



REQUEST FOR DECISION

TITLE:	Proposed East Coulee East End Road Closure Bylaw 21.22
DATE:	November 2, 2022
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 21.22; Schedule 8

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, the Province is requiring the Town of Drumheller owns the land that current or proposed berms will be placed, including those berms that currently or would sit on Public road rights-of-way. A portion of these rights-of-way need to be closed for the construction of the new berms. This Bylaw deals with closing a portion of the right of way at the west end of River Drive in East Coulee to facilitate berm placement.

RECOMMENDATION:

That Council gives first reading to East Coulee East End Road Closure Bylaw 21.22 and sets the Public Hearing date for December 19, 2022.

DISCUSSION:

Under the funding agreement between the Town and Alberta Environment, the construction of any new berms shall be placed on land owned by the Town of Drumheller, including any road rights of way. This road closure bylaw will accomplish that task for the East Coulee Berm that parallels River Drive at the east end of East Coulee as well as closes a portion of an unnamed original road allowance.

There is a difference between a right of way and a road. A road is the surface that is contained within the right of way and is generally 7-9 meters wide. A right of way is a legal entity under the ownership of the Province and is varies from 6 meters (for an alley) to 20-40 meters for a street or avenue. Many rights of way, at least in Drumheller area, may not have a road contained within the boundary. In the case of rights of way adjacent to the Red Deer River, the right of way extends to the water's edge as shown in the attached drawing.

These portions of road closures are necessary in order to wrap the berm around, and protect, the east end of East Coulee.

The lands where the berm is being placed will be converted into Public Utility Lot to align with the other land in the valley that berms currently or will reside upon.

FINANCIAL IMPACT:

The costs to convert this land is included with the Flood Mitigation project and is a requirement of the provincial funding agreement.

STRATEGIC POLICY ALIGNMENT:

Flood Mitigation is the key strategic priority of this Council and Administration.

COMMUNICATION STRATEGY:

A notice of the proposed Road Closure and Public hearing will be provided via;

- Newspaper ads in the Drumheller Mail will run on November 30 and December 7
- Letters to properties in the adjacent area will be mailed out by November 25
- Posting on the Town Website, DrumhellerOnline Community Events Page.

MOTION: Councillor Lacher M2022.247 Mon Nov 7 2022
That Council give first reading to East Coulee East End Road Closure Bylaw 21.22 and set the Public Hearing date for December 19, 2022.

SECONDED: Councillor Sereda

Prepared By:



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

Reviewed By:

Denise Lines

Denise Lines
Legislative Services

Approved By:



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

**TOWN OF DRUMHELLER
BYLAW NUMBER 21.22
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT**

East Coulee East End Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of undeveloped roads and undeveloped original road allowance as depicted on the attached:

SCHEDULE – ‘8’; being a portion of the Original Road Allowance between the S.W. ¼ Section 28 and the S.E.1/4 Sec. 29 and portions of 1st. and 2nd. Streets on Plan 801 1334 all within Township 27, Range 18, West of the 4th. Meridian to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; the Town of Drumheller, the Province of Alberta and the Government of Canada have entered into an agreement to construct flood mitigation berms along portions of the Red Deer River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS; it has been found that construction of flood mitigation berms in the subject area is impossible without encroaching upon and using parts of the aforementioned undeveloped roads, and

WHEREAS; the parties to this flood mitigation project have agreed that land used for berm construction must be in the name of the Town of Drumheller, and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest and no one will be adversely affected by this road closure Bylaw; and

WHEREAS; a notice of this undeveloped road closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the day of, 2022 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close a portion of the Original Road Allowance between the S.W. ¼ Section 28 and the S.E.1/4 Sec. 29 and portions of 1st. and 2nd. Streets on Plan 801 1334 all within Township 27, Range 18, West of the 4th. Meridian as shown depicted on the attached Schedule – ‘8’ which is more particularly described as:

PLAN
AREAS ‘ A’, ‘B’ and ‘C’
EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring three titles to these lands in the name of the TOWN OF DRUMHELLER with a mailing address of; 224 Centre Street, DRUMHELLER, Alberta T0J 0Y4 pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 200, as amended.

SHORT TITLE

This Bylaw may be cited as East Coulee East End Road Closure Bylaw 21.22

TRANSITIONAL

This Bylaw takes effect on the day of the third and final reading.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER, THIS __ DAY OF __, 2022.

MAYOR: HEATHER COLBERG

DARRYL E DROHOMERSKI, C.E.T
CHIEF ADMINISTRATIVE OFFICER

APPROVED BY: ALBERTA INFRASTRUCTURE and TRANSPORTATION

Seal

MINISTER OF ALBERTA INFRASTRUCTURE AND TRANSPORTATION
ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER, THIS __ DAY OF __, 2022.

MAYOR: HEATHER COLBERG

DARRYL E DROHOMERSKI, C.E.T
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER, THIS __ DAY OF __, 2022.

MAYOR: HEATHER COLBERG

DARRYL E DROHOMERSKI, C.E.T
CHIEF ADMINISTRATIVE OFFICER

draft - first reading - 2022 M07

EAST COULEE DISTRICT
DRUMHELLER, ALBERTA

PLAN SHOWING PROPOSED ROAD CLOSURE
AFFECTING PARTS OF THE
ORIGINAL ROAD ALLOWANCE BETWEEN
S.W.1/4 SEC.28 AND S.E.1/4 SEC.29,
AND 1st STREET & 2nd STREET ON
PLAN 801 1334
ALL WITHIN THE
S.W.1/4 SEC.28 AND S.E.1/4 SEC.29,
TOWNSHIP 27, RANGE 18, W.4M.

SCALE= 1:2000 ————— OCTOBER, 2022

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 

