC members on increasing the membership on the Municipal Planning Commission.

The Town of Drumheller By-Law 32-08 *states "The Commission shall be composed of not less than three persons appointed by resolutions of Council"*. At present the Commission is comprised of five (5) public at large, two (2) councillors and the development officer.

The by-law does not mention a maximum number of members, however does state *"Three members of the Commission shall constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Commission"*

Discussion on the requirements of attendance; *"A person is disqualified from remaining a member of the Commission if such person is absent from three consecutive meetings, or has attended less than 75% of the meetings within any calendar year. Notwithstanding the above, a person is not disqualified if his/her absence is authorized by a resolution of the Commission."*

The MPC membership is in favor of having more members.

5.2 Cannabis - Retail

MPC discussed the new laws in regards to cannabis/marijuana for retail sales. Revised by-laws for cannabis are to be included in the next package of changes for the Town of Drumheller Land Use Bylaw. It would be a discretionary use in all districts, thereby all applications would be seen by Municipal Planning Commission. Applications must be made to ALGC for cannabis retail outlets.



5.3 T0002-15D

A meeting has been booked with the Applicant in regards to the conditions of extension on the development permit. It will be noted that considerable progress must be made prior to the date on the extension, October 28, 2018.

6.0 Adjournment – Meeting adjourned at 1:25 pm.

Chairperson

Development Officer

Attachments: Agenda