



TOWN OF DRUMHELLER
COMMITTEE OF THE WHOLE MEETING

AGENDA

TIME & DATE: 4:30pm, Monday February 13th , 2023

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

1. CALL TO ORDER

2. OPENING COMMENTS

Freedom to Read Week

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for February 13th 2023 Committee of the Whole Meeting

Proposed Motion: Move to adopt the agenda for the February 13, 2023 Committee of the Whole meeting as presented.

5. MEETING MINUTES

5.1 Minutes for January 16, 2023, Committee of the Whole meeting as presented.

[Committee of the Whole Meeting – January 16, 2023 - Minutes](#)

Proposed Motion: Move to approve the minutes for the December 12, 2023, Committee of the Whole meeting as presented.

6. COUNCIL BOARDS AND COMMITTEES

6.1 Drumheller and District Seniors Foundation Minutes – December 2022

[Minutes](#)

Proposed Motion: Move to accept as information the minutes from the Drumheller and District Seniors Foundation December 2022 meeting as presented.

7. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

7.1 Chief Administrative Officer

7.1.1 For Discussion: The Drumheller Public Library – Bylaw Update

[Bylaws Changes](#)

7.2 Flood Resiliency Project Director

7.2.1 Briefing Note: Midland Berm Alignment Optimization

[Briefing Note](#)

7.2.2 For Information Only: Tree Clearing Tender Award Spring 2023

[For Information only: RFD](#)

7.3 Economic Development Manager

7.3.1 Briefing Note: Short Term Rental (STR) Bylaw

[Briefing Note](#)

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

EMERGENCY AND PROTECTIVE SERVICES

7.4 Director of Emergency and Protective Services

7.4.1 Request for Direction: Program for the Implementation of Paid Parking

[RF Direction](#)

INFRASTRUCTURE DEPARTMENT

8. CLOSED

- 8.1 Land Transaction and Development; Personnel
FOIP 16 – Disclosure harmful to business of a third party
FOIP 23 (1) – Local public body confidences
FOIP 24 (1) – Advice from Officials

Proposed Motion: That Council close the meeting to the public to discuss land transaction and development and personnel as per FOIP 16 – Disclosure harmful to business of a third party; FOIP 23 (1) – Local public body confidences, FOIP 24 (1) – Advice from Officials

9. ADJOURNMENT

Proposed Motion: Move to adjourn the meeting.



TOWN OF DRUMHELLER
COMMITTEE OF THE WHOLE MEETING

MINUTES

TIME & DATE: 4:30 PM – Monday January 16th , 2023

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel:

https://www.youtube.com/watch?v=dEm_o3iuGro

IN ATTENDANCE

Mayor Heather Colberg	Acting CAO / Director of Emergency and Protective Services – Greg Peters
Councillor Patrick Kolafa	Director of Corporate and Community Services: Mauricio Reyes
(Online) Councillor Crystal Sereda	Director of Infrastructure: Dave Brett
Councillor Stephanie Price	Flood Resiliency Project Director: Deighen Blakely
Councillor Tony Lacher	Legislative Services: Denise Lines
Councillor Tom Zariski	Reality Bytes IT: David Vidal
Councillor Lisa Hansen-Zacharuk	

1. CALL TO ORDER

The Mayor called the meeting to order at 4:30pm

2. OPENING COMMENTS

Happy Lunar New Year

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for January 16th 2023 Committee of the Whole Meeting

M2023.13 Moved by Councillor Lacher, Councillor Hansen-Zacharuk; that adopt the agenda for the January 16, 2023 Committee of the Whole meeting as presented.

Carried unanimously

5. MEETING MINUTES

5.1 Minutes for December 12, 2022, Committee of the Whole meeting as presented.

Agenda attachment: Committee of the Whole Meeting – December 12, 2022 - Minutes

M2023.14 Moved by Councillor Kolafa, Councillor Price;
that Council approve the minutes for the December 12, 2022, Committee of the
Whole meeting as presented.

Carried unanimously

6. COUNCIL BOARDS AND COMMITTEES

6.1 Drumheller and District Seniors Foundation Minutes – November 2022
The Drumheller Public Library Minutes – August 2022

Agenda attachment: Minutes

M2023.15 Moved by Councillor Zariski, Councillor Sereda;
move to accept as information the minutes from the Drumheller and District Seniors
Foundation November 2022 meeting and minutes from The Drumheller Public
Library August to December meetings as presented.

Carried unanimously

7. REPORTS FROM ADMINISTRATION

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

Time Stamp: https://www.youtube.com/live/dEm_o3iuGro?feature=share&t=135

7.1 Director of Corporate and Community Services

7.1.1 BDO Canada LLP – Town of Drumheller Auditor
Presentation by Alan Lister, CPA, CA and Mitchell Kennedy, CPA, CA

Overview of the presentation from BDO Canada LLP.

The presentation includes a planning report to highlight and explain key issues that may be relevant to the audit. It outlines how BDO Canada will approach the audit, significant risks and the term of the engagement. The final presentation of the audit report will be April 2023.

The Flood Program is a separate engagement and audit.

Agenda attachment: Presentation

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

7.2 Manager of Economic Development

Time Stamp: https://www.youtube.com/live/dEm_o3iuGro?feature=share&t=1623

7.2.1 ISL Engineering and Land Services Ltd

Housing Strategy Update

Presentation by Courtney Lawrence, MPlan, MA, PRR, MCIP

The Housing Strategy is in the second phase of the project, this includes developing actions items to present to Council.

Discussion items:

How serviced lots are owned by the Town.

The statistics on short term rental units is difficult to confirm as the information is moment in time and the number changes.

Do the subsidized housing statistics include seniors housing availability.

Agenda attachment: Presentation

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

8. ADJOURNMENT

M2023.16 Moved by Councillor Price, Councillor Kolafa;
that Council adjourn the meeting. Time 5:58pm

Carried unanimously

MAYOR

CHIEF ADMINISTRATIVE OFFICER

DRUMHELLER AND DISTRICT SENIORS' FOUNDATION

REGULAR BOARD MEETING December 15, 2022

PRESENT: TOM ZARISKI, DAVID SISLEY ,M'LISS EDWARDS, MARY TAYLOR, BOB SARGENT, MELANIE GRAFF, GLENDA YOUNGBERG

1.0 CALL TO ORDER

Meeting called to order at 3:55PM by Tom Zariski.

2.0 APPROVAL OF AMENDED AGENDA

Motion by Bob Sargent to approve the agenda.

Seconded by M'Liss Edwards

CARRIED

3.0 MINUTES

3.01 Motion by David Sisley to approve the November minutes as amended.

Seconded by Bob Sargent

CARRIED

4.0 Motion by M'Liss Edwards to go in camera at 4.05pm

Motion by Mary Taylor to return to regular meeting at 4:28pm

CARRIED

5.0 REPORTS

5.01 Administrator Report on file.

5.02 Manager reports on file.

6.03 Financial Reports

Motion by David Sisley to accept the financial reports for November 2022

Seconded by Mary Taylor

CARRIED

6.0 CORRESPONDENCE

6.01 None

7.0 UNFINISHED BUSINESS

6.01 None

8.0 NEW BUSINESS

8.01 As per our Auditor, we no longer need a separate motion to approve the use of donated funds for activities, as this is part of the month financial statements which the Board approves. The Board has requested that Glenda arrange a meet and greet meeting with the Friends of Sunshine Lodge Society sometime in January

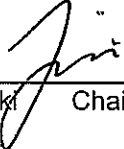
8.02 Union negotiations have not been confirmed. We have hired a consultant to help us prepare for the negotiations regarding wording in our CUPE agreement. Still no word from the union as to when these negotiations will take place. Our contract ends December 31, 2022. Tom and David will review the suggestions made by the consultant. A meeting to discuss these is set for December 22, 2022.

8.03 Glenda reported that the trusses and prefabricated walls for the Sunshine addition were delivered on Wednesday. If all goes as planned there should be some walls going up by Friday.

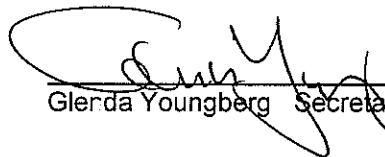
9.0 **Motion to adjourn by Mary Taylor**
Seconded by David Sisley

CARRIED

NEXT MEETING January 26, 2022, at 3:00pm



Tom Zariski Chairman



Glenda Youngberg Secretary

DRUMHELLER AND DISTRICT SENIORS FOUNDATION

ORGANIZATIONAL MEETING

December 15, 2022

PRESENT: TOM ZARISKI ,MARY TAYLOR, BOB SARGENT, DAVID SISLEY, M'LISS EDWARDS, GLENDA YOUNGBERG & MELANIE GRAFF

1.0 CALL TO ORDER

Meeting called to order at 3:48 PM by Glenda Youngberg.

2.0 INTRODUCTIONS

All board members present were welcomed. Board orientation package distributed.

3.0 NOMINATION FOR CHAIRMAN OF THE DDSF BOARD

Call for nominations for chairman.

David Sisley nominated **Tom Zariski**.

Bob Sargent moved nominations cease.

Tom accepted the position of chairman.

4.0 NOMINATION FOR VICE CHAIRMAN OF THE DDSF BOARD

Call for nominations for vice chairman.

Tom Zariski nominated **David Sisley**.

Bob Sargent moved nominations cease.

David accepted the position of vice chairman.

5.0 COMMITTEE SELECTION

The board members discussed the various committees and selection of committee members were agreed upon as listed below.

Executive Committee: All Board Members

Audit/Finance Committee: All Board Members

Policy Committee: All Board Members

Personnel Committee: All Board Members

Building Committee: All Board Members

7.0 MOTION TO ADJOURN

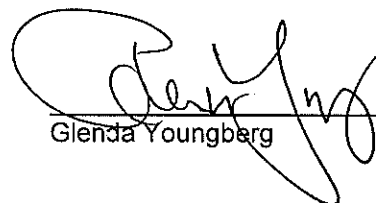
Motion by David Sisley to adjourn the meeting at 3:57 PM

Seconded by M'Liss Edwards

CARRIED



Tom Zariski Chairman



Glenda Youngberg

FOR INFORMATION

TITLE:	Drumheller Public Library – Bylaw Update v.2
MEETING DATE:	February 13, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T; CAO
ATTACHMENT:	Draft Bylaws TDLB 2023. v.2

SUMMARY:

As stated in the Provincial Libraries Act; The council of a municipality may, by bylaw, establish a municipal library board.

The Drumheller Public Library was established in 1922, the members of the Board are appointed by Council.

The [Libraries Act](#) provides the legal framework for public library service in Alberta and creates library boards at the municipal, intermunicipal and system levels.

Under Section 36 of the Libraries Act, the Board can create bylaws regarding the safety and use of library facilities. Once the bylaws have been passed, Section 37 requires the Board to forward the bylaws to the municipal council.

The Library Board has made changes and updates to the Bylaws.

RECOMMENDATION:

That Council review the revised bylaws and make note of any questions or clarifications that are needed from the Library Board through the council representative to the Board. Once Council is satisfied, a recommendation to approve and accept the bylaws will be brought to a Regular Council meeting.

DISCUSSION:

The bylaws are the internal rules that help to govern the day to day business at the library and therefore impacts the employees and community members

If Council has any questions or concerns regarding the revised bylaws these can be relayed back to the Board by Council representative, Councillor Price.

FINANCIAL IMPACT:

N/A

WORKFORCE AND RESOURCES IMPACT:

N/A

STRATEGIC POLICY ALIGNMENT:

As is the case with Council bylaws, the library bylaws assist in setting out guideline for good governance and safe work environments

COMMUNICATION STRATEGY:

Once any concerns have been addressed the bylaw will come back to Council for approval.

Denise Lines

Prepared by:
Denise Lines
Legislative Services



Approved by:
Darryl Drohomerski, C.E.T
Chief Administrative Officer

The Town of Drumheller Library Board enacts the following by-laws pursuant to The Libraries Act, R.S.A. Chapter L-11, 2000:

Interpretation

- a) For the purposes of this by-law the expression:
- i. "Act" refers to The Libraries Act, R.S.A., Chapter L-11, 2000.
 - ii. "Board" refers to the Town of Drumheller Library Board.
 - iii. "Borrower" means the person to whom a library membership card has been issued.
 - iv. "Good Standing" means a borrower with no outstanding account charges.
 - v. "Library" means the Drumheller Public Library.
 - vi. "Library materials" include any materials, regardless of format, held in the collection of the Drumheller Public Library or lent by the Drumheller Public Library.

Admittance to/Conduct in the Building and on the Grounds

- a) The portion of the Badlands Community Facility building used for public library purposes is open to any member of the public **free of charge** during the hours of opening as set out by the Town of Drumheller Library Board from time to time.
- b) Charges and requirements for the use of library premises not normally used for public library purposes, i.e., meeting rooms, are set out in Schedule B.
- c) No person using the building shall:
 - i. Cause unnecessary disturbance to other library users and/or violate library board policies.
 - ii. Remove any library item from the Library unless the item has been properly checked out in accordance with the procedures established for checking out library items.
 - iii. Enter or remain in the library building except during those periods designated as open for public use.
 - iv. Solicit other library users and staff for personal, commercial, religious, or political purposes.
 - v. Smoke any type of material or consume any product that may be considered an illicit drug while on the premises.
- d) Persons entering the building used for public library purposes must abide by any measures put in place to protect the health of library users and staff.
- e) Persons who do not conduct themselves in accordance with 2(c) or 2(d) shall be asked to discontinue their actions. If the action continues or the severity of the action warrants it, the person will be asked to leave the Library for the day and/or staff members may seek outside assistance.

Procedure for Acquiring a Membership

- a) Any resident of the geographical region covered by the Marigold Library System is eligible to apply for a membership card.
- b) Any resident of another part of Alberta will be encouraged to register for a card at their local library and join ME Libraries to use their card at the Drumheller Public Library.
- c) Any individual whose permanent residence is outside of Alberta or who lives in Alberta but is unable to fulfill (b) may be permitted to register for a visitor library card as defined in Schedule B.
- d) A library membership card is issued upon:
 - a. Completion of a Drumheller Public Library registration form (online or in person).
 - b. Signing of the registration form by the borrower or a parent/guardian if the borrower is under age 18.
 - c. Presentation of one piece of photo identification bearing the borrower's current address or an alternative piece of identification **plus** a piece of mail recently delivered via Canada Post to the borrower's current address. A parent/guardian must present ID if the card is for a minor.

- e) Library membership cards are valid for one year from the date of registration or renewal.

Responsibilities of a Member

- a) A membership card may only be used by the person to whom it is issued, by the parent or guardian of the person to whom it is issued, or a designate as defined in Schedule C.
- b) A member shall notify the library of any change of address, email, and/or telephone number.
- c) A member is responsible for the library materials borrowed and will compensate the Library for any items damaged or lost while borrowed on their card.
- d) A member is responsible for returning library materials to the library on or before the due date as set out in Schedule C. In the case of a due date falling on a day when the Library is closed to the public the date shall be extended to the next open day.

Loan of Materials

- a) In accordance with The Libraries Act s.36 (3) there shall be no charge for the use of library materials. This includes materials used on the premises or materials loaned.
- b) The loan periods for various materials are set out in Schedule C.
- c) Library materials may be reserved or renewed in accordance with policy established by the Library.
- d) Borrowers may use library cards issued by other Marigold libraries to borrow materials from the Drumheller Public Library only if their home library account is in good standing.

Penalty Provisions

- a) When library material is kept beyond its due date, the borrower will be charged overdue fines as set out in Schedule D.
- b) Replacement charges for damaged or lost materials will be charged according to Schedule B.
- c) The circumstances resulting in suspension of borrowing privileges are as set out in Schedule D.
- d) The cost of lost or damaged items may be reduced or waived by the owning library at the discretion of the owning library's director or manager.

Prosecution

- a) In cases of serious dereliction, the Board may prosecute an offense under The Libraries Act, s.41. Such an offense is punishable under The Libraries Act, s.41. The penalty applying on conviction for such an offense is set out in Schedule B.
- b) Any fine or penalty imposed pursuant to an offense under these bylaws inures to the benefit of the Town of Drumheller Library Board in accordance with The Libraries Act, s.42.

2022 Revision

Read a first time on this **22** day of **June, 2022**

Read a second time on this **10** day of **August, 2022**

Read a third time on this **10** day of **August, 2022**

Board Chair

Board Vice-Chair

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Admittance to/Conduct in the **Library Space** and on the Grounds

- a) The portion of the Badlands Community Facility building used for public library purposes ("**library space**") is open to any member of the public free of charge during the hours of opening as set out by the Town of Drumheller Library Board from time to time.
- b) Charges and requirements for the use of library premises not normally used for public library purposes, i.e., meeting rooms, are set out in Schedule B.
- c) No person using the **library space** shall:
 - i. Cause unnecessary disturbance to other library users, **speak or act in a way that causes harm to library users or staff members**, or violate library policies **or procedures**.
 - ii. Remove any library item from the Library unless the item has been properly checked out in accordance with the procedures established for checking out library items.
 - iii. Enter or remain in the library **space** except during those periods designated as open for public use. **Town employees, contractors, and emergency personnel may enter the library as needed for professional purposes.**
 - iv. Solicit other library users and staff for personal, commercial, religious, or political purposes.
 - v. Smoke any type of material or consume any product that may be considered an illicit drug while on the premises.
- d) Persons who do not conduct themselves in accordance with 2(c) shall be asked to discontinue their actions. If the action continues or the severity of the action warrants it, the person will be asked to leave the Library for the day and/or staff members may seek outside assistance.

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- c) Library materials may be reserved or renewed in accordance with policy established by the Library.
- d) Borrowers may use library cards issued by other Marigold libraries to borrow materials from the Drumheller Public Library only if their home library account is in good standing.

Penalty Provisions

- a) When library material is kept beyond its due date, the borrower **or the adult who signed on their behalf will be responsible for any penalties** set out in Schedule D.
- b) Replacement charges for damaged or lost materials will be charged according to Schedule B.
- c) The circumstances resulting in suspension of borrowing privileges are as set out in Schedule D.
- d) The cost of lost or damaged items may be reduced or waived by the owning library at the discretion of the owning library's director or manager.

Prosecution

- a) In cases of serious dereliction, the Board may prosecute an offense under The Libraries Act, s.41. Such an offense is punishable under The Libraries Act, s.41. The penalty applying on conviction for such an offense is set out in Schedule B.
- b) Any fine or penalty imposed pursuant to an offense under these bylaws inures to the benefit of the Town of Drumheller Library Board in accordance with The Libraries Act, s.42.

2023 Revision

Read a first time on this **14** day of **December 2022**

Read a second time on this **11** day of **January 2023**

Read a third time on this **11** day of **January 2023**

Board Chair

Board Vice-Chair

BRIEFING NOTE

DATE:	February 13, 2023
TITLE:	Midland Berm Alignment Optimization
DEPARTMENT:	Resiliency and Flood Mitigation Office
PRESENTED BY:	Deighen Blakely
ATTACHMENT:	Midland Berm West Leg Replacement Figure

INTRODUCTION / PURPOSE

In May of 2022, Council directed the Flood Office to optimize berm designs to find cost savings opportunities to get the program budget back in line with available funding. One of the measures taken was to reduce the berm top width from 6m to 4m and reduce freeboard from 0.75m to 0.5m. Following the tender and award of the Midland Berm project in the summer of 2022, the Flood Office also began additional work to assess the cost of the upstream section of the berm, which runs parallel to 25th Street NW, to determine if there was an opportunity to make use of the existing CN Rail embankment versus building a new section of berm to save on construction costs. The Flood Office has determined there would be a significant cost savings to proceed with this option, with minimal increase in risk, so are moving forward with this change.

BACKGROUND

The original design of the west end of the Midland Berm, completed by Klohn Crippen Berger Ltd. (KCB), included a 200 m long leg of new berm construction, running parallel to 25th Street NW from the existing abandoned CN Rail embankment at the Red Deer River bridge to tie into higher ground at N. Dinosaur Trail (Highway 838). The rationale for constructing a new length of berm in this area centered around uncertainty of the construction methodology and materials for the CN Rail embankment, which was built more than 100 years ago.

When the tender prices came in for the Midland Berm, based on the contractor unit rates, the estimated cost to build this leg of the Midland Berm was determined to be \$714,800. As Council had directed the Flood Office in May to seek cost savings opportunities where available, ParklandGeo was engaged to complete a geotechnical field study, soils testing and modelling to determine the feasibility of using the abandoned CN Rail embankment for the upstream leg of the Midland Berm, in place of the new designed berm section along 25th Street NW.

A test pit program was completed by Wilco Contractors Southwest (Wilco), under the direction of ParklandGeo in October of 2022. The soil stratigraphy was logged during the test pit program and soil samples collected for laboratory testing in November and December. To aid in the seepage and stability modelling work, additional survey of the CN Rail embankment cross section and profile had to be completed in December of 2022, as the heavy brush impacted the level of accuracy of the Provincially-supplied LiDAR survey data for the rail embankment. ParklandGeo completed an in-depth analysis of the CN Rail embankment, including failure modes analysis for seepage, piping, overtopping, settlement, and slope instability as well as comparing the current embankment cross sections and profiles with the design flood plus freeboard elevation requirements. ParklandGeo's study concluded that the abandoned CN Rail embankment could be used as the upstream leg of the Midland Berm, provided modifications were made to bring the impervious portion of the berm up to the design elevation by removing gravel and ballast from the top of the embankment and replacing with impervious material, and by removing vegetation on the embankment crest and side slopes to facilitate inspection and maintenance into the future. In consultation with Town staff, the Flood Office is pursuing the

design of upgrades to the CN Rail embankment as an alternate to constructing a new leg of the Midland Berm, as a cost saving measure.

KEY POINTS

- Additional geotechnical investigation and assessment effort was required to determine the feasibility of using the CN Rail Embankment for a portion of the Midland Berm. This work was completed by the engineers at ParklandGeo.
- ParklandGeo's study found that while the existing CN Rail embankment soil material is not ideal material for a berm structure, the overall width of the embankment (average of 9.8 m) will provide an additional factor of safety, mitigating the risk of failure during a flood event. The study also notes that the rail embankment has withstood flooding over the past 110 years.
- There is between 0.4 and 1.1 m of ballast and gravel on the crest of the CN Rail embankment, which would need to be replaced with impervious (clay) material to ensure the embankment is watertight to the design elevation plus freeboard. As a formal berm structure, the brush will also need to be removed from the CN Rail embankment crest and side slopes.
- The upgrade work required on the CN Rail embankment can be completed by Wilco Contractors Southwest, under the existing Midland Berm contract in the spring of 2023. The west leg of the berm originally included in the Midland Berm contract will be cancelled.
- The Town will be responsible for completing inspections of the CN Rail embankment section of the berm, both on a scheduled and emergency response basis, to ensure the embankment continues to perform well as a berm over the long-term.

IMPLICATIONS / CONSEQUENCES

Modifying the existing Midland CN Rail embankment to use as part of the Town's flood mitigation infrastructure will result in significant cost savings to the Flood Program, but will require new engineering design work to detail modifications to the rail embankment to ensure it meets the standards required for a water retaining berm. The landscape drawings in this area will also need to be adjusted to account for the removal of the new berm leg, and any additional trees removed to accommodate the CN Rail embankment upgrade work will need to be accounted for in the tree and shrub replacement plan. As the work will make use of existing fill material, versus new imported material, there is some uncertainty about the long-term performance of the embankment material, especially under flood loading conditions. The design engineer believes that the significant width of the embankment will mitigate this risk for all of the failure modes examined (including settlement, overtopping, seepage, and slope instability); however, the Town will need to monitor and inspect the embankment on a regular and emergency basis over the long term, and complete any required repairs noted through the monitoring and inspection program.

FINANCIAL

The design change in the Midland Berm will reduce the project's construction costs; however, some additional survey, engineering, and landscaping design costs will be incurred to make the change. Construction administration and construction work can be completed under the existing contracts awarded by Council to KCB and Wilco, respectively. The anticipated overall cost savings is in the order of \$350,000. The design and construction costs are eligible for funding under the Program's overall \$55M budget, supported by the Town, The Province and The Federal Government.

COMMUNICATIONS

- A notice of the change in berm alignment will be posted on the Flood Readiness website, along with an updated map
- An update of the changed berm alignment will be provided to the project regulators at Alberta Environment
- The Alberta Environment Flood Mapping team has already been apprised of the change and will be sent a copy of the new berm alignment so it will be reflected accurately in the forthcoming draft Flood Hazard Maps

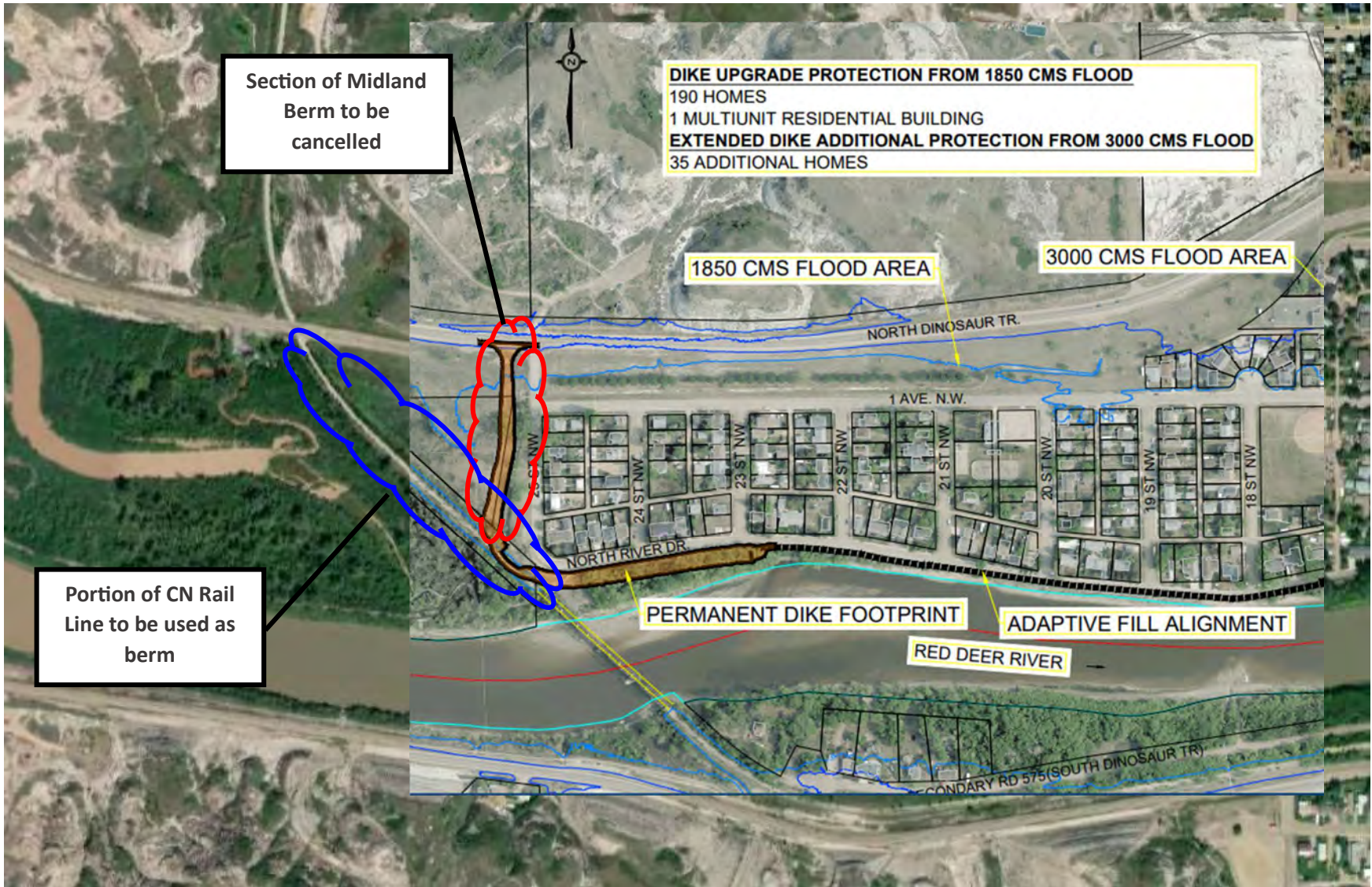


Figure 1: Midland Berm West Leg Replacement

FOR INFORMATION: REQUEST FOR DECISION

TITLE:	Flood Program Pre-Construction Tree Clearing Tender Spring 2023
DATE:	February 13 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director
ATTACHMENTS:	none

SUMMARY:

To facilitate the summer 2023 Flood Program construction work, early tree clearing, ahead of migratory bird nesting season in the Valley, will be undertaken again this year. Tenders for the 2023 berm construction projects will be posted in the coming weeks. Completing the early tree clearing under a separate contract will allow the successful contractors on the East Coulee Phase 1 Berm, Downtown Berm and Hospital Berm Extension and North Drumheller Michichi Creek East Berm to start work on these projects without having to wait for the end of the bird nesting season, typically in September of each year.

On January 20, 2023, a Request for Tender for the Pre-Construction Tree Clearing was advertised on the Town website and on the Alberta Purchasing Connection. Tenders closed on February 2, 2023, with two (2) bids being received. The bid results are as follows:

Contractor	Tendered Amount (excluding GST)
Wilco Contractors Southwest Inc. (Wilco)	\$ 183,270.00
Wright Tree Service of Canada Ltd. (Wright)	\$ 192,260.00

Tree clearing work is scheduled to commence late February completed by April 15, 2023 ahead of the start of the migratory bird nesting season.

Kerr Wood Leidal has reviewed the bid and found it to be compliant with the tender requirements and is recommending award to Wilco Contractors Southwest Inc. Wilco has been engaged to work on the Midland, Grove Plaza and Willow Estates Berms as well at the Tree and Shrub Replacement Planting Contract, and is familiar with work in the Drumheller Valley. Wilco has certified arborists on staff and are a larger contractor with the experience and resources to undertake the project.

FINANCIAL IMPACT:

The berm construction costs, including tree clearing, are funded under the \$55.0M DRFM project grant funding program. Completing tree clearing early in 2023 will reduce the potential for any delays to the 2023 construction work related to nesting birds, mitigating against costly construction delays. The cost of tree clearing is eligible for Provincial and Federal funding.

RECOMMENDATION:

Administration recommends that the Flood Program Pre-Construction Tree Clearing Tender Spring 2023 be awarded to Wilco Contractors Southwest for the amount of \$183,270.00 excluding GST.

STRATEGIC POLICY ALIGNMENT:

Approving the Spring 2023 Tree Clearing Contract aligns with Council's strategic priority to protect Drumheller from future flooding through a proactive, sustainable, flood-mitigation strategy. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment, and our cultural heritage.

COMMUNICATION STRATEGY:

Notification of the contract award will be posted on the Town of Drumheller's Bid Opportunities website. Notification of the commencement of tree clearing activities will be communicated via the flood readiness website, radio, newspaper and social media posts. Signage will be placed in impacted areas to advise of area and pathway closures for public safety.

Cleared tree material will be made available to the public as woodchips or bucked firewood. Details around pick-up locations will be provided on the flood readiness website and social media.



Prepared by:
Deighen Blakely, P. Eng
DRFM Project Director



Approved by:
Darryl E. Drohomerski, C.E.T.
Chief Administrative Officer

BRIEFING NOTE

MEETING DATE:	February 13, 2023
TITLE:	Short-Term Rental (STR) Briefing Note
DEPARTMENT:	Economic Development
PRESENTED BY:	Reg Johnston
ATTACHMENT:	ISL Engineering - Short Term Rental Approaches

INTRODUCTION / PURPOSE / PRIORITY

Late in 2021 Council directed Administration to set a strategic priority within Economic Development to develop a Housing Strategy for the Valley. Partial funding was secured with a grant from the Alberta Real Estate Foundation, Terms of Reference were completed, and a Request for Proposal (RFP) was issued on behalf of the Town of Drumheller. The Housing Strategy project was awarded to ISL Engineering.

One of the outcomes of the Strategy is to address the Short-Term Rentals (STRs) market; this includes reviewing the approach of comparable municipalities and working with our community members to develop a model based on best practices.

Along with the Economic Development department, this initiative involves Development and Planning, Business Licensing, and Emergency and Protective Services working together to create a well-researched, easy to understand and enforceable bylaw.

BACKGROUND / PROBLEM

STRs support visitation and the Tourism industry. It is now known that they impact rental affordability and take units out of the long-term rental stock.

From our Needs Assessment Work, “A search of units listed on Airbnb revealed that, as of October 2022, 98 units were available for short-term rental in Drumheller, compared to 12 units in Strathmore, 123 units in Airdrie, zero units in Irricana, and more than 1,000 units in Canmore.”

As there are 930 rental households in the Town of Drumheller, and many facing affordability issues, regulations of STRs are needed.

KEY POINTS / STATUS

Feedback from the Community:

Council, Administration, stakeholders, including employers and employees, and residents have all expressed concerns about the number of STRs and lack of available, affordable, and appropriate rental housing in the community. We heard from industry that there needs to be a leveling of the business environment for all accommodation providers in the Valley. We heard from STR managers and owners, and they believe regulation is needed to manage the industry similar to other jurisdictions.

The above feedback is supported by the affordability data presented to Council on Oct 17, 2022. The potential Bylaw amendments align with the goal of Increase the Supply of and Protect Rental Housing within the Housing Strategy.

The Framework:

The workplan that is in progress by Town of Drumheller departments is as follows:

1. Determine what bylaw(s) require change (e.g. Business Licensing, Land Use, standalone STR Bylaw),
2. Identify and implement process changes required (Development Permit, Business Licensing),
3. Research fee structure best suited for the Town of Drumheller,
4. Research if fines are needed (e.g. amount, what infraction),
5. Research best mechanisms to manage safety,
6. Research best practices for engagement and communications.

A draft of the bylaw will be presented for discussion at the March 13th 2023, Committee of the Whole meeting.

IMPLICATIONS / CONSEQUENCES

A Bylaw to manage STRs in the Town of Drumheller is intended to:

- Allow for additional accommodation to support Tourism;
- Level the business environment for all accommodation providers;
- Increase the Supply of and Protect Rental Housing;
- Increase the safety and quality of stay within the STR market.


FINANCIAL

We are in the process of determining the financial impact of the STR Bylaw. More information will be provided on March 13, 2023.

COMMUNICATIONS

Once the bylaw has been presented to Council for first reading, we will follow the Town’s Public Participation policy for engagement.


Prepared by:
Reg Johnston
Economic Development Manager


Reviewed by:
Darryl Drohomerski, C.E.T.
Chief Administrative Officer



To: **Town of Drumheller** Date: **September 23, 2022**
Attention: **Reg Johnston, Manager of Economic Development** Project No.: **28100**
Cc: **April Harrison, Dave Brett**
Reference: **Housing Strategy – Short-Term Vacation Rentals Approaches**
From: **Courtney Laurence, MPlan, M.A., RPP, MCIP**

1.0 Introduction

One of the key housing issues of immediate concern for the Drumheller Valley is the number of short-term vacation rentals (STRs) that are available in the Drumheller Valley and are taking units out of the long-term rental market. Council, Administration, stakeholders, including employers and employees, and residents have all expressed concerns about the number of STRs and lack of available, affordable, and appropriate rental housing in the community. Given the concerns, and immediate impacts the lack of rental housing has in the community, reviews and recommendations related on how best to address the impacts of STRs was advanced earlier in the Housing Strategy project process and timeline.

The purpose of this memo is to describe the known current issues, review approaches other comparable municipalities have taken to address similar challenges with STRs, and recommend approaches, based on best practices, that the Town of Drumheller should consider advancing further.

It is important to note that within the context of this memo, STRs refers to units that are typically used by visitors and tourists to the community and advertised on sites such as Airbnb and VRBO. It is not intended to respond to issues related to short-term rentals for seasonal employees which has also been raised as a concern. Employee housing, both long- and short-term, will be further addressed as part of the development of the broader Housing Strategy.

2.0 Local Context

At this time, because there is no formal way to track the number of STRs in the community, we based our initial understanding on a point-in-time search of available STRs in the Drumheller Valley on the Airbnb platform. In September 2022, there were approximately 80 units available for rent in the Drumheller Valley through the Airbnb platform. Currently, STRs are minimally regulated within the Town of Drumheller. The Town's Land Use Bylaw (LUB) defines STRs as a 'Tourist Dwelling' which is "a *single Dwelling Unit occupied by a single party of guests for a period of 28 days or less and contains sleeping and sanitary facilities and may include cooking and eating facilities*". Specific regulations include:

- May be developed only in a Dwelling Unit,
- An owner or manager is to be available within the Town at all times when the Tourist Dwelling is occupied,
- No signs are permitted, and
- A development permit may be revoked at any time at the discretion of the Development Authority.

This use is allowed as a permitted use in all the districts where Dwelling Units (residential uses) are allowed, which is most districts except for districts intended for environmental features and employment areas.



3.0 Recommended Approaches

STRs can bring positives aspects to a community and individual homeowners, such as additional tourism and economic activity and supplemental household income; however, it is well known that STRs also have negative impacts on housing supply and affordability. STRs remove units that could otherwise be available for long-term rental; however, while this is not to say that all STRs would automatically be assumed to be part of the long-term housing market, we could assume many would, especially if they are not currently the primary residence of the homeowner. Furthermore, STRs can often rented out at higher daily rates than what an average monthly rental rate would likely be, impacting affordability and making it more attractive for homeowners to transition to STRs instead of long-term rentals. Research¹ has shown as well, the number of STRs in a neighbourhood has also resulted in increased rental rates and housing prices, impacting affordability. While there are multiple approaches to regulations and ranging variety across regulations applied, the most common ones that would be appropriate for the Town to consider are described below.

Licensing

The most common approach other municipalities have taken as part of regulating STRs is to treat them more like a commercial business or traditional Bed and Breakfast and to require a business license. Most municipalities also require that the business license number is posted publicly, in the Airbnb listing, for example; however, the municipality needs to track this as there have been instances in larger cities where fake numbers are being used in listings and are not being followed up on given the sheer number of units. Within the business licensing approach, municipalities can include requirements such as health and safety and alignment with other provincial measures, set limits on the length of a stay, owner occupancy, number of guests, number or rooms rented, owner authorization, etc. While within the Town's current definition there is a limit on the length of time for a stay, it is not clear whether this is enforced. Licensing also helps the municipality better understand potential impacts of STRs on the community and track and collect data on areas such as the total number of units in operation and number of bedrooms which can be used to further inform evidenced-based decision-making for future approaches to regulation.

Primary/Permanent/Principal Residence

Some municipalities also require that the home is the primary residence of the owner in an attempt to limit the number of corporations hosting multiple STRs or units being used solely as investment properties. The City of Fernie and City of Victoria both require STR units to be primary residences, while the District of Tofino requires proof that the owner is a permanent resident on the premises. The Town of Canmore does not have any requirements that the home being used for STR be the homeowner's primary residence. This approach is an approach the Town should consider implementing as there are currently corporations operating multiple Airbnb rentals in the Drumheller Valley. The search and review of available units shows at least one non-local corporation with approximately 16 STRs, ranging from 1-6 bedroom units that are available for rent within the Drumheller Valley. Research is showing that these commercial hosts are earning larger and growing amounts of Airbnb revenue in Canada² even though the Airbnb and VRBO platforms have been built on the idea of host families engaging in part-time home-sharing.

Secondary Suites

In some municipalities reviewed, STRs are not permitted within secondary suites. Secondary suites are referred to in many terms, but generally mean a secondary dwelling unit on a parcel including basement suites, garden suites,

¹ Barron, K., Kung, E., and Proserpio, D. (2017). The Sharing economy and housing affordability: Evidence from Airbnb. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3006832 on September 1, 2022.

² Coombs, J., Kerrigan, D., and Wachsmuth, D. (2020). Short-term rentals in Canada: Uneven growth, uneven impacts. Retrieved from <https://cjur.uwinnipeg.ca/index.php/cjur/article/view/274> on September 1, 2022.



carriage homes, laneway homes, and suites in attached or detached garages. Secondary suites are often a means to increase rental housing stock without significant effort or increased development footprint as basements and garages can be converted to suites or suites roughed in as part of the original construction. Secondary suites can be more affordable than a purpose built unit, can help the owner generate income, and work well to address needs for some residents such as multi-generational families or seniors who want to age in place. In both the cities of Fernie and Victoria, secondary suites are prohibited from being used as a STR. They are allowed in Tofino; however, if the secondary suite is used for the STR, the owner must be living in the principal dwelling. In the search of existing STR listings in the Drumheller Valley, a few of the units available appeared to be secondary suites in the form of basement suites. Within the Town's current LUB, secondary suites are not formally defined. There is reference to the 'Secondary Dwelling Unit', but with no definition. Additionally, the only mention of 'Secondary Dwelling Unit' is within the Rural Development District where "*dwelling units shall be limited to single detached dwellings with or without a secondary dwelling unit*" and Countryside District where "*dwelling units shall be limited to detached dwellings with opportunities for secondary dwelling units located in an accessory building.*" Should the Town want to consider moving forward with prohibiting the use of secondary suites for STRs the LUB will need to be amended to include a definition and further clarify where secondary suites would be permitted.

Fines and Penalties

One of the challenges that often emerges through the implementation of any land use regulations is lack of enforcement as it often tends to be complaint-driven and there are not enough resources to be more proactive in addressing. Other municipalities have stressed the importance of the use of significant fines and penalties to ensure compliance with the regulations. The Town of Sylvan Lake uses a points system similar to a driver's license demerit points. A certain number of non-compliance points are applied to the applicant for every compliance issue and once the total hits 7 the license is revoked. Non-compliance points stay on the applicant's files for two years. In the City of Victoria, significant fines are used to enforce compliance. Operating a STR in Victoria without a license carries a \$500/day fine and advertising an unlicensed unit results in a \$250/day fine. In Canmore, the fine for a first time offence of operating a STR without a license is \$2,500 while second time offence results in a \$5,000 fine. Fines and penalties need to be significant enough to not be worth the risk of getting caught operating a STR illegally.

Additional Considerations

Lastly, in addition to licensing, the Town could consider applying a different tax rate to properties that are used for STR purposes. In Canmore, homes that are registered as Tourist Homes have a higher residential tax rate applied as compared to residential properties that are owner-occupied and not rented out as Tourist Homes are considered more along the lines of commercial uses. Examples of different taxes applied include provincial and municipal tax programs. In Alberta, as of April 1, 2021, the province applies a 4% tourism levy to STRs which is collected and remitted to the Alberta Tax and Revenue Administration. In British Columbia, in addition to the PST of 8% applied to STRs, provincial legislation allows for municipalities to collect municipal taxes (MRDT) of up to 3% to support tourism marketing and programs.



Table 3.1 Summary of Common Municipal Approaches to STR Regulations

	Town of Canmore	City of Fernie	City of Victoria	District of Tofino	Town of Sylvan Lake
Require Licensing	X	X	X	X	X
Restrict to Primary Residences		X	X	X ³	
Prohibit in Secondary Suites		X	X		
Restrict to Specific Land Use Districts ⁴	X	X	X	X	
Fines and Penalties	X	X	X	X	X
Taxation	Different Residential Rate	MRDT	MRDT	MRDT	Unclear

4.0 Closure

Given the housing crisis being experienced in communities across Canada, STR regulations need to balance the ability for homeowners to earn additional supplemental income while also protecting the long-term rental housing stock for current and future residents, especially for those who are most vulnerable such as single parents, seniors, and students. The recommended approaches described above are not exhaustive, are multi-pronged, and should not be implemented as a singular approach to address rental housing challenges in the community. Considerations of the implementation of other actions to respond to additional housing challenges are needed and will emerge as part of the development of the holistic Housing Strategy. Additional community engagement with residents, homeowners, current operators, and key stakeholders is also needed to further define and refine the regulatory approaches outlined and to ensure they fit best within the context of the region.

³ Must be a permanent resident on the premises. There could be up to two dwelling units on the premises, but it is not required that the unit being rented for STR purposes is the primary residence.

⁴ Beyond blanket allowance in districts where residential is allowed.

REQUEST FOR DIRECTION

TITLE:	Program for the Implementation of Paid Parking
DATE:	February 13, 2023
PRESENTED BY:	Greg Peters, Director of Protective & Emergency Services
ATTACHMENT:	

SUMMARY:

Council has expressed interest in the Town pursuing the installation and operation of a paid parking program for Drumheller. This would encompass several areas including parking lots at the World’s Largest Dinosaur, Rosedale Swinging Bridge, Hoodoos recreation area, downtown and town owned parking lots. Municipal Enforcement members have conducted research into this area and seek to apprise council of how such a program would work. Our research has found many different systems that could be used to operate in the valley. Some systems require the installation of considerable support infrastructure and only work with the parking system associated to it, others need less initial outlay of capital and work to be up and running.

RECOMMENDATION:

That Council support the proposal to publish a RFP, seeking responses from qualified vendors and contractors to have a paid parking program implemented in 2023.

DISCUSSION:

The Town of Drumheller has many attractions drawing thousands of people each year. Parking, particularly during the summer months poses challenges for the towns Municipal Enforcement staff. Further a great deal of staff time is expended on these issues. There is little revenue generated by present parking enforcement work, but such issues can occupy much enforcement officer time. A revenue opportunity is being missed by not having a paid parking program.

Research has been conducted into different paid parking systems. In addition to street parking the Town of Drumheller also owns several lots where parking is available. A system similar to what Calgary employs could be used and this necessitates the installation of several electronic payment machines where citizens attend and follow a process to pay for parking eligibility. These electronic pay machines are costly, with insulation it will cost approximately \$11,000.00 per unit. To conveniently cover the downtown area including the parking lot of the World’s Largest Dinosaur, the Badlands Community Facility and possibly the Hoodoos, at least 6 would be needed, this is estimated to be a minimum number. One review by a contractor found that 15 would be ideal.

There are other parking pay app systems that offer a digital operation and less on initial outlay for equipment and installations. With evolving technology these can be flexible and accommodate a wide variety of parking needs and these are accessible, easy to use and can evolve with the municipalities growing and/or changing needs. These options necessitate less cost to be up and running. Whichever system could be instituted it will be necessary to have enforcement personnel attend and physically patrol to ensure compliance and conduct street checks of vehicles. It is proposed that the summer staff hired to conduct paid parking operations at the Hoodoos recreation be trained and used as mobile parking attendants for the entire municipality. This seasonal staff will be supervised by a municipal enforcement member.

FINANCIAL IMPACT:

To not initiate and install such a program does affect uniform traffic enforcement and there is lost revenue in the Town.

STRATEGIC POLICY ALIGNMENT:

Good governance, public safety, and traffic enforcement support along with reasonable source of revenue.

COMMUNICATION STRATEGY:

Our research has shown that it is imperative for a municipality beginning a paid parking program to get in front of the issue with prompt, informative and direct information for the public. Each municipality researched agreed, that they have been through their share of implementation issues and negative comments. All agree that excellent and accurate information for the public is essential to the acceptance and function of the plan. Once installation of the approved contractor's system begins, we will initiate a communication plan for all citizens to be aware of the new system. We will have a question and answer section on the Town website to address questions regarding how the program will start and work. This will no doubt generate a lot of interest and we will seek to alleviate concerns of the town residents that there will be no new costs for them. Town hall staff and enforcement officers most likely to be questioned on the new system will be well schooled in how it will function and as front line staff will be able to answer inquiries properly and promptly. We will work to 'get ahead' of negativity and provide positive, complete, and reliable information at the outset. We will work to get ahead of negativity and provide positive, complete, and reliable information at the outset.



Prepared By:
G. Peters
Director of Protective & Emergency Services

Approved By:
Darryl Drohomerski, C.E.T.
Chief Administrative Officer