
Appeal – #2020-01

Additional Materials received at the May 28, 2020, SDAB Hearing

Appeal – #2020-01

Exhibit 7 – Letter from Appellant

May 28, 2020

Subdivision and Development Appeal Board
For the Town of Drayton Valley
Appeal # 2020-01

On behalf of the Janzen Family and IVCBC Holdings, we are disheartened and disturbed by the process undertaken by the Town of Drayton Valley for the Homeless Program currently operating at the Alliance Church. While we definitely see the need for social programs such as this, we also feel that legislation and property owner's rights were disregarded.

IVCBC Holdings first learned of the homeless program operating at the Alliance Church on April 21, 2020 when a health care professional asked a family member what we thought of a trailer/camp shack being moved on to the commercial development we refer to as Cardium Square to house any of the homeless population in Drayton Valley affected by Co-vid 19. Needless to say, we were shocked to learn this not only in this manner but that neither us as the majority property owner nor any of the tenants had been notified/consulted about this use. As quoted in the letter submitted with the appeal:

If you are allowed to put a shelter anywhere you want in the city, it takes away a fundamental right of the public to have meaningful input into what occurs in their city... [Public input] is fundamental to local democracy. Paul Sutherland, Toronto City Councillor, April 2002 (quoted in La- key, 2002b, p. B5).

We fully understand the urgency around the pandemic emergency and decisions were quickly made. However, it appears other agencies were consulted and AHS inspected more than one property for the possible housing of the program yet at no time did anyone consider the impact to the businesses within this development nor think that we should be consulted about the location of the program. Our tenants have suffered through the economic downturn for the last few years, then Co-vid 19 affected their livelihoods and then to add to it, the security issues and sometimes less than desirable activity in and around their businesses has further affected them. Did the Drayton Valley and District FCSS and the Town of Drayton Valley take any of this into consideration when they allowed this development in the commercial district?

The Town has been operating the Mat Program for 7 years but in recent months it has evolved into a 24-hour program with the Church operating a Café to provide meals to the homeless. We commend the Church for filling a void but this is not an accessory use to a place of worship nor is it a Club that is a permitted use allowed in pretty much in every land use district in the Town. In the haste to provide a new location, one consideration ignored by the Church, the Town and FCSS was the security issue. From the monthly minutes of the Homelessness Committee, it appears the Town hosted a Homelessness Workshop on October 17, 2019 at which Drayton Valley RCMP Staff Sergeant Malcolm Callihoo was invited to comment on homelessness and crime (see attached minutes). The Town was obviously aware of crime/security issues yet chose to ignore them when re-locating to a commercial area. A member of IVCBC Holdings spoke to an individual at the Church that identified himself as a Town employee. He stated that they were only responsible for what happened inside the church not the parking lot which is commonly shared by all tenants. IVCBC Holdings also contacted the Town's Community Police Officer

about the garbage bins being rooted through and garbage being strewn every where. We were advised to tell the tenants to put locks on the bins (which are being cut off). It is evident from these 2 discussions that the Town does not think it is necessary to provide any additional security as a condition of the development.

In his letter to Council (see attached Request for Decision and letter), Pastor John Haazen refers to the Omni-plex being a superior location. As the facility was already closed due to the pandemic, why wasn't this location considered at the onset? We asked those questions but were not provided an answer. IVCBC Holdings submitted a Freedom of Information and Privacy (FOIP) request for the information on April 24, 2020. The legislation provides for the public entity to fulfil the request within 30 days. However, we received no information from the Town until we called on May 21, 2020. We were verbally advised that the Minister provided an extension of 60 days (as part of Covid-19) and as such we will not receive the information until July 23, 2020. We received the letter advising us of this the evening of May 22, 2020 (see attached).

At the May 27, 2020 Council meeting, Council approved the temporary relocation of the Mat/Shelter Program to the Omni-plex. During the meeting, the Mayor clarified that this is no longer just a Mat Program but a 24-hour program as also stated in the letter from John Haazen. Further, not once during the presentation by Annette Driessen, General Manager of Community Services, was the program referred to as a club. While we are happy that the program is moving, it does not solve the following issues:

1. The Town's failure to follow their own Land Use Bylaw and the *Municipal Government Act*. The reason stated was the pandemic but a neither a regional nor local state of emergency was declared. To our knowledge, the Province did not order the Town to establish this location; we might receive clarity on this issue once we receive the FOIP information request. (previously submitted and attached CMOH Order 07-2020 Clarification for Operators of Shelters)
2. Lack of communication to surrounding property owners of social care programs/developments.
3. The property rights of surrounding owners/tenants.
4. The Town's Land Use Bylaw and lack of an appropriate description for a social care facility as an accessory use not permitted use.
5. Conditions that should be attached to the location of a social care program.

The outcome that IVCBC Holdings Ltd. is hoping to see is that the Town changes their Land Use Bylaw to appropriately allow for social care facilities in set districts and that the proper consultation/property rights for surrounding owners/tenants is adhered to. The issue has been temporarily moved until the end of June, then what? Is the program going away or will they be searching for a new home and we will have to address this again in the future?

On behalf of IVCBC Holdings Ltd. We thank you for considering our arguments in your decision.



Brenda Christie
Representative for IVCBC Holdings Ltd.



Homelessness and Poverty Reduction Committee Meeting
October 7, 2019 3:00 p.m.
Rotary House Board Room

Meeting Notes

Present: Nancy Dodds – Town of Drayton Valley Council
Karen Tatrault – AHS Care Centre
Dana Sharp-McLean – AHS Addictions (by phone)
John Haazen – Alliance Church
Adam Jensen – AHS Public Health
Betty Verreau – Beehive Support Services
Lola Strand – Drayton Valley FCSS
Emily Hickman – HPRT

1.0 Call to Order

Meeting called to order at 3:07PM

2.0 Additions or Deletions to Agenda

Item 5.2 Betty's Resignation

3.0 Adoption of Agenda

Motion to adopt the Agenda as amended by John Haazen
Seconded by Dana Sharp-McLean

4.0 Approval of Committee Meeting Notes

Approval of September 9, 2019 meeting notes
Motion to adopt the September 9, 2019 by John Haazen
Seconded by Dana Sharp-McLean

5.0 Information Items

5.1 Homelessness & Poverty Reduction Coordinator Position

The HPRT coordination position has been reduced to 2 days a week, to be shared with a 3 day a week FCSS position. As such the coordinator will not

Homelessness and Poverty Reduction Team Meeting Notes

October 7, 2019

be able to take on responsibility of any new programs and will be restricted to maintaining those already in place

5.2 Community Mat Program start-up

We have been required to give back the remainder of the provincial grant that we received to fund the program from February – April 2019. However we have found enough extra funding that we will be able to run the mat program 7 nights/week from October 17, 2019 to April 30, 2020. We are meeting with original staff and hope they will be willing to resume their positions as CMP Supervisors.

5.3 Betty Verreault Resignation

Betty Verreault is resigning her position as Executive Director with Beehive Support Services and so will be resigning her place on the Homelessness & Poverty Reduction Team at the end of her term. It will be at the discretion of the new Executive Director whether they will they will continue with the team.

6.0 Discussion Items

6.1 Homelessness Workshop

The Workshop will take place Thursday October 17 at the MacKenzie Conference Centre. The event will start at 7pm but it would be appreciated if team members could get there by 6:30 to help set up and organize. There will be 4 staff from the Alberta Rural Development Network (ARDN) attending to assist us with facilitation.

6.1.1 Format

There will be a welcome and introductions to be followed short (~10 minute) presentations by Emily defining homelessness & outlining the local situation, John with the ARDN putting our situation in a provincial context and Staff Sergeant Malcolm Callihoo commenting on the relationship between homelessness & crime.

Following the presentations participants will break into smaller group table discussions, each centred on a particular “strategy” to address the homelessness issue. Each group will have approximately 10 minutes at each table to learn about and discuss each proposal.

Homelessness and Poverty Reduction Team Meeting Notes

October 7, 2019

6.1.2 Team roles

Team members will be asked to facilitate discussion at the tables and record notes on the discussion. There will also be work sheets for participants to record their own thoughts on so facilitators can concentrate on identifying themes rather than individual thought and ideas.

6.1.3 Strategies

See the attached table suggestions

7.0 Next Meeting Date

November 4, 2019

8.0 Adjournment

Meeting adjourned at 4:28PM

TOWN OF DRAYTON VALLEY

REQUEST FOR DECISION

DRAYTON VALLEY



SUBJECT:	Relocating Mat/Shelter Program
MEETING:	May 27, 2020 Regular Meeting of Council
PRESENTED BY:	Annette Driessen General Manager of Community Services

1. PROPOSAL AND BACKGROUND:

On April 20, due to COVID-19, the Community Mat and Shelter program opened at the Alliance Church. The venue was inspected and approved by Alberta Health Services for a total of 18 participants.

Over the last few weeks, the number of people accessing the program has grown from 3 to 16 local people. The program is quickly outgrowing the space. This issue, combined with news from the Alliance Church Pastor that the Church Association wishes to resume church services at the end of May, is necessitating the need to relocate the Mat and Shelter program.

Several possible locations have been assessed by Town Administration and Alberta Health Services while taking the following into consideration:

1. The space needs to meet AHS requirements for physical distancing and accommodate the large number of participants.
2. Fire regulations must be met as the program is used for lodging.
3. A kitchen for meal prep is required so that meals can be served at the location.
4. The budget that the Province has allocated for rent, which is \$1,000 per month.

Town Administration, including the CAO, Assistant CAO, Manager of Safety and Protective Services, Senior Planner, Human Resource Manager, Communications Manager, FCSS Program Manager, and the General Manager of Community Services met with the Omniplex Manager to complete the assessment of the Omniplex's Curling Rink lounge as a possible venue to house the Mat and Shelter Program. The following points were discussed:

- Due to the COVID-19 restrictions on social gatherings, all events in the Curling Rink have been cancelled up to the end of June.
- The Program is supervised 24 hours a day, 7 days a week, by Mat Program staff. Clients would be restricted to the Curling Lounge only. All other Omniplex areas can be locked off to the Clients. Supervision includes regular checks of the exterior of the building.
- All cleaning and disinfecting of the venue is completed by the Mat Program staff.
- Re-opening of the Omniplex is likely to start with the Total Works Health and Fitness Centre and the two venues offer adequate separation.
- Alberta Health Services has inspected the Curling Rink lounge and has indicated the space meets the requirements.

After reviewing the above considerations, Town Administration is requesting a decision from Town Council on the relocation of the Mat and Shelter Program to the Curling Rink Lounge.

2. BUDGET / GRANT / RESOURCE IMPLICATIONS:

The Shelter Program has received funding assistance from the Province of Alberta to operate. Included in the funding is an allowance of \$1,000 per month for facility rental. This funding allowance will be paid to the Town of Drayton.

3. ALIGNMENT WITH LEGISLATION AND TOWN PLANS:

Type of Document	Yes ~ N/A ~ Partial	Comments
Provincial Acts / Regulations	N/A	
Municipal Bylaws	N/A	
Municipal Development Plan	N/A	
Sustainability Vision 2019-2021	N/A	
Town of Drayton Valley Strategic Plan 2019-2021	N/A	
Other Plans or Policies	Yes	<p>Town of Drayton Valley Social Development Plan.</p> <ul style="list-style-type: none"> • All residence in the community have a safe and comfortable place to live; • Individuals and families are able to meet their basic needs: nutritious food, clothing, housing, transportation, health services and recreation; • All individuals feel a sense of belonging in the community and have people to rely upon and a place to go when in need; and • Community organization, businesses and governments work collaboratively. <p>The Mat Program is specifically mentioned under the Social Development Goal of "All residents have a place to live"</p>

4. POTENTIAL MOTIONS:



- A. That Town Council approve the relocation of the Mat and Shelter Program from the Alliance Church to the Curling Rink Lounge for the remainder of the agreement term of June 30, 2020.
- B. That Town Council reject the relocation of the Mat and Shelter Program from the Alliance Church to the Curling Rink Lounge.
- C. That Town Council direct Administration to recommend an alternate facility to relocate the Mat and Shelter Program.

5. RECOMMENDATION

That Town Council approve the relocation of the Mat and Shelter Program from the Alliance Church to the Curling Rink Lounge for the remainder of the agreement term of June 30, 2020.

6. ATTACHMENTS:

1. Letter from Alliance Church Pastor, John Haazen

REPORT PREPARED BY:	Cora Appilyz	REVIEWED BY:	
APPROVED BY:			

**DRAYTON VALLEY ALLIANCE CHURCH**

Box 6578, Drayton Valley, AB T7A 1R9

Telephone: (780) 542 - 6501

Email: office@dvalliance.ca

Drayton Valley Town Council,

It has been an honor to host the 24-hour mat program in our facility. I am so proud to represent the Drayton Valley Ministerial on the Homelessness and Poverty Reduction board, and I am extremely proud of the work that Emily Hickman and Lola Strand have done running the 24-hour program. They have literally "built the bridge as they walk on it". When we started the process of looking for a facility for the 24-hour program, the Omni-plex was not available, and the congregation of the Alliance Church was unable to use our facility to meet in. This seemed like a "match made in heaven".

At the current time, we are able to start using our facility for corporate gatherings and the Omni-plex is available. In many ways, I feel the Omni-plex will be a superior facility from the perspective on the clients who use the program. In addition, the relocation will make our church's relaunch much easier. This is especially true given the current government guidelines for social distancing at places of worship. In light of these factors, the Drayton Valley Alliance Church board of Elders and I are in favor of relocating the 24-hour mat program.

Pastor John Haazen

FOIP Act, RSA 2000, Chapter F-25, section 17(1) & (4)

Come Grow With Us



Freedom of Information and
Protection of Privacy Act

Request to Access Information

Personal information on this form is collected under Alberta's *Freedom of Information and Protection of Privacy Act* and will be used to respond to your request. See instructions for completing this form.

About you

Title (optional)	Last Name	First Name		
	CHRISTIE	BRONDA		
Name of Company or Organization (if applicable)				
IVCBC HOLDINGS LTD				
Mailing Address	Street	City/Town/Village	Province	Postal Code
PO Box	5286	DRAYTON VALLEY	AB	T7A 1R4
Telephone Number (daytime)		Telephone Number (evening)		Fax Number
(780) 202-2277		()		()
E-mail Address				
brechris@telus.net				

About your request

1. What kind of information do you want to access?

- ☒ General information (An initial fee of \$25 is required – see instructions for explanation of fees.)
- ☐ Your own personal information (No initial fee is required for personal information.)

2. To which public body are you making your request? (Please fill in the name of the public body that has the records you wish to access. For a complete listing of public bodies, consult the Directory of Public Bodies on the FOIP website at foip.alberta.ca.)

TOWN OF DRAYTON VALLEY + DRAYTON VALLEY & DISTRICT FCSS

3. Do you want to: ☒ receive a copy of the record? OR ☐ examine the record?

About the information you want to access

1. What records do you want to access? Please give as much detail as possible. (If you want access to your own personal information, be sure to give all your previous names. For another person's information, you must attach proof that you can legally act for that person.)

Please see attached list.

2. What is the time period of the records? Please give specific dates. (See instructions for details.)

January 1, 2019 to April 24, 2020

Your signature

Signature  Date Apr. 24/20

Where to send your request

Send your completed request form, and initial fee if applicable, to the FOIP Coordinator of the public body that has the records you wish to access. For contact information, consult the Directory of Public Bodies on the FOIP website at foip.alberta.ca.

FOR OFFICE USE ONLY	
Date Received	Request Number
	Comments

FOIP Request – IVCBC Holdings Ltd.

What records do you want access to?

Any and all correspondence relating to the Mat Program in Drayton Valley. Any agreements pertaining to the use of any and all spaces in Drayton Valley for the Mat Program. Any provincial or other funding agreements for the Mat Program or homelessness project in Drayton Valley. Any meeting notes pertaining to the placement of the Mat Program in Drayton Valley.

Any and all correspondence, including emails in regards to Development Permit DV20-009. The development permit application and all supporting documents relating to Development Permit DC20-009.

The AHS order or other correspondence relating to the requirement to place a self isolation trailer on Lot 14, Block 50, Plan 1422152.

brechris@telus.net

From: Jennifer Stone <jstone@draytonvalley.ca>
Sent: May 22, 2020 5:22 PM
To: 'brechris@telus.net'
Subject: FOIP Letter
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Good evening,
Again sorry for the delay, I just got out of a meeting!

Please find attached our letter which outlines our intent to extend our deadline to provide the requested information by July 23, 2020.



Jennifer Stone
Intergovernmental Relations & Communications
Town of Drayton Valley
5120-52 Street, Box 6837 Drayton Valley, AB T7A 1A1
P: 780-514-2247 | F: 780-542-5753
E: jstone@draytonvalley.ca



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DRAYTON VALLEY



May 22, 2020

Brenda Christie
IVCBC Holdings Ltd.
Box 5286 Drayton Valley, AB
T7A 1R4

Dear Ms. Christie:

RE: FOIP Request

In response to the FOIP request that was submitted on April 24, 2020, the Town has every intention to respond in a timely manner, however, due to COVID-19 the Town's resources have been redirected to support the community and the organization through these difficult times. Additionally, the Town has had to lay off over half of the staffing compliment which has further stretched resources.

The Minister of Service Alberta has made an order (Ministerial Order No. SA 009/2020) modifying time limits in specific sections of the Freedom of Information and Protection of Privacy Act (FOIP Act).

The modified sections of the FOIP Act include amendments to the following:

Time limit for responding: Section 11 is modified to extend the time limit for responding to an access request from not later than 30 days to not later than 90 days after receiving it unless that time limit is extended under section 14, or the request has been transferred under section 15 to another public body.

Considering these changes in legislation, as well as the Town's resources being heavily impacted by COVID-19, the Town of Drayton Valley will be extending the time to respond to the request for information from May 22, 2020 to July 23, 2020.

Yours sincerely,

Winston Rossouw
Chief Administrative Officer,
Town of Drayton Valley

/js

March 30, 2020

AR 169674

Re: Exemptions and Clarifications for Operators of Shelters and Temporary or Transitional Housing Facilities, related to Chief Medical Officer of Health Orders

On March 16, 2020, in my capacity as Chief Medical Officer of Health (CMOH), I declared a state of public health emergency in Alberta, due to the presence of COVID-19 in the province. The Government of Alberta recognizes that the operators of shelters and temporary or transitional housing facilities provide an essential service in Alberta, particularly during this time of emergency. This includes the operators of any site for Albertans facing homelessness or family violence. I am pleased to provide the following exemptions and clarifications related to my recent Orders.

CMOH Order 07-2020, Clauses 1-5

On March 27, 2020, under CMOH Order 07-2020 Clause 3, I announced that indoor gatherings in excess of 15 people in a group are prohibited and that any people gathering in an indoor location must maintain a minimum of 2 metres distance from one another. Clause 5 confirms that these gatherings applies to any type of public or private gathering, including but not limited to, weddings, funerals, religious services, informal events etc.

- The clause 3 prohibition does not apply to the the normal operations of shelters and temporary or transitional housing settings. Normal operations of essential services that include more than 15 people may proceed, but risk mitigation strategies such as physical distancing must be in place.
- Non-essential indoor and outdoor gatherings that include more than 15 people, such as informal social gatherings, are subject to CMOH 07-2020 and must not proceed.
- CMOH Order 07-2020 is available at <https://open.alberta.ca/publications/cmoh-order-07-2020-2020-covid-19-response>.

Physical distancing in shelter settings

I am providing the following exemption and clarification for residents of shelters and transitional or temporary housing facilities who do not have COVID-19 symptoms:

- Under ideal circumstances, the 2 metre distance applies to the head to toe placement of mats, cots and beds; however, recognizing the current space limitations in many shelters and the necessity of providing adequate beds to vulnerable Albertans, the minimum requirement for head to toe placement of mats, cots and beds is 1 metre.
- For shelters that operate on a 24 hour basis, shelter operators must facilitate 2 metres of physical distance between clients during normal daytime operations.

Clients who require isolation due to suspected or confirmed cases of COVID-19

Operators are encouraged to prioritize moving clients who have a suspected or confirmed case of COVID-19 to an external, assisted isolation space. For shelters providing services for clients who are homeless, this may mean moving the client to an isolation space or facility that has been identified by shelter networks in various cities and locations around the province. For clients who are facing family violence, this may mean securing a hotel room for the client.

- In the event that an operator of a shelter or temporary or transitional housing facility determines they have adequate space to set up a separate room or section specifically for client isolation or if a group of operators determined to designate one of their facilities as an isolation-only shelter; the operator(s) must follow the requirement, under CMOH 07-2020, to ensure 2 meters of distance between people, including within sleeping arrangements. Alberta Health Services public health in each Zone should be consulted to ensure these spaces can meet environmental health and infection, prevention and control standards.

Symptomatic staff and volunteers

On March 25, 2020, under CMOH Order 05-2020, I required that any person who is exhibiting any of the following symptoms: cough, fever, shortness of breath, runny nose or sore throat, which are not related to a pre-existing illness or health condition, must be in isolation for an minimum of 10 days from the start of their symptoms, or until the symptoms resolve, whichever is longer.

- Staff and volunteers at shelters and transitional or temporary housing facilities must follow this requirement and must stay home if exhibiting any of the above-listed symptoms.
- CMOH Order 05-2020 can be found at <https://open.alberta.ca/publications/cmoh-order-05-2020-2020-covid-19-response>.

Finally, please be advised that Alberta Health and Alberta Health Services are currently preparing a resource for shelters that amalgamates COVID-19 prevention and outbreak management information. Once this is available, it will replace the *Guidance for Providers of Services to Albertans Experiencing (or at-risk of) Homelessness: 2019*

Novel Coronavirus (COVID-19) Prevention and Preparation document that was released on March 16. We anticipate this document will also meet the information needs of the Alberta Council of Women's Shelters as well as other shelter-related needs identified by CSS (e.g., a clear process for requesting PPE and a consistent screening protocol).

This is the best guidance that can be offered at this time and we will continue to work with CSS to assess the situation going forward.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deena', followed by a large, stylized flourish.

Deena Hinshaw, BSc, MD, MPH, CCFP, FRCP
Chief Medical Officer of Health

Appeal – #2020-01

Exhibit 8 – Report from Development Authority

SUBJECT:	Town of Drayton Valley- Subdivision and Development Appeal Board (SDAB) hearing 2020-001
MEETING:	May 28, 2020 Subdivision and Development Appeal Board (SDAB)
PRESENTED BY:	Matt Ellis Senior Planner


1. PROPOSAL AND BACKGROUND:

Further to the Development Authority's initial report that forms part of the Board's agenda package, Town Council passed a motion to relocate the Community Mat and Day Program at the Regular Council Meeting held on May 27, 2020.

The Applicant (Drayton Valley and District FCSS) has, therefore, confirmed that it will commence moving the Community Mat and Day Program immediately.

2. RECCOMENDATION

As Town Council and the Applicant confirm the Community Mat and Day Program are being re-located from the subject property, starting immediately, this matter is essentially no longer under appeal. As such, the Development Authority recommends the Board dismiss the appeal.

REPORT PREPARED BY: Matt Ellis, Senior Planner	[Signature] 	REVIEWED BY:	[Signature]
APPROVED BY:	[Signature]		