



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Tuesday October 03, 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

World Cerebral Palsy Day – October 6

Paid Parking Information - <https://www.drumheller.ca/your-municipality/pay-parking>

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for October 3, 2023 Regular Meeting

Proposed Motion: That Council adopt the agenda for the October 3, 2023 Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for September 18, 2023 Regular Council as presented.

[Regular Council Meeting – September 18, 2023 - Minutes](#)

Proposed Motion: Move that Council approve the minutes for the September 18, 2023, Regular Council meeting as presented.

COUNCIL BOARDS AND COMMITTEES

DELEGATION

6. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

6.1 Chief Administrative Officer

6.1.1 Request for Decision: Proposed East Coulee Trestle Bridge Area Structure Plan Repeal Bylaw 09.23 – Second and Third Reading

[Request for Decision](#)

[Bylaw 13.01](#)

Proposed Motion:

That Council gives second reading to Area Structure Plan Repeal Bylaw 09.23 as presented.

That Council gives third and final reading to Area Structure Plan Repeal Bylaw 09.23 as presented.

6.2 CLOSED SESSION Flood Mitigation – Project Manager

6.2.1 Flood Mitigation Land Matters

FOIP 23(1)(a) – Local public body confidences

FOIP 25 (1)(c) – Disclosure harmful to economic and other interests of a public body

FOIP 27(1)(a) – Privileged Information

Proposed Motion:

That Council close the meeting to the public to discuss Flood Mitigation Land Matters per FOIP 23(1)(a) – Local public body confidences, FOIP 25 (1)(c) – Disclosure harmful to economic and other interests of a public body, FOIP 27(1)(a) – Privileged Information

6.3 Manager of Economic Development

6.3.1 Request for Decision:
Proposed Business Licence Bylaw 06.23 – Second Reading

[Request for Decision](#)

[Bylaw 06.23](#)

Proposed Motion:

Move that Council give second reading to Business License Bylaw 06.23 as presented

6.3.2 Request for Decision:
Residential Development Incentive Programs Bylaw 13.20 – Approval of Applicants

[Request for Decision](#)

[Bylaw 13.20](#)

Proposed Motion:

Moves that Council approve the abatement of the Municipal portion of Property Taxes in accordance with Bylaw 13.20 Schedule 'A' at the following percentages:

- For the year 2023 – at 100% tax abatement
- For the year 2024 - at 75% tax abatement
- For the year 2025 – at 50% tax abatement
- For the year 2026 - at 25% tax abatement

And that this abatement be applied to the following Roll numbers:

- 20021388
- 20021246
- 20021504
- 20020204
- 20021238
- 20020370
- 20021396

For an estimated total of \$11,691.25 over a four-year period.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

6.4 Acting Director of Infrastructure

6.4.1 Briefing Note: Aquaplex & Area Construction Project Update

[Briefing Note](#)

7. CLOSED SESSION

- 7.1 Third Party Contract, Development and Planning, Personnel
FOIP 16 – Disclosure harmful to business interests of a third party
FOIP 23 – Local public body confidences
FOIP 24 – Advice from Officials

Proposed Motion:

That Council close the meeting to the public to discuss third-party contracts, development and planning and personnel as per FOIP 16 – Disclosure harmful to business interests of a third party, FOIP 23 – Local public body confidences, FOIP 24 – Advice from Officials

8. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

MINUTES

TIME & DATE: 4:30 PM – Monday September 18, 2023

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

IN ATTENDANCE

Mayor Heather Colberg

Councillor Patrick Kolafa

Councillor Stephanie Price

Councillor Tony Lacher

Councillor Crystal Sereda

Councillor Lisa Hansen-Zacharuk

Councillor Tom Zariski (Virtual)

Chief Administrative Officer: Darryl Drohomerski

Director of Corporate and Community Services: Vacant

Acting Director of Infrastructure: Kelcie Wilson

Director of Emergency and Protective Services: Greg Peters

Flood Mitigation Project Manager: Deighen Blakely

Communication Officer: Bret Crowle

Legislative Services: Denise Lines

Reality Bytes IT: David Vidal

Recording Secretary: Connor Schweder

1. CALL TO ORDER

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

2. OPENING COMMENTS

National Legion Week is September 17th – 23rd, 2023, and is designed to educate locals on good work done by local Legion branches for the community.

3. ADDITIONS TO THE AGENDA

There were no additions to the Agenda.

4. ADOPTION OF AGENDA

4.1 Agenda for September 18, 2023 Regular Meeting

M2023.237 Moved by Councillor Lacher, Councillor Kolafa that Council adopt the agenda for the September 18, 2023 Regular Council meeting as presented.

CARRIED UNANIMOUSLY

5. MEETING MINUTES

5.1 Minutes for September 5, 2023 Regular Council as presented.

Agenda attachment: Regular Council Meeting – September 5, 2023 – Minutes.

M2023.238 Moved by Councillor Price, Councillor Hansen-Zacharuk that Council approve the minutes for the September 5, 2023, Regular Council meeting as presented.

CARRIED UNANIMOUSLY

COUNCIL BOARDS AND COMMITTEES

6. DELEGATION

Timestamp: 3:46

6.1 ATCO Electric – Street Lights Invested Lights and the Conversion to LED Street Lights. Presented by Tracy Volker, Customer Service Representative and Colleen Crowie, Customer Service Supervisor

The presenters explained the difference between the Invested vs Non Invested Street lights and the benefit of moving all of the lights to be covered under an invested program. They also provided information on the Alberta Utilities Commission (AUC) approval of a multiplier rate for the conversion of street lights from high pressure sodium (HPS) to LED.

Agenda attachment: Presentation.

8. REPORTS FROM ADMINISTRATION

Timestamp: 43:07

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

8.1 Flood Resiliency Project Director

8.1.1 Drumheller Resiliency and Flood Mitigation Office Project Update

Agenda attachment: Presentation

NOTE Agenda Item No. 7 was moved to a later point in the meeting in order to start the Public Hearing at 5:30 PM, as scheduled. As a result, Council addressed other items on the Agenda prior to the Public Hearing. The numbering of the minutes reflects the order established in the Agenda.

7. PUBLIC HEARINGS TO COMMENCE AT 5:30 PM

Timestamp: 1:01:56

7.1 Proposed East Coulee Trestle Bridge Area Structure Plan Repeal Bylaw 09.23

Agenda attachment: Presentation: RFD, Proposed East Coulee Trestle Bridge Area Structure Plan.

1. Mayor Opens the Public Hearing and Introduces the Matter

The Mayor opened the Public Hearing and introduced the matter at 5:32 PM.

2. Presentation of Information – Chief Administrative Officer

The Chief Administrative Officer presented a Briefing Note on East Coulee Trestle Bridge Area Structure Plan Bylaw

3. Rules of Conduct for Public Participation

All the material related to Public Hearing will be documented and taken into consideration.

4. Public Participation - Registered to Present Remotely -
No registrations to present remotely were received.

5. Public Participation – Pre - Registered to Present in Person
No registrations to present in person were received.

6. Public Participation - Written Submissions
No registrations to present in written submissions were received.

7. Final Comments

There were no final comments

8. Mayor to Call for Public Hearing to Close.

The Mayor closed the Public Hearing at 5:35 PM.

8.1 Flood Resiliency Project Director (Cont.)

Timestamp: [1:06:30](#)

8.1.1 Drumheller Resiliency and Flood Mitigation Office Project Update (Cont.)

Agenda attachment: Presentation

8.1.2 Request for Decision:

Flood Mitigation Environmental Management Services Award

The existing contract is set to expire at the end of September 2023. The successful firm will undertake the following work for the Flood Project: Environmental Coordination and Construction Services. Administration recommends the contract be awarded to Ridge Environmental Planning Ltd.

Agenda attachment: Request for Decision

- M2023.239 Moved by Councillor Kolafa, Councillor Hansen-Zacharuk that the Drumheller Flood program Environmental Management Services be awarded to Ridge Environmental Planning Ltd. in the amount of \$315,000 (excluding GST).

CARRIED UNANIMOUSLY

8.1.3 Request for Decision:

Certificate of Approval and Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Meridian 4 Range 20 Township 29 Section 11 that portion of Legal Subdivision 5 in the south west quarter which lies north of Lot 19ER in Block 1 on Plan 9210893; south and east of Lots 16 to 18 inclusive in Block 1 on Plan 9210893 and southwest of Public Work (Flood Protection & Michichi Creek Diversion) Area 'F' on Plan 0212715 containing 2.577 hectares (6.37 acres) more or less (110 9 Street Northwest, Drumheller)

Agenda attachment: Request for Decision

M2023.240 Moved by Councillor Lacher, Councillor Hansen-Zacharuk that Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of land described as Meridian 4 Range 20 Township 29 Section 11 that portion of Legal Subdivision 5 in the south west quarter which lies north of Lot 19ER in Block 1 on Plan 9210893; south and east of Lots 16 to 18 inclusive in Block 1 on Plan 9210893 and southwest of Public Work (Flood Protection & Michichi Creek Diversion) Area 'F' on Plan 0212715 containing 2.577 hectares (6.37 acres) more or less; Title 231 190 652.

CARRIED UNANIMOUSLY

8.1.4. Request for Decision:
Certificate of Approval and Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Lot 4, Block 1, Plan 2721JK
(87 Michichi Drive, Drumheller)

Agenda attachment: Request for Decision

M2023.241 Moved by Councillor Sereda, Councillor Kolafa that Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of the parcel of land described as Lot 4, Block 1, Plan 2721JK; Title Number 991 204 272.

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

EMERGENCY AND PROTECTIVE SERVICES

8.2 Director of Emergency and Protective Services
Timestamp: [1:21:25](#)

8.2.1 Request for Decision:
Paid Parking Project - Pilot

Agenda attachment: Request for Decision

M2023.242 Moved by Councillor Price, Councillor Hansen-Zacharuk that Council directs Administration to operate the HotSpot Parking as a pilot from October 2-31, 2023 and bring back a report to Council no later than December 11, 2023 on the outcomes of the pilot.

CARRIED UNANIMOUSLY

INFRASTRUCTURE DEPARTMENT

9. CLOSED SESSION

- 9.1 Third Party Contract and Development and Planning
FOIP 16 – Disclosure harmful to business interests of a third party
FOIP 21 – Disclosure harmful to intergovernmental relations
FOIP 24 – Advice from Officials

M2023.243 Moved by Councillor Price, Councillor Hansen-Zacharuk
That Council close the meeting to the public to discuss third-party contracts and development and planning as per FOIP 16 – Disclosure harmful to business interests of a third party, FOIP 21 – Disclosure harmful to intergovernmental relations, FOIP 24 – Advice from Officials.

CARRIED UNANIMOUSLY

Council closed the meeting to the public at 5:59PM

M2023.244 Moved by Councillor Hansen-Zacharuk, Councillor Lacher
That Council open the meeting to the public.

CARRIED UNANIMOUSLY

Council closed the meeting to the public at 7:22pm.

10. ADJOURNMENT

M2023.245 Moved by Councillor Price, Councillor Sereda That Council adjourn the meeting.

CARRIED UNANIMOUSLY

The regular council meeting was adjourned at 7:22pm.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

REQUEST FOR DECISION

TITLE:	Repeal Bylaw 09.23 – Repealing East Coulee Trestle Bridge Area Structure Plan 13.01 – Second and Third Reading
DATE:	September 28, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 13.01

SUMMARY:

As part of the Flood Mitigation project in East Coulee, it was determined that the land contained in the Area Structure Plan (ASP) and Bylaw 13.01 was now within the Floodway. The ASP referred to a multi-lot development that has never materialized and the current owners have no intention to subdivide the property because of the Floodway designation on part of the lands, Administration is recommending the ASP Bylaw be repealed and removed from Land Title so that current and future owners of the land do not attempt to develop the property.

RECOMMENDATION:

That Council give Second and Third reading of Area Structure Plan Bylaw 09.23 to repeal the East Coulee Trestle Bridge Plan Bylaw 13.01.

DISCUSSION:

Area Structure Plans are Statutory Plans under the MGA, which are adopted by a municipality and provide a framework for subsequent subdivision and development of an area of land within the municipality. They must describe the sequence of development proposed for the area, the land uses, density of population and general location of transportation routes and public utilities.

In or around 2001, the property owner of RW306;D;F submitted an ASP to the Town of Drumheller for a seven lot subdivision for the purpose of facilitating a purchase of the land. The ASP indicated that the highest and best use of the land was to create multi-lot subdivision even though it was noted the majority of land was ‘4-5 feet below the Alberta Environment 1:100 Flood levels and would need extensive fill which would make the development cost prohibitive.’

The property buyer wished to only construct one single family dwelling on the property, which it appears was never done, as the current dwelling has a 1950 date for assessment.

As this parcel is not being protected by a berm, Administration determined that the ASP should be repealed to prevent future owners from the potential of subdivision or development of the lands into multiple unprotected lots.

The current property owner has consented to the ASP being repealed.

FINANCIAL IMPACT:

The costs for this are minimal and are covered under the Flood Mitigation budget.

STRATEGIC POLICY ALIGNMENT:

Good Governance

COMMUNICATION STRATEGY:

The property owners will be notified of the decision and the ASP will be removed from the property title with Land Titles.

MOTION:

That Council gives second reading to Area Structure Plan Repeal Bylaw 09.23 as presented.

SECONDED:

MOTION:

That Council gives third and final reading to Area Structure Plan Repeal Bylaw 09.23 as presented.

SECONDED:

Prepared By:

Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Reviewed By:

Denise Lines

Denise Lines
Manager of Legislative Services

Approved By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW 09.23
DEPARTMENT: DEVELOPMENT/FLOOD MITIGATION

*Repeals ASP Bylaw 13.01
East Coulee Trestle Bridge*

BEING A BYLAW FOR THE PURPOSE OF REPEALING THE EAST COULEE TRESTLE
BRIDGE AREA STRUCTURE PLAN BYLAW 13.01

WHEREAS, pursuant to the provision of *Section 191 of the Municipal Government Act, RSA 2000, Chapter M-26*, Council has the power to pass a bylaw, amend or repeal a bylaw in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements;

AND WHEREAS, because a public hearing was held prior to the adoption of Bylaw 13.01, a public hearing will be scheduled for the 5th day of September, 2023.

AND WHEREAS, the Town of Drumheller Council deems it desirable to repeal East Coulee Trestle Bridge Bylaw 13.01;

NOW THEREFORE, the Town of Drumheller, in the Province of Alberta, hereby enacts as follows:

SECTION 1

- 1.1 This Bylaw may be known as Area Structure Plan Repeal Bylaw 09.23.
- 1.2 This Bylaw repeals East Coulee Trestle Bridge Bylaw 13.01 and any amendments to this Bylaw.

SECTION 2

- 2.1 Bylaw 09.23 comes into full force after third reading.

READ A FIRST TIME THIS 5th DAY OF SEPTEMBER, 2023.

READ A SECOND TIME THIS ___ DAY OF _____, 2023.

READ A THIRD TIME THIS ___ DAY OF _____, 2023.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



DRUMHELLER

PROTECTIVE SERVICES



EAST COULEE TRESTLE BRIDGE AREA STRUCTURE PLAN

BYLAW NUMBER # 13.01

**AFFECTING BLOCKS D AND F,
ABANDONED RAILWAY PLAN R.W. 306 E.C.
WITHING THE S.W. ¼ SECTION 28, TOWNSHIP 27,
RANGE 18, W. 4TH MERIDIAN.
DRUMHELLER (EAST COULEE DISTRICT),
ALBERTA.**

**Prepared By:
Hunter Survey Systems Ltd.
August 2001**

**TOWN OF DRUMELLER
BYLAW NUMBER 13.01**

A BYLAW OF THE TOWN OF DRUMHELLER to adopt the East Coulee Trestle Bridge Area Structure Plan and amend Bylaw No. 36.98, the Town of Drumheller Land Use Bylaw.

WHEREAS pursuant to the provision of Section 633(1) of the *Municipal Government Act*, S.A. 1994, Chapter M-26.1, a council may pass a bylaw for the purpose of adopting an area structure plan to provide a framework for subsequent subdivision and development of land within the Town;

AND WHEREAS an Area Structure Plan referred to as the East Coulee Trestle Bridge Area Structure Plan has been prepared to provide a framework for the subdivision and development of Blocks D and F of Plan RW 306 EC within the SW ¼ Section 28, Township 27, Range 18, W4M;

AND WHEREAS it is deemed appropriate to adopt the East Coulee Trestle Bridge Area Structure Plan;

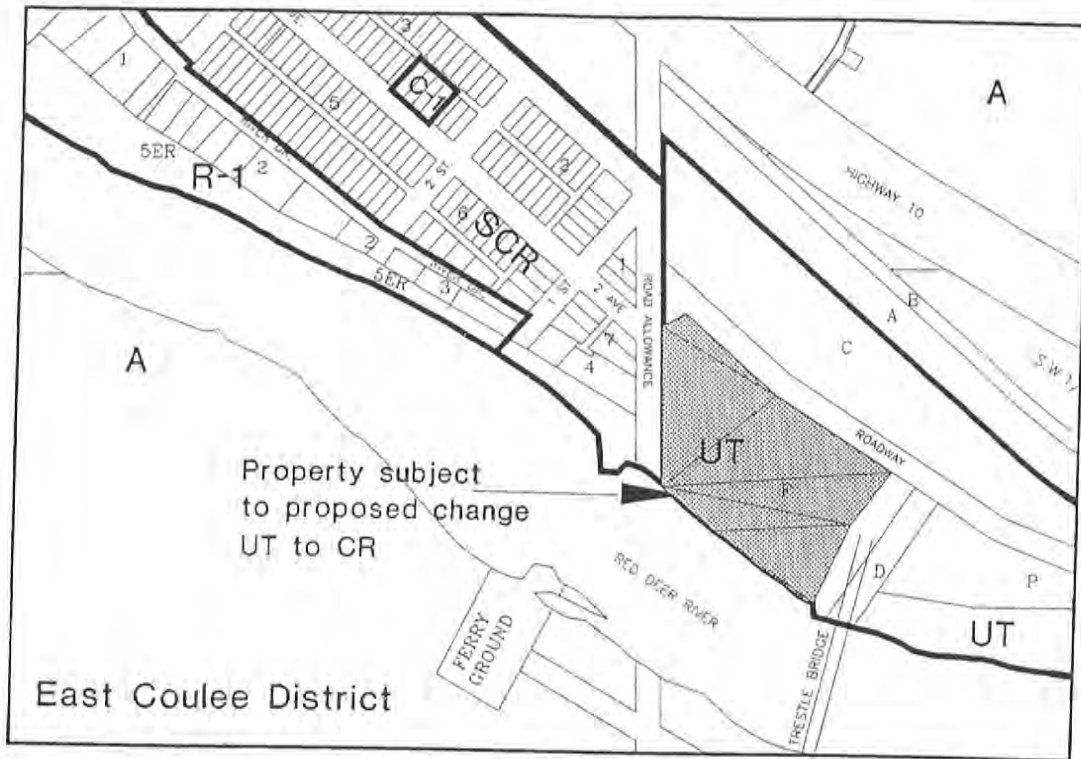
AND WHEREAS the document dated June 2001 entitled the "East Coulee Trestle Bridge Area Structure Plan", a copy of which is attached as Schedule "A" to this Bylaw, is proposed for adoption;

AND WHEREAS the land legally described as Blocks D and F of Plan RW 306 EC, shown on the plan below, is presented designated as "UT" – Urban Transition District under the Town of Drumheller Land Use Bylaw No. 36-98;

AND WHEREAS an application has been made to re-designate a portion Block F of Plan RW 306 EC as "CR" – Country Residential District;

NOW THEREFORE the Council enacts as follows:

1. The East Coulee Trestle Bridge Area Structure Plan, attached as Schedule "A" to this Bylaw is hereby adopted.
2. Bylaw No. 36-98 , being the Town of Drumheller Land Use Bylaw, is hereby amended by re-designating a portion of Block F of Plan RW 306 EC from "UT" – Urban Transition District to "CR" – Country Residential District as shown on the plan below:



READ A FIRST TIME THIS 3rd DAY OF July, 2001.

READ A SECOND TIME THIS 27th DAY OF August, 2001.

READ A THIRD TIME AND PASSED THIS 27th DAY OF August, 2001.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

TOWN OF DRUMHELLER BY-LAW NO. 1301SCHEDULE -"A"

EAST COULEE TRESTLE BRIDGE AREA STRUCTURE PLAN

AFFECTING BLOCKS D and F, ABANDONED RAILWAY PLAN R.W. 306 E.C.
WITHIN THE S.W.1/4 SECTION 28, TOWNSHIP 27, RANGE 18, W. 4TH MERIDIAN,
DRUMHELLER (EAST COULEE DISTRICT), ALBERTA.

LOCATION:

The subject lands are located in East Coulee along the north bank of the Red Deer River. The attached plans/maps show the relationship of these lands to the river and surrounding lands. The subject lands are presently owned by Canadian Pacific Railway Company Limited and form a separate and distinct parcel identified on their title.

PURPOSE:

The abandonment of the Canadian Pacific Railway lines in this area has placed a certain isolated portion of their holdings on the market for potential development. An individual has an option to acquire the subject lands from Canadian Pacific Railway and desires to place a residence on same.

It is noted the current purchaser from Canadian Pacific does not intend to create the proposed lots; but only wants to use the entire parcel to construct one single family dwelling.

A subdivision to separate the subject lands from the numerous parcels contained in Canadian Pacific's title is necessary to facilitate this land transfer and the proposed development. Notwithstanding the initial intent is only to accommodate one single family residence; it is desirable from a planning viewpoint to review and consider the best and maximum potential use of these lands to ensure the most orderly and economical use of these lands is made and that this use is compatible with the existing and future surrounding uses.

PRESENT USE:

This land is vacant with the exception of the railway/car bridge and an old abandoned house. At one time this land was developed by squatters working in the surrounding coal mines and contained approximately 15 single family dwellings.

Canadian Pacific owns an abandoned railway/car bridge which crosses the Red Deer which was once used to provide rail and vehicle access to coal mines once located on the south side of the Red Deer River. The north abutment and access trail to this bridge is located on and near the east end of the subject lands. This old railway bed and bridge are still in existence but not in use. Canadian Pacific Railway will retain ownership of the bridge and access rights to same by the concurrent registration of a Caveat declaring this interest and access rights.

However, in the long term, it would be in the best interests of Drumheller to preserve this old bridge as a historical feature of the area because of close connections with the School Museum located in East Coulee and the Atlas Coal Mine Museum located on the south side of the Red Deer River. This bridge was also an integral part of the history of the coal mining era in East Coulee and the resulting developments on both sides of the river. The Historic Atlas Mine Coal Society has expressed an interest in acquiring, repairing and maintaining this bridge. Although no agreement has been reached with Canadian Pacific Railway in this regard, the Historic Atlas Mine Coal Society have expressed a desire to continue negotiations with Canadian Pacific. It would appear funding may be the greatest hurdle to overcome to make this a reality.

Therefore, to accommodate the possibility of this structure becoming a historical site open to the public sometime in the future and to assist and support this endeavour, this Area Structure Plan adopts the following future action in this regard:

- A ... that upon any future subdivision of the lands contained in this plan; the parcel identified on this plan as Lot 7 be offered and dedicated as a Utility Lot, Public Reserve or Public Roadway to the Town of Drumheller for use by them or a local not-for-profit museum society as a condition of subdivision for the purpose of providing access to and parking for this historical site.
- B ... if the event the ownership of the bridge falls into the hands of the Town of Drumheller or a not-for-profit historical society before a further application of subdivision is made; the Town of Drumheller may proceed to acquire and register a road plan to obtain title to the area shown as Lot 7 on APPENDIX -A attached hereto.
- C ... that a future road dedication agreement be registered concurrent with the initial subdivision reflecting the foregoing.
- D ... in the event the bridge is removed by Canadian Pacific Railway Company Ltd. or others before the land is dedicated for public use; the land contained in the said Lot 7 shall be returned to and form part of the land contained in this Area Structure Plan and the Area Structure Plan be amended to reflect the easterly extension of Municipal and Environmental Reserves and lot design changes better suited to the shape of the area then presented.

LANDS AFFECTED and EXISTING TITLE:

The lands affected by this Area Structure Plan is Blocks D and F, Plan R.W. 306 E.C. which is a portion of the lands owned by Canadian Pacific Railway in Certificate of Title No. 951 200 763. This land is identified in the attached plans and is separate and distinct from the remaining Canadian Pacific Railway lands contained in C.of T. No. 951 200 763. The remaining portions of the Canadian Pacific Title represents the abandoned spur lines land lying south of the existing Highway No. 10 and north of the street shown on this Area Structure Plan.

PROPOSED USE and SERVICING:

The best possible use for this land would be for large single family dwellings serviced by the existing sanitary sewer system with independent and private water wells for each lot. As shown APPENDIX-A, this would consist of 6 residential lots with the 7th lot either being consolidated with lands to the east or used as part of a historical site and parking.

This use is compatible with and a natural extension of the existing residential development to the west and separated from the small holding development to the east by the access berm to the railway bridge. The land lying north is presently vacant but seems equally suitable for at least one more tier of residential development serviced by the existing common road being used for this proposal.

APPENDIX-A plan shows a potential new sanitary sewer line extension to accommodate this future development.

If this land were to be developed to its full potential, flood protection would be necessary and can be best achieved by placing approximately 4-5 feet of fill on this land. The cost of placing this fill and extending the existing sanitary sewer mains to accommodate 6 new lots would probably prohibit the full development potential of this land at current market values for single family lots in this area. However it is economical feasible to place sufficient fill to accommodate the immediate proposal of creating one dwelling

FLOOD PLAIN & SITE GRADING:

This land lies within the flood plain and is approximately 4-5 feet lower than the 1:100 flood plain elevation provided by Alberta Environment.

The current owners and purchasers are aware of the Town of Drumheller's policy defining the need to have dwellings constructed above the 1:100 year flood plain level and the extent of fill required to accomplish same. This current policy does not accept the construction of dwellings around "islands" of fill but rather requires a more comprehensive nature to the fill to blend into the existing roadways and river bank.

Therefore to clarify and accommodate this policy and future development; this Area Structure Plan adopts the plan attached hereto as APPENDIX-B as the site grading plan to be followed by any future development in this area. Any development/building permit issued by The Town of Drumheller shall be subject to the grades shown on APPENDIX-B.

This is not to say the entire area must be graded at once, but sufficient lands must be graded in accordance with the aforementioned site grading plan to the satisfaction of The Town of Drumheller as a condition of any development/building permit hereafter granted.

CONCLUSION:

This Area Structure Plan has been duly considered by The Town of Drumheller and their Planning Consultants through due process and after consultation with interested parties, considers this plan to make the best acceptable use of these lands, provides for the orderly development thereof, accommodates the bridge as a potential historical site and provides for flood protection.

EAST COULEE DISTRICT
DRUMHELLER, ALBERTA

PROPOSED AREA STRUCTURE PLAN
AFFECTING
BLOCKS D & F, PLAN R.W.306 E.C.
ALL WITHIN THE
S.W.1/4 SEC.28, TWP.27, RGE.18, W.4M.

—SCALE = 1:1250—2001—W.R. HUNTER, A.L.S.—

LEGEND:

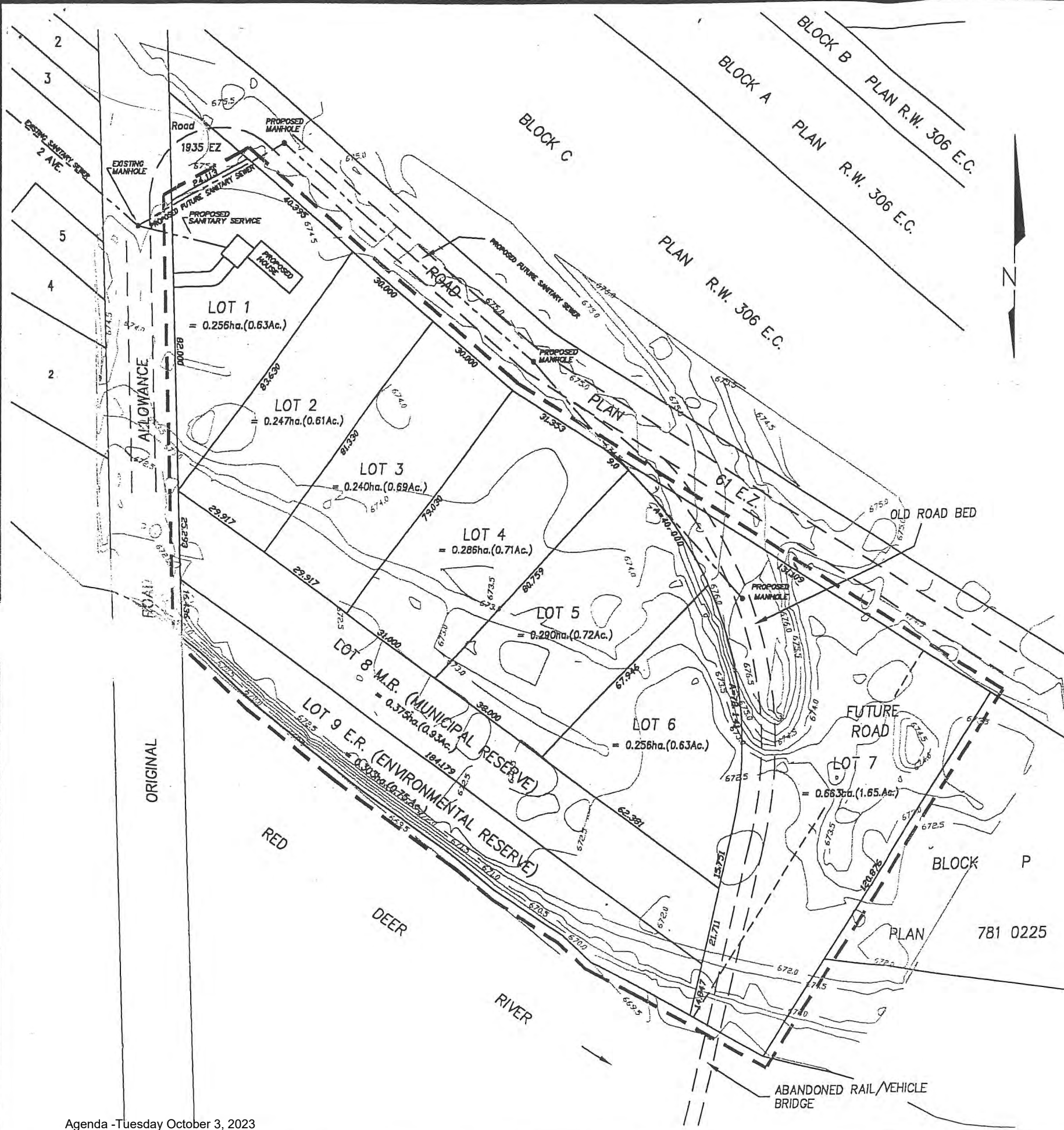
Distances are in metres and decimals thereof.

Area affected by this plan shown outlined thus... - - - -
and contains: 2.914ha.(7.20Ac.)

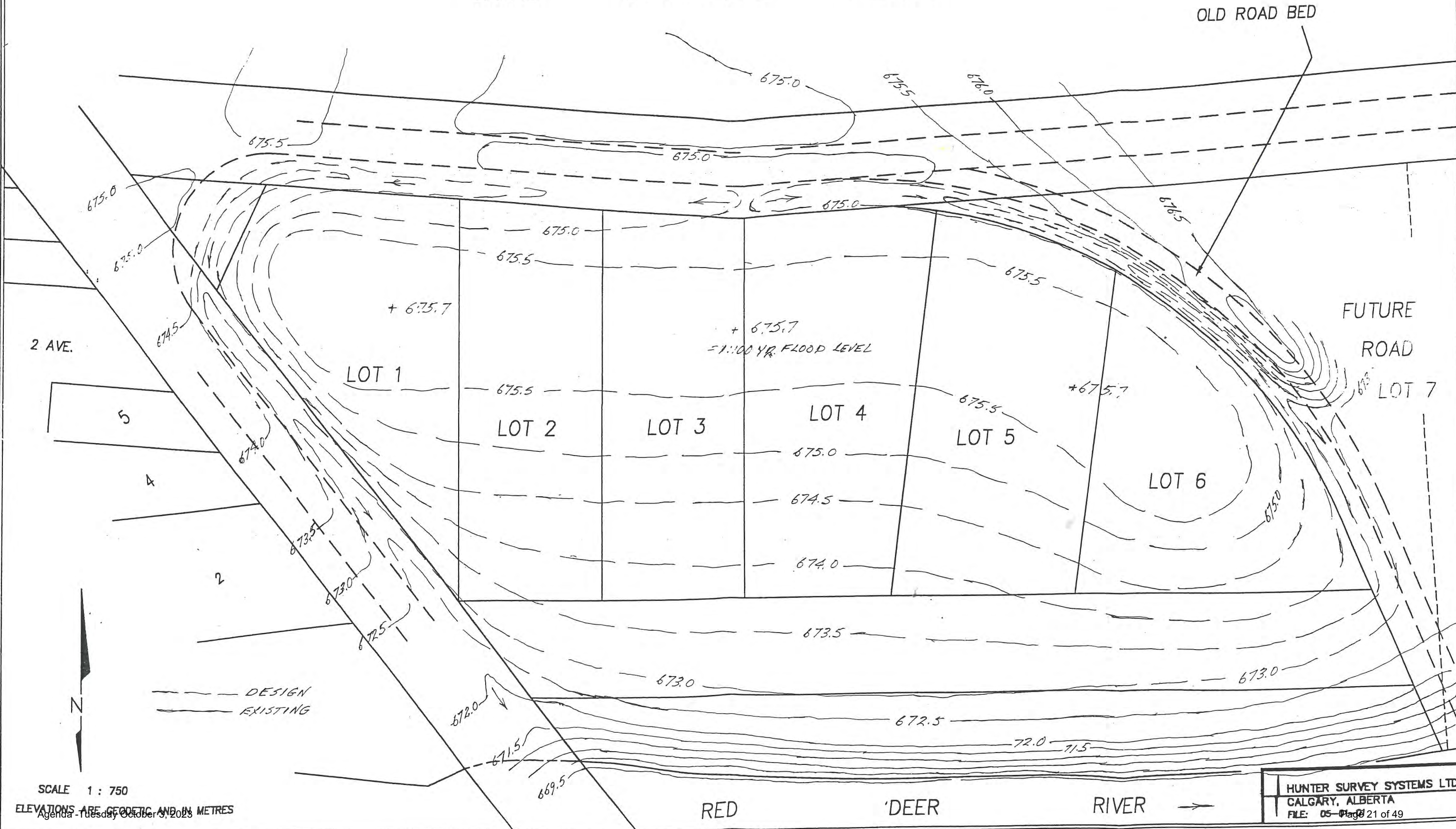
PROPOSED LAND USE: LOTS 1 to 6 - Single Family Residential
LOT 7 - Historical or Public Roadway

SERVICES: SANITARY - Connected to municipal sanitary sewer system.
WATER - Private wells.

1:100 YEAR FLOOD PLAIN = 675.7 (FROM ALBERTA ENVIRONMENT)



SITE GRADING PLAN



SCALE 1 : 750
 ELEVATIONS ARE GEODETIC AND IN METRES
 Agenda - Tuesday October 3, 2018

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 05-11-21 of 49

REQUEST FOR DECISION

TITLE:	Business License Bylaw 06.23 2 nd Reading
DATE:	October 3, 2023
PRESENTED BY:	Reg Johnson, Manager of Economic Development
ATTACHMENTS:	Business License Bylaw 06.23, Short-Term Rental Survey Results

SUMMMARY:

On July 10, 2023, Council directed Economic Development to seek public feedback on the 1st reading of Business License Bylaw 06.23 and bring back any suggestions for improvement to Council. On September 5, Economic Development presented a Briefing Note summarizing the public feedback they received. Economic Development continued to receive feedback from September 5 to September 25, 2023. The details of the additional feedback and total feedback are presented below.

Overall, the feedback was a mix of both positive and negative responses to the proposed regulation. However, the vast majority of responses favored the regulation of STRs in *some* capacity.

Since September 5, Economic Development has continued to receive public feedback. As of September 25, 2023, Economic Development received a total of nine (9) additional survey results.

The results from the surveys received after September 5th are as follows:

- 89% of responses supported the regulation of STRs, 11% of the sections were left blank.
- 56% expressed concerns about STRs or stated they were not beneficial to the community, 22% expressed both positive and negative sentiments, and 22% were left blank.
- 44% expressed a positive opinion of the Business License Bylaw, 22% thought it was not strong enough or needed more work, and 33% were left blank.

Some of the suggestions we received, in this period, to improve the program are as follows:

- “Houses that are purchased for investment (not primary residence) should be taxed at a higher rate since they are taking away long-term rental and housing for resident families. Additional taxes could subsidize lower income residents who are renting”
- Implementation of “a DMF style fund / levy to support Tourism & Travel Drumheller”
- “Town contact materials must be displayed in short term rentals that make it easier for renters to alert the town of issues and/or problems”
- “The Town should look at implementing business taxes for short term rental owners. These rentals should also have to adhere to the same health and safety standards as our B&Bs and hotels do within town.”

Of the total 18 survey responses, 72% supported the regulation of STRs in the community and 50% think the current version of the bylaw is a good start in regulating STRs.

Based on the feedback received, Economic Development believes that the Business License Bylaw 06.23 in its current form provides a good first step to regulating STRs by allowing for the registration and monitoring of STRs without significant overreach on the part of the municipality.

One recommendation Economic Development would like to investigate implementing is an STR complaint form. This online complaint form would allow guests to report STRs that are not complying with Town Bylaws. This could lead to enforcement if multiple complaints are received. However, this is an administrative change and does not need to be reflected in the Bylaw.

RECOMMENDATION:

Administration recommends council pass Second Reading of Business License Bylaw 06.23 to facilitate discussion by Council.

FINANCIAL IMPACT:

Administration recommends an annual STR Business License fee of \$100 per STR. This will result in approximately \$10,000 in revenue for the town. There is an expectation that the administrative expense will be offset by new licensing fees.

STRATEGIC POLICY ALIGNMENT:


The Business License Bylaw includes language on Short-Term Rentals, which is a Council Strategic Priority.

COMMUNICATION STRATEGY:

Economic Development intends to collaborate with Travel Drumheller to develop the *Good Host Guide* for accommodation hosts. Communications will focus on the additions of STRs to the Business License Bylaw and will encourage and incentivize STR owners to apply for a Business License as soon as practicable.

PROPOSED COUNCIL MOTION:

MOTION:
Councillor: _____ move that Council gives Second Reading to Business License Bylaw 06.23 as presented.
SECONDED:



Prepared by:
Reg Johnston
Manager of Economic Development



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

TOWN OF DRUMHELLER
BYLAW NUMBER 06.23
DEPARTMENT: CORPORATE SERVICES

Repeals Bylaw 04.15
Repeals Bylaw 01-18

**A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, TO
PROVIDE FOR THE DEVELOPMENT AND REGULATION OF A BUSINESS LICENSE
REGISTRY.**

WHEREAS pursuant to Section 7 and Section 8 of the *Municipal Government Act, R.S.A. 2000, c. M-26*, a municipal council may pass bylaws respecting the regulation of businesses, business activities and persons engaged in business;

AND WHEREAS, it is deemed appropriate to require the licensing of businesses operating within the Town of Drumheller;

NOW, THEREFORE, the Council of the Town of Drumheller, duly assembled, enacts as follows:

1. SHORT NAME

This Bylaw shall be cited as the Town of Drumheller "*Business License Bylaw.*"

2. DEFINITIONS

2.1 For the purposes of the Bylaw, the following definitions shall apply:

- a) "*Agent*" means every Person who, by mutual consent, acts for the benefit of another, including a sales representative or a Person in care and control of the premises where a Business is being conducted;
- b) "*Annual License*" means a License that is valid for the period between January 1st and December 31st of the year it was issued,
- c) "*Applicant*" means a Person who applies for a Business License or a renewal of a Business License, in accordance with this Bylaw,
- d) "*Application*" means a written request for a Business License or a renewal of a Business License as required by this Bylaw, in the form prescribed by the Chief Licence Inspector;
- e) "*Business*" means:
 - i) a commercial, merchandising or industrial activity or undertaking,
 - ii) a profession, trade, occupation, calling or employment; or
 - iii) an activity providing goods or services;

- f) *“Business Premises”* means any store, office, dwelling, warehouse, yard, building, enclosure, Mobile Business Unit or other place occupied or capable of being occupied for the purpose of carrying on a Business in a permitted and discretionary use in accordance with the Land Use Bylaw;
- g) *“Busker”* shall mean a Person who plays music or performs entertainment in a public place while soliciting money;
- h) *“Carry on”, “carrying on”, “carried on” and “carries on”* means:
 - i) to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or Agent; and
 - ii) to Advertise for a business, where in the opinion of the Chief License Inspector, there is an intent for the Business to be carried out within the Town;
- i) *“Charitable organization”* means any incorporated or unincorporated organization that is formed for a charitable purpose;
- j) *“Charitable purpose”* includes a philanthropic, benevolent, educational, health, humane, religious, cultural, artistic or recreational purpose;
- k) *“Chief Licence Inspector”* means the Chief Administrative Officer of the Town of Drumheller, or their designates;
- l) *“Community Standards Bylaw”* means the Town of Drumheller Community Standards Bylaw 06.19, as amended from time to time, and its successor legislation;
- m) *“Day Time”* means between the hours of 7:00 AM and 10:00 PM of the same day, on weekdays, and between the hours of 9:00 AM and 10:00 PM of the same day, on weekends;
- n) *“Development Authority”* means the Town of Drumheller Development Officer or the Town of Drumheller Municipal Planning Commission (MPC), as established in the Land Use Bylaw;
- o) *“Dwelling Unit”* means one or more rooms used, or designed to be used, as a residence by one or more persons and containing sleeping areas and that meets the definition(s) established in the Land Use Bylaw for the corresponding Land Use District;
- p) *“Fee Schedule”* means the Town of Drumheller *Fees, Rates and Charges Bylaw 23.22* and attached Service Fee Schedule, as amended annually, and its successor legislation;
- q) *“MGA”* means the *Municipal Government Act, R.S.A. 2000, c. M-26*.
- r) *“Mobile Business Unit”* means a motor vehicle, temporary structure or display, or stand from which a business is carried on and for which the Licensee is not listed on the property tax assessment roll;
- s) *“Mobile Vendor”* means a Person who carries on Business from a Mobile Business Unit.

- t) *"Municipal Enforcement Officer"* means any person appointed as a Bylaw Enforcement Officer pursuant to Section 555 of the *MGA* or as a Community Peace Officer pursuant to Section 7 of the Peace Officer Act, R.S.A. 2006, c. P-3.5.
- u) *"Home Occupation"* means any business of any sector that meets the definitions established in the Land Use Bylaw for the corresponding Land Use District;
- v) *"Land Use Bylaw"* means the Town of Drumheller Land Use Bylaw 16.20 as amended from time to time, and its successor legislation;
- w) *"License"* means a business license, issued pursuant to this Bylaw, for the purpose of licensing any Person carrying on Business within the Town;
- x) *"Licensee"* means the holder of a valid and subsisting Business License, issued pursuant to this Bylaw;
- y) *"Market"* means the business of providing for rent, stalls, tables, or spaces to merchants displaying for sale, offering for sale, and selling goods to the public;
- z) *"Micro Business"* means a Resident Business whose annual revenues are less than \$30,000 per year as verified by the Canada Revenue Agency;
- aa) *"Night Time"* means the hours between 10:00 PM and 7:00 AM of the next day, on weekdays, and between the hours of 10:00 PM and 9:00 AM of the next day, on weekends.
- bb) *"Non-Resident Business"* means a business carried on in whole or in part within the Town, but which does not have business premises within the Town and is not listed on the current property tax assessment roll;
- cc) *"Person"* means a natural person or a corporation and includes a partnership, an association or a group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires;
- dd) *"Resident Business"* means a Business that is carried on in whole or in part within the Town, and which has a business premises within the Town;
- ee) *"Short Term Rental"* means the Business of offering a dwelling unit or portion of a dwelling unit, as defined in the Land Use Bylaw, for temporary accommodation to a single party of guests for a period of twenty-eight (28) days or less, and includes those Businesses offering accommodation through an online broker or marketplace, but does not include:
 - a) Campgrounds
 - b) Bed and Breakfasts
 - c) Hotels/Motels
- ff) *"Special Event"* means any organized gathering of people:
 - i) with the primary purpose of supporting a community, cultural, recreational or sport experience;

- ii) that would have a significant impact on public property and/or public safety, in the opinion of the Chief Licensing Inspector;
 - iii) that require temporary structures installed in a public space;
 - v) in a private space that generate any impact on pedestrian or vehicular traffic or parking in excess of that which is considered normal for the community, in the opinion of the Chief Licensing Inspector; or
 - vi) that involves temporary changes to the activities or access in a public space, including road closures and noise bylaw exemptions.
- gg) "*Temporary License*" means a Resident or Non-Resident Business License that is granted for the following temporary period of time:
- i) one (1) day;
 - ii) one (1) week;
 - iii) one (1) month;
 - iv) four (4) months.
- hh) "*Town*" means the Town of Drumheller, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the Town of Drumheller, as the context may require;

3. LICENSE

- 3.1 No Person shall carry on a Business in the Town or advertise for a Business in the Town unless that Person has a valid and subsisting Licence issued by the Chief License Inspector.
- 3.2 Notwithstanding section 3.1, a Business License is not required:
- a) for a Business carried on by the Town; or,
 - b) for a Business carried on by the Government of the Province of Alberta, the Government of Canada, or a Crown Corporation created by either Government.
- 3.3 A Licence is required for each Business Premises where the Business is carried on.
- 3.4 Separate Business Licences are required if two (2) or more Persons are carrying on Businesses from or within the same Business Premises.
- 3.5 Every License, issued pursuant to this Bylaw, shall be posted in a conspicuous location in the Business Premises of the Licensee, so as to be clearly visible to the public.
- 3.6 All Licenses shall remain the property of the Town.
- 3.7 A Licence is not transferable from one Person to another Person or between Business Premises or Mobile Business Units.
- i) If a Licensee is moving Business Premises within the Town, The Chief Licensing

Inspector, may, at their discretion, reissue a License without the associated fee(s), if the move of the Business Premises does not necessitate a change in the Intensity or Use of the Business, as defined in the Land Use Bylaw.

4. APPLICATION REQUIREMENTS

- 4.1 Every Applicant for a Licence must provide the following information, in the form prescribed by the Chief Licence Inspector:
- a) the civic and legal address for the proposed place of Business;
 - b) the trade name(s) under which the proposed Business will operate;
 - c) where the Applicant is a sole proprietorship or partnership, the full name, mailing address, telephone number, and email address of the Applicant(s):
 - i) confirmation of this information may be required through presentation of two pieces of identification, one of which must be government issued picture identification;
 - d) where the Applicant is a corporation, the full name, mailing address, telephone number, and email address of the principal managing employee(s) or board members:
 - i) confirmation of this information may be required through presentation of two pieces of identification, one of which must be government issued picture identification;
 - e) Any certificate, authority, licence or other document of qualification under this or any other Bylaw, or under any Statute of the Province of Alberta or the Government of Canada, that may be required in connection with the carrying on of the Business;
 - f) other such information as the Chief Licence Inspector may reasonably require; and
- 4.2 No Person shall give false information in an application pursuant to the provisions of this Bylaw.

5. LICENSE FEES & TERM

- 5.1 An Application for a Licence or for a renewal of a Licence shall not be considered by the Chief Licence Inspector until the fee(s), as set out in the *Fee Schedule*, or any fines incurred pursuant to this Bylaw, have been received by the Chief License Inspector.
- 5.2 Every Annual License shall be for the period between January 1st and December 31st of the year in which said License was issued and shall be purchased for the full amount set out in the Fee Schedule, regardless of the date of purchase.
- 5.3 Every Annual Licence issued, unless revoked, shall terminate at midnight on the 31st day of December of the year in which said Licence was issued.
- 5.4 Every Annual Licence that was renewed by the Chief Licensing Inspector must be paid

by the Licensee by March 31st of the year it was renewed.

- 5.5 Every Temporary License issued, unless revoked, shall terminate after the prescribed time listed on the License, beginning from the date of issuance.
- 5.6 Notwithstanding Section 5.1, any Business exempt from fees under the provisions of any Statute of the Province of Alberta or the Government of Canada, or any Charitable Organization, will be granted an exemption upon providing proof of exemption in a manner deemed sufficient by the Chief License Inspector.

6. PROVISIONS FOR CHARITABLE ORGANIZATIONS

- 6.1 Every Charitable Organization carrying on Business within the Town shall require a Business License, in accordance with Subsection 3.1
- 6.2 Charitable Organizations that wish to be exempt from the Business License fees, in accordance with subsection 5.6, must provide proof that they are a registered non-profit organization.
- 6.3 A Charitable Organization which receives an exemption under this section must otherwise comply with all provisions of this Bylaw.

7. PROVISIONS FOR MOBILE VENDORS

- 7.1 No Person shall carry on a Business from a Mobile Business Unit within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 7.2 In addition to Subsection 4.1, an Applicant must provide the following items to the Chief Licensing Inspector as part of their application;
- a) an Alberta Health Services Food Handling Permit, if food will be served or sold from the Mobile Business Unit.
- 7.2 A Mobile Vendor operating on Town Property *must* provide Liability Insurance to the Chief Licensing Inspector in the manner described under Section 10 of this Bylaw.
- 7.3 A Mobile Vendor shall not sell goods or provide services within ten (10) metres of a brick and mortar Business that sells similar goods or provides similar services, as determined by the Chief Licensing Inspector.
- 7.4 A Mobile Vendor that wishes to carry on Business on Town property must:
- a) remain within the permitted area(s), as approved by the Chief Licensing Inspector;
- i) A Mobile Vendor shall not be granted priority or exclusive rights to carry on Business in a permitted area(s), but shall have the right to carry on Business on a first-come, first-served basis; and,
- b) only operate during Day Time hours.
- i) A Mobile Vendor shall not leave their Business Premises within the

permitted area(s) during Night Time hours.

- 7.5 A Mobile Vendor that wishes to carry on Business on private property is only permitted within the Neighbourhood Centre District (NCD), Tourism Corridor District (TCD) and the Employment District (EC), as established in the *Land Use Bylaw*, and must provide written authorization from the landowner(s) to the Chief Licensing Inspector; indicating,
- a) approval to operate a Mobile Business Unit at the specific address; and,
 - b) any additional requirements of the landowner(s), which will be reviewed by the Chief Licensing Inspector.
- 7.6 A Mobile Vendor may be requested to relocate at any time, at the sole discretion of the Chief Licensing Inspector, if:
- a) the safety of the Mobile Vendor operator or the general public are at risk;
 - b) the operation of the Mobile Business Unit unreasonably impedes the movement of vehicles or pedestrians; or,
 - c) the operation of the Mobile Business Unit is deemed a Nuisance in accordance with the *Community Standards Bylaw*.

8. PROVISIONS FOR BUSKERS

- 8.1 No Person shall carry on a Business of busking within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 8.2 A Busker that wishes to carry on Business on Town property must:
- a) remain within the permitted area(s), as approved by the Chief Licensing Inspector;
 - i) a Busker shall not be granted priority or exclusive rights to carry on Business in a permitted area(s), but shall have the right to carry on Business in a first come, first served basis; and,
 - b) only operate during Day Time hours.
- 8.3 A Busker that wishes to carry on Business on private property must provide written authorization from the landowner(s) to the Chief Licensing Inspector, specifying;
- a) approval to busk at the specific address; and,
 - b) any additional requirements of the landowner(s), which will be reviewed by the Chief Licensing Inspector.
- 8.4 A Busker may be requested to relocate at any time, at the sole discretion of the Chief Licensing Inspector, if:
- a) the safety of the Busker or the general public are at risk;
 - b) the operation of the Busker unreasonably impedes the movement of vehicles or

pedestrians; or,

- c) the operation of the Busker is deemed a Nuisance in accordance with the *Community Standards Bylaw*.

9. PROVISIONS FOR MARKETS

- 9.1 No Person shall carry on the Business of operating a Market within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 9.2 A Market Licensee must, upon request, furnish to the Chief Licence Inspector, the following:
 - a) the name and address of any operator of any stall, table or space; and
 - b) the type of goods, wares or merchandise sold by the operator.
- 9.3 A Person who rents a stall, table or space in a Market and operates within the Market's hours of operation are not required to obtain an individual License.
- 9.4 A Market that wishes to carry on Business on private property is must provide written authorization from the landowner(s) to the Chief Licensing Inspector; indicating,
 - a) approval to operate a Mobile Business Unit at the specific address; and,
 - b) any additional requirements of the landowner(s), which will be reviewed by the Chief Licensing Inspector.
- 9.5 For the purposes of this Bylaw, A Market operating on Town Property is considered a "Special Event" and is subject to the provisions in Section 11.

10. PROVISIONS FOR SHORT TERM RENTALS

- 10.1 No Person shall carry on the Business of operating a Short-Term Rental within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 10.2 A Short-Term Rental Licensee must meet all minimum standards of the *National Fire Code – 2019 Alberta Edition*, prior to the issuance of a Business License.
- 10.2 In addition to Subsection 4.1, an Applicant for a Short-Term Rental Business License must provide the following items to the Chief Licensing Inspector as part of their application;
 - a) a floor plan and photos detailing where the sleeping areas and other facilities, intended to be used by the guest(s), are located within the Short-Term Rental.
- 10.4 A Short-Term Rental Licensee must not allow overlapping bookings, whereby two (2) or more unrelated or unassociated Persons are accommodated in the Dwelling Unit(s) at the same time.
- 10.5 No Person shall Advertise a Short-Term Rental without a valid License, and:

- a) Short-Term Rental Licensee who advertises or causes advertising to be distributed respecting the Short-Term Rental, must include the valid Business License number within the advertisement, in a conspicuous location.
- 10.6 A Short-Term Rental Licensee must post, in a conspicuous location on the interior of the Dwelling Unit(s) used for the Business:
- a) The name, phone number and email address of an emergency contact Person who can be reached twenty-four (24) hours per day during rental periods;
 - b) A map detailing emergency evacuation routes in case of emergency;
 - c) The occupancy limit, as determined by the Development Authority; and
 - d) The valid License, in accordance with Section 3.5 of this Bylaw.
- 10.7 An applicant for a property owned by a landlord or under a condominium association, homeowner's association, property management company, or similar authority, must submit a letter from their respective affiliation outlining:
- a) the approval to operate a Short-Term Rental at the specific address; and,
 - b) any additional requirements of the landlord, condominium association, homeowner's association or property management company, which will be reviewed by the Chief Licensing Inspector.
- 10.8 Only one (1) Short-Term Rental is permitted per parcel unless otherwise specified in the Land Use Bylaw for the Land Use District in which the Short-Term Rental is located.
- 10.9 A Short-Term Rental is **only** permitted within the following land use districts, as established in the *Land Use Bylaw*:
- a) Countryside District (CSD);
 - b) Downtown District (DTD);
 - c) Neighborhood Centre District (NCD);
 - d) Neighborhood District (ND); and,
 - e) Rural Development District (RDD).

11. PROVISIONS FOR SPECIAL EVENTS

- 11.1 No Person shall carry on the Business of operating a Special Event within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 11.2 For the purposes of this Bylaw. The location of the Special Event shall be considered the Business Premises of the Special Event.

- 11.3 An Applicant must submit an application no later than fifteen (15) days prior to hosting a Special Event; and,
- a) if the Special Event requires a road closure, the application must be submitted no less than thirty (30) business days prior to hosting a Special Event;
- 11.4 In addition to Subsection 4.1, an Applicant for a Special Events Business License must provide the following items to the Chief Licensing Inspector as part of their application;
- a) a plan outlining the description, anticipated size and duration of the event and the safety and security measures being taken;
 - b) a map detailing the location of activities, temporary structures, and other details as may be required by the Chief Licensing Inspector;
 - c) liability Insurance, in the manner described under Section 10 of this Bylaw; and
 - d) an Alberta Health Services Food Handling Permit, if food will be served or sold at the Special Event.
- 11.5 Mobile Vendors participating in the Special Event must be licensed in accordance with Section 7 of this Bylaw.
- 11.6 Special Events that involve noise that may disturb the peace of the general public, or which involves the use of sound amplifying equipment during the Night Time, must apply for a temporary permit in accordance with the *Community Standards Bylaw*.
- 11.7 In addition to Section 14, The Chief Licensing Inspector will evaluate and approve all applications based on the criteria of this Section as well as the safety, health and welfare of the general public;
- a) Road closures and bylaw exemptions shall be granted subject to the time, date and location of the Special Event, in accordance with the *Town of Drumheller Street, Sidewalk and Public Place Use Bylaw*.

12. PROVISIONS FOR CONTRACTORS

- 12.1 No Person shall carry on the Business of operating as a contractor within the Town unless that Person has a valid and subsisting Business Licence, in accordance with Subsection 3.1.
- 12.2 A Contractor shall ensure that every sub-contractor it employs has a valid and subsisting Business License, in accordance with Subsection 3.1, and
- a) a Contractor must provide an accurate listing of all its sub-contractors to the Chief Licensing Inspector prior to being issued a license.

13. LIABILITY INSURANCE

- 13.1 The Chief Licence Inspector may require a policy of liability insurance to be held in connection with the carrying on of any business, and:

- a) the Applicant shall furnish the Chief Licence Inspector with evidence of such insurance in a form satisfactory to the Chief Licence Inspector;
- 13.2 The liability insurance policy required to be held by an applicant under this Section must:
- a) be issued by an insurance company registered and licenced to do business in the Province of Alberta;
 - b) be in an amount sufficient, in the opinion of the Chief License Inspector to cover public liability for all personal injury and property damage which may occur by reason of the operation of the business; and
 - c) include the Town as an additional named insured with thirty (30) days written notice to be given to the Town prior to cancellation of, or material change to, the policy.
- 13.3 Notwithstanding the existence of any liability insurance or the failure of the Town to require the acquisition of such insurance, neither the Town nor any official, servant, employee or agent of the Town is liable for any damage or loss sustained or suffered by any person by reason of:
- a) the issuance of any licence;
 - b) any acts or omissions of a licensee or person acting on his behalf; or
 - c) anything done or not done in any way connected with a licence or this Bylaw.
- 13.4 Where a policy of liability insurance expires during the licence year, the Licensee shall provide the Chief License Inspector with proof of the renewal. Where a policy of liability insurance expires or is cancelled or terminated, the applicable licence shall be automatically revoked and the Licensee shall cease carrying on business until the revocation is lifted or a new Business Licence is issued by the Town.
- 13.5 Where the Chief Licence Inspector requires a policy of liability insurance in connection with the carrying on of any business, a licence to carry on the business shall not be issued or renewed unless the applicant indemnifies and saves harmless the Town against any and all loss, damage, claims, actions, judgments, costs and expenses suffered or sustained by reason of or in connection with the carrying on of the business.

14. CONSULTATIONS & APPROVALS

- 14.1 The Applicant shall, prior to the Chief Licence Inspector issuing a licence, consult with the Development Authority and ensure that all necessary approvals and permits required under Land Use Bylaw have been obtained, and shall provide satisfactory proof thereof to the Chief Licence Inspector.
- 14.2 The Chief Licence Inspector may consult, prior to issuing or renewing a licence, with the Province of Alberta, the Royal Canadian Mounted Police, Alberta Health Services, the Drumheller Fire Department, any Town Department, or other bodies or Persons the Chief License Inspector deems necessary in order to render a decision regarding the renewal or

issuance of a License.

- 14.3 The Applicant or Licensee is responsible for obtaining and maintaining any certificate, authority, licence, permit, insurance, or other document of qualification under this or any other Bylaw, Statute of the Province of Alberta, or Statute of the Government of Canada, that may be required in connection with the carrying on of their Business.

15. SUSPENSION AND REVOCATION

- 15.1 The Chief License Inspector may refuse, suspend, or revoke, a License if:

- a) The Applicant or Licensee fails to comply with the requirements of this Bylaw;
- b) The Applicant or Licensee fails to comply with the provisions of the *Community Standards Bylaw*, any other Bylaw of the Town, or any applicable Statute of the Province of Alberta or the Government of Canada;
- c) The License has been issued in error;
- d) The Chief Licence Inspector has reasonable grounds to believe that operation of the Business poses a danger to the safety, health or welfare of the general public.

- 15.2 A suspension of a Licence may be:

- a) for a period of time not exceeding the remaining term of the Licence; or,
- b) where the suspension is for non-compliance with the licensing requirements of this Bylaw, until the holder of the suspended Licence proves compliance to the satisfaction of the Chief Licence Inspector.

- 15.3 The Chief License Inspector may make inquiries and receive information, including information from the Applicant or Licensee, to determine whether there are just and reasonable grounds for the refusal, suspension, or revocation of a License.

- 15.4 The Chief License Inspector shall notify the Applicant or Licensee, in writing, when there is a refusal, suspension, or revocation of a License, which shall include the corresponding reasons for the decision and shall be issued to the Applicant or Licensee by means of:

- a) In-person delivery;
- b) registered mail; or,
- c) by leaving it with a Person who appears at least eighteen (18) years of age at the address of the Applicant or Licensee.

- 15.5 After the delivery of a notice of refusal, suspension, or revocation of a License, the Business shall not be carried on until such time as a Licence is reissued or the suspended Licence is reinstated.

- 15.6 A License that has been revoked, pursuant to this Section, must be returned to the Chief Licensing Inspector as soon as reasonably possible.

16. APPEALS

- 16.1 Any Applicant or Licensee who wishes to challenge a decision regarding the refusal, suspension, or revocation, of a License, shall make a formal appeal through the *Tourism Corridor and Community Standards Appeal Board* as outlined in the *Tourism Corridor and Community Standards Appeal Board Bylaw*.
- 16.2 Where an Applicant Licensee has given notice of an intention to appeal the suspension or revocation of a License, the Chief Licence Inspector may, in the Chief Licence Inspector's sole discretion, stay the suspension or revocation of a License pending the hearing of the appeal, if the continued operation of the business does not create a danger to the safety, health or welfare of the public.
- 16.3 All notices of appeal shall be accompanied by a notice of appeal deposit in the amount specified in the *Tourism Corridor and Community Standards Appeal Board Bylaw*.

17. VIOLATIONS

- 17.1 A Person who contravenes or fails to comply with a provision of this Bylaw, or who interferes with or obstructs a Municipal Enforcement Officer in the execution of their duties under this Bylaw is guilty of an offence and shall be liable, upon summary conviction
- a) to a fine not less than three hundred (\$300.00) dollars but not exceeding ten thousand (\$10,000.00) dollars and in default of payment of any fine imposed, to a period of imprisonment not exceeding one (1) year; and,
 - i) the fine for the specific offence, in respect to the contravention of this Bylaw, shall be established in *Schedule A* of this Bylaw.
- 17.2 Where a Municipal Enforcement Officer has reasonable grounds to believe that a Person has contravened or failed to comply with a provision of this Bylaw, that Municipal Enforcement Officer may serve that Person with a Violation Tag by means of:
- a) in-person delivery;
 - b) registered mail; or,
 - c) by leaving it with a Person who appears at least eighteen (18) years of age at the address of the Applicant or Licensee.
- 17.3 The Violation Tag shall be in a form prescribed by the issuing Municipal Enforcement Officer and shall include:
- a) the name of the defendant;
 - b) the nature of the offence;
 - c) the fine for the offence, in accordance with Section 14.1;
 - d) the statement that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag; and,
 - e) any other information as may be required by the Municipal Enforcement Officer.

17.4 A Person convicted multiple times of the same offence, under this Bylaw, within a twenty-four (24) month period shall be subject to a fine

- a) twice (2x) the amount established in *Schedule A* of this Bylaw, if convicted at least two (2) times; or,
- b) twice (3x) the amount established in *Schedule A* of this Bylaw, if convicted at least three (3) times;

17.5 Where an issued Violation Tag has not been paid within the prescribed time, the Municipal Enforcement Officer may issue a Violation Ticket in accordance with the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*:

- a) nothing in this Section shall prevent a Municipal Enforcement Officer from immediately issuing a Violation Ticket Where a Municipal Enforcement Officer has reasonable grounds to believe that a Person has contravened or failed to comply with a provision of this Bylaw.

18. TRANSITIONAL

18.1 If any portion of this Bylaw is found to be invalid, that portion shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

18.2 Bylaw 04-15, Town of Drumheller Business License Bylaw, and Bylaw 01-18, Mobile Vendor Bylaw, and all amendments thereto, shall be repealed on December 31st, 2023. All licenses issued in accordance with Bylaw 01-18 and Bylaw 04-15 shall be subject to the corresponding Bylaw until the date of repeal.

18.3 This Bylaw comes into force when it receives third reading and is signed by the Mayor and the Chief Administrative Officer.

READ A FIRST TIME THIS 10th DAY OF JULY, 2022

READ A SECOND TIME THIS ___ DAY OF _____

READ A THIRD AND FINAL TIME THIS ___ DAY OF _____

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Schedule "A"

Offences

<u>Section</u>	<u>Offence Description</u>	<u>Penalty</u>
GENERAL OFFENCES		
General Penalties	All bylaw sections not specified in this schedule.	\$300
3.1, 10.4	Operate or Advertise a Business without a License	\$1000
4.2	Provide false information on a Business License Application	\$1000
3.5, 10.5	Failure to advertise Business License in conspicuous location	\$300
15.5	Carry on business while license suspended or revoked	\$1000
15.6	Failure to surrender a revoked license.	\$300
MOBILE VENDORS & BUSKERS		
7.4	Operating outside of a permitted area	\$300
7.4	Operating outside of the approved times	\$300
7.6	Failure to relocate upon notice	\$1000
MARKETS		
9.2	Failure to furnish information regarding stalls.	\$300
GENERAL CONTRACTORS		
12.2	Failure to furnish information regarding sub-contractors	\$300
SHORT TERM RENTAL		
10.3	Allowing Overlapping Bookings	\$1000
10.5	Failure to post required information in a conspicuous location	\$1000
10.7	Operating multiple Short-Term Rentals on a single parcel	\$1000

REQUEST FOR DIRECTION

TITLE:	Residential Development Incentive Programs – Approval of Applicants
DATE:	September 25, 2023
PRESENTED BY:	Reg Johnston, Manager of Economic Development
ATTACHMENTS:	Bylaw 13.20 – Consolidated

SUMMARY:

On July 10th, 2023 the Town of Drumheller passed Amending Bylaw 04.23, which allowed Titled Recreational Vehicle Lots to apply for tax abatements for the municipal portion of residential property taxes, in accordance with *Bylaw 13.20 – Residential Development Incentive Programs*.

Since July 10th, 2023, Economic Development has received seven (7) applications for tax abatement from owners of Titled Recreational Vehicle Lots at *Raptor Ridge*. The applications and the municipal tax abatement for each year are as follows:

Roll #	Assessment	2023 (act.)	2024 (est.)	2025 (est.)	2026 (est.)
20021388	\$67,000.00	\$584.56	\$438.42	\$292.28	\$146.14
20021246	\$67,000.00	\$584.56	\$438.42	\$292.28	\$146.14
20021504	\$104,000.00	\$907.38	\$680.54	\$453.69	\$226.85
20020204	\$77,000.00	\$671.81	\$503.86	\$335.91	\$167.95
20021238	\$77,000.00	\$671.81	\$503.86	\$335.91	\$167.95
20020370	\$67,000.00	\$584.56	\$438.42	\$292.28	\$146.14
20021396	\$77,000.00	\$671.81	\$503.86	\$335.91	\$167.95

If approved, the total municipal tax abatement for the next four (4) years as follows:

Year 1 (2024): \$4,676.49 (act.)
Year 2 (2025): \$3,507.37 (est.)
Year 3 (2026): \$2,338.25 (est.)
Year 4 (2027): \$1,169.12 (est.)

Estimated Total: \$11,691.25 over a four (4) year period.

Please note, the municipal tax abatement for 2025 – 2027 are estimates only, and may be subject to changes in assessment or mill rate.

Although Bylaw 13.20 states that “Developers must submit a development proposal request and incentive request to the Town of Drumheller prior to the start of construction,” it also states that “if a unique incentive request is submitted to the Town of Drumheller, upon approval of Town Council, the above criteria may be waived or modified to recognize the uniqueness of a request.” Therefore, although the lots at Raptor Ridge were developed prior to the implementation of Amending Bylaw 04.23, Council still has the authority to approve the attached applications.

Any tax abatements for the year 2023 will be applied immediately following the decision of Council. Tax abatements from 2024 – 2026 will be applied as a credit on the resident’s tax bill around May of each year.

RECOMMENDATION:

Administration recommends Council approve the attached applications for the Residential Development Incentive Program.

FINANCIAL IMPACT:

Estimated loss of tax revenue of \$11,691.25 for the 2023 – 2026 tax years. This will be subject to changes in assessment and mill rate for the years 2024 – 2026.

STRATEGIC POLICY ALIGNMENT:

The incentive aligns with the Drumheller Valley Housing Strategy’s and Municipal Development Plan to increase the number of residential units in the Valley through tax incentives.

COMMUNICATION STRATEGY:

Applicants will be notified upon approval by Council.

MOTION: Councillor: _____

Moves that Council approve the abatement of the Municipal portion of Property Taxes in accordance with Bylaw 13.20 Schedule 'A' at the following percentages:

- For the year 2023 – at 100% tax abatement
- For the year 2024 - at 75% tax abatement
- For the year 2025 – at 50% tax abatement
- For the year 2026 - at 25% tax abatement

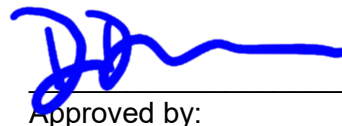
And that this abatement be applied to the following Roll numbers:

- 20021388
- 20021246
- 20021504
- 20020204
- 20021238
- 20020370
- 20021396

For an estimated total of \$11,691.25 over a four-year period.

Reg Johnston

Prepared by:
Reg Johnston
Manager of Economic Development



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

OFFICE CONSOLIDATION

**TOWN OF DRUMHELLER
BYLAW NUMBER 13.20**

*Amending Bylaw 01.22
Amending Bylaw 04.23*

BEING A BYLAW FOR THE PURPOSE OF IMPLEMENTING RESIDENTIAL DEVELOPMENT INCENTIVE PROGRAMS FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of *Section 347 (1) of the Municipal Government Act, RSA 2000, Chapter M-26*, Council may, by bylaw, cancel, reduce, refund or defer taxes, if it considers it equitable to do so, or phase-in increases or decreases from the preparation of a new assessment;

WHEREAS pursuant to the provision of *Section 347 (1) of the Municipal Government Act, RSA 2000, Chapter M-26* and amendments thereto, the Council of the Town of Drumheller deems it equitable to provide for a Bylaw for the purposes of implementing "Residential Development Incentive Programs."

NOW THEREFORE, be it resolved that the Council of the Town of Drumheller, in the Province of Alberta, duly enacts as follows:

1. This Bylaw may be referred to as the "Residential Development Incentive Programs" Bylaw;
2. Minimum qualifying criteria and property tax abatements are outlined per programs attached hereto and outlined in Schedules A: Residential Developers Housing Incentive Program, Schedule B: Multi-Unit Residential Rental Incentive Program, and Schedule C: Titled Recreational Vehicle Lots.
3. The tax abatements apply to the municipal portion of property taxes only. Special levies, improvement levies, Drumheller and District Senior Foundation Requisition and school taxes are not exempt for the purposes of this incentive; and
4. This Bylaw applies to new developments only, expansions or renovations to existing buildings or structures do not qualify for this incentive.

PROCESS

1. Developers must submit a development proposal and incentive request to the Town of Drumheller prior to the start of construction;
2. The development proposal shall include details on the type of development(s) being built, the estimated time of construction, and an approximate time that the new development(s) will be available on the market;
3. Developments must comply with the Land Use Bylaw, imposed design guidelines, and the laws of the Province of Alberta and Canada;
4. The developer must have a Town of Drumheller Business License;
5. All servicing costs will be the responsibility of the developer; and
6. If a developer sells the development(s) during the incentive period, the balance of the incentive is automatically transferred to the new owner, if the conditions of this program are maintained and subject to the conditions listed in the corresponding schedules.

RESPONSIBILITIES

1. If a unique incentive request is submitted to the Town of Drumheller, upon approval of Town Council, the above criteria may be waived or modified to recognize the uniqueness of a request;
2. Review and recommendations of changes to this program shall be the sole responsibility of Town Council, upon recommendation of the Town's Chief Administrative Officer;
3. The Town of Drumheller, through Town Council, may, at their sole discretion, refuse, limit, or cancel, any property tax abatement granted under this incentive program; and
4. This Bylaw and corresponding schedules will be reviewed by Town Council at the beginning of each Council term.

TRANSITIONAL

1. This Bylaw will come into full force and effect on the date of final passing thereof.

**SCHEDULE “A”
RESIDENTIAL DEVELOPER HOUSING INCENTIVE PROGRAM**

1.0 PURPOSE:

- 1.1 To establish an incentive program for the development of residential lots and create a positive environment for residential construction.

2.0 GENERAL PROGRAM:

- 2.1 For the purposes of this Schedule, the term “eligible dwelling” is defined as any new development of single family detached residences, attached or unattached townhouses, row houses or condominiums built to be sold as individual units with a listing sale price greater than \$180,000;
- 2.2 The developer must sign an Incentive Agreement with the Town prior to development starting;
- 2.3 Developers building eligible dwelling(s) on Town property will be required to place a 20% deposit in accordance with the Land Purchase Agreement. The developer will not be required to pay the balance until the property has been sold or when the incentive period ends, which ever occurs first;
- 2.4 For single family detached homes, the incentive shall be granted at the beginning of the tax year following the transfer of title. For attached or unattached townhouses, row houses or condominiums built to be sold as individual units, the incentive shall be granted at the beginning of the tax year following the transfer of title *or* the issuance of the building permit, depending on the preference of the developer. The tax abatement schedule will be as follows:
- i. First Year – 100% Property Tax Abatement;
 - ii. Second Year – 75% Property Tax Abatement;
 - iii. Third Year – 50% Property Tax Abatement;
 - iv. Fourth Year – 25% Property Tax Abatement;
 - v. Fifth Year – 0% Property Tax Abatement;
- 2.5 If a developer sells a dwelling approved under this program, the balance of the incentive is automatically transferred to the new registered owner provided that:
- 2.5.1 The new registered owner is not a business;
 - 2.5.2 The dwelling is not used as an income property.

SCHEDULE “B”
MULTI-UNIT RESIDENTIAL RENTAL INCENTIVE PROGRAM

1.0 PURPOSE:

- 1.1 To establish an incentive program for the development of affordable multi-unit residential rental dwellings and create a positive environment for residential construction.

2.0 GENERAL PROGRAM:

- 2.1 For the purposes of this schedule, the term, “eligible building” is defined as any multi-unit residential building that meets the following requirements:
- 2.1.2 Minimum of two (2) units;
 - 2.1.2 Minimum of \$400,000 construction value;
 - 2.1.3 All individual units in the building must contain a balcony or access to a shared green space; and
 - 2.1.4 Located within the Downtown District (DTD), Neighbourhood District (ND) and Neighbourhood Centre District (NCD).
- 2.2 Developers applying for the Multi-Unit Residential Rental Incentive must enter into an Incentive Agreement with the Town of Drumheller under the following terms:
- 2.2.1 The units within the eligible building shall remain solely as rentable dwelling units for a period of no less than ten (10) years and the developer shall not convert the units to condominiums or otherwise sell the units during this time;
 - 2.2.2 The Incentive Agreement shall be registered as a “miscellaneous interest” on title of the property to prevent the conversion to condominiums or sale of units; and
 - 2.2.3 The “miscellaneous interest” will be removed upon request of the registered owner after the ten (10) year Incentive Agreement has expired.
- 2.3 The Incentive shall be granted at the beginning of the tax year following the issuance of a building permit. The tax abatement schedule will be as follows:
- i. First Year – 100% Property Tax Abatement;
 - ii. Second Year – 75% Property Tax Abatement;
 - iii. Third Year – 50% Property Tax Abatement;
 - iv. Fourth Year – 25% Property Tax Abatement;
 - v. Fifth Year – 0% Property Tax Abatement.

SCHEDULE 'C'
TITLED RECREATIONAL VEHICLE LOTS

1.0 PURPOSE:

- 1.1 To establish an incentive program for the development of titled recreational vehicle lots and create a positive environment for construction.

2.0 GENERAL PURPOSE:

- 2.1 For the purposes of this schedule, the term, "eligible lot" is defined as any titled recreational vehicle lot that meets the following requirements:
- 2.1.1 Is sold to an individual owner after construction;
 - 2.1.2 Has the minimum services of electrical and water or sewer;
 - 2.1.3 All individual units in the development share services that are not the responsibility of the Town of Drumheller (e.g. roads, sewer, garbage);
- 2.2 Developers applying for the Titled Recreational Vehicle Lot Incentive must enter into an Incentive Agreement with the Town of Drumheller under the following terms:
- 2.2.1 The Titled Recreational Vehicle Lot must be sold within five (5) years after entering into the agreement.
- 2.3 The incentive shall be granted at the beginning of the tax year following the request of the developer. The tax abatement schedule will be as follows:
- i. First Year — 100% Property Tax Abatement;
 - ii. Second Year — 75% Property Tax Abatement;
 - iii. Third Year — 50% Property Tax Abatement;
 - iv. Fourth Year — 25% Property Tax Abatement;
 - v. Fifth Year — 0% Property Tax Abatement;

Bylaw 13.20 passed July 20th, 2020

Amendments
Bylaw 01.22 - May 9 th , 2022
Bylaw 04.23 – July 10 th , 2023

BRIEFING NOTE

DATE:	September 27, 2023
TITLE:	Aquaplex & Area Construction Project Update
DEPARTMENT:	Infrastructure Services
PRESENTED BY:	Kelcie Wilson, C.E.T., Acting Director of Infrastructure Services, Capital Project Manager
ATTACHMENT:	

INTRODUCTION / PURPOSE / PRIORITY

Since the last Briefing Note on August 28, construction for the following project around and within the Aquaplex have continued:

1. Aquaplex Northwest Door Relocation
2. Aquaplex Pipe/Void Inspection & Repair
3. Aquaplex Make-up Air Handling Unit Replacement
4. Rotary Spray Park Drainage Reroute
5. Aquaplex Sand Filter Repair

BACKGROUND / PROBLEM

Aquaplex Northwest Door Relocation

To maintain access/egress from the Aquaplex once the downtown berm is installed, the Town will need to move the emergency exit doors from the north side of the Aquaplex to the east side of the building.

Aquaplex Pipe/Void Inspection & Repair

On Monday July 10, 2023, Facilities staff were informed by Aquaplex staff of evidence of a leak in the indoor pool mechanical room of the Aquaplex. The recirculation pump pit, a drywell design, had approximately 1.5ft of water in the structure. Facilities staff shut off the recirculation pump and coordinated with Aquaplex staff to close the indoor pool.

Upon examination, sediment was found to have filled the bottom of the pump well, blocking the sump pumps. Town staff then removed the hairnet strainer and recirculation pump from the dry well, during this process it was found that the hairnet and the pump were both binding. Once those components were removed, a visual inspection was carried out and a void was found under the mechanical room floor. Video inspection of the piping in the area (which is a sanitary service line for backwash purposes) was carried out by Town staff. In addition, a structural engineer from Associated Engineering was requested to visit the site. These tasks were all completed by the end of day Wednesday July 19, 2023.

Associated Engineering instructed Knibb Construction to remove a section of the concrete floor to gain a visual on the void and the piping. During removal of the concrete flood a pipe to the hot tub was hit causing the hot tub to be shut down. It was noted that piping was run through the concrete floor instead of underneath. On August 22, 2023, Knibb Construction completed the removal of a section of the concrete floor and exposed the sanitary service. A site meeting was then scheduled for August 24, 2023, between the Town, Associated Engineering and Knibb

Construction to assess the void and the sanitary service. It was clear there was a medium size void underneath one of the sand filters and a joint on the sanitary service had failed. Associated Engineering has completed the sketches and technical specifications for Knibb Construction to follow to fix the void and the sanitary service appropriately.

Aquaplex Make-up Air Handling Unit Replacement

In late 2022 Administration identified the need to replace the Make-Up Air Unit (MAU) at the Aquaplex due to safety concerns and exceeding its designated lifecycle. As such AME Group was brought on board for engineering and design work for a new MAU.

Rotary Spray Park Drainage Reroute

To stay in compliance with Alberta Environment a new sanitary sewer pipe is required to be installed from the drains at the Fountain and connect to an existing sanitary manhole in front of the Aquaplex.

Aquaplex Sand Filter Repair

In the early summer a diaphragm on one of the three sand filters failed. Town staff were notified by a specialized pool contractor that the sand filters the Town runs are no longer being produced along with replacement parts. Town staff then proceed to call all over North America to see if anyone had replacement parts. Unfortunately, we have not been able to find replacement parts for our current sand filters. A temporary solution was put into place during the summer, but this solution has now failed as well.

A specialized pool contractor visited site on September 27 and presented the Town with a permanent solution that would see six valves replaced and address the safety concerns with accessing the existing valving system.

KEY POINTS / STATUS

An update on each projects timeline for completion is as follows:

Aquaplex Northwest Door Relocation

The new Aquaplex door has been delivered and has been sent to be coated. Installation will happen shortly.

Aquaplex Pipe/Void Inspection & Repair

On September 25, Knibb's was given the contract documents and given the go ahead to proceed with material procurement. Knibb's started work on September 27 removing additional concrete flooring, It is anticipated that we can test the new backwash system the week of October 23. Following this test another two more week of construction is required to backfill and pour the new concrete floor.

Aquaplex Make-up Air Handling Unit Replacement

Unfortunately, there are material delays within this project. The fan for the MAU is expected to arrive on site October 13 and installation will happen shortly after. The grates for the duct work are expected to arrive on site October 10 and installation will happen shortly after.

Rotary Spray Park Drainage Reroute

O'Leary had completed 90% of the work. Asphalt paving is scheduled for the week of October 3, 2023.

Aquaplex Sand Filter Repair

In order for this work to commence the Pipe/Void Repair needs to be completed as there is no room for two contractors to work within the mechanical room. It is anticipated that the Pipe/Void repair will be completed the first or second week of November and the work to repair the sand filters will be completed the third week of November.

IMPLICATIONS / CONSEQUENCES

At this time the originally anticipated opening of the Aquaplex for the beginning of October has been pushed to the first or second week of November. The Town will continue to work with all contractors on site to mitigate any future delays.

FINANCIAL

Aquaplex Northwest Door Relocation

At budget.

Aquaplex Pipe/Void Inspection & Repair

High Level cost estimate indicates roughly \$250,000.

Aquaplex Make-up Air Handling Unit Replacement

At budget.

Rotary Spray Park Drainage Reroute

Under budget.

Aquaplex Sand Filter Repair

There is no capital fund for this project and as such a request for decision will be brought forth to Council at the next meeting.

COMMUNICATIONS

Any further delays in construction will be communicated to Council. An update will also be provided to all user groups and staff at the Aquaplex. At this time it is anticipated that the Aquaplex will be opened the third week of November.