

REQUEST FOR DECISION

TITLE:	Bylaw #22.24 – Cambria 6th Avenue E Road Closure (1 st Reading)
DATE:	July 8, 2024
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw #22.24 – Cambria 6th Avenue E Road Closure (1 st Reading)

SUMMARY:

The playground and land in Cambria, legally known as Block 6, Plan 5808 G.X, that was owned by the Rosedale Recreation Association, was sold earlier this year to private owners who wish to construct a home and small cottages on the property. These owners have made an application to the Town to acquire a 6.1 meter (20') wide strip of the adjacent public street closed to public use and to consolidate this land with the title to Block 6, Plan 5808 G.X.

As this section of the road allowance is undeveloped and is not required for either municipal use nor public travel, this portion of the road allowance can be permanently closed and may be sold to the owner of the adjacent property.

In accordance with Section 22 of the Municipal Government Act c.m-26, R.S.A, 2000:

- a) all roads in a municipality that are subject to the direction, control and management of a municipality must be closed by bylaw;
- b) the municipality must hold a public hearing in respect to the proposed bylaw; and,
- c) All road closure bylaws must be approved by the Minister of Transportation and Economic Corridors before it receives second reading.

RECOMMENDATION:

That Council gives first reading to Bylaw #22.24 – Cambria 6th Avenue E Road Closure and set the Public Hearing date for Monday, August 12, 2024.

DISCUSSION:

Similar to other municipalities, the administrative costs associated with closure of the road allowance will be the responsibility of the applicant. Terms related to the administrative fees and cost of the land has been discussed with the applicant.

FINANCIAL IMPACT:

The administrative costs associated with the road closure are estimated to be about \$2,000, with most of the cost attributed to the requirement to advertise in the local newspaper. The applicant is willing to cover the costs associated with the road closure and is willing to purchase the land at fair market value.

STRATEGIC POLICY ALIGNMENT:

Council and Administration would like to close road allowances that are unused and unnecessary for public travel in order to reduce associated costs of road maintenance.

COMMUNICATION STRATEGY:

Notice of the proposed Road Closure and Public Hearing will take place via:

- a) newspaper ads in the Drumheller mail, running the weeks of July 17th and July 24th;
- b) letters to adjacent proprietors within 200m of the proposed road closure; and,
- c) on the Town of Drumheller website as a media release on the Town calendar

MOTION: Councillor Kolafa, Councillor Hansen-Zacharuk, M2024.32, July 08, 2024

That Council gives first reading to Bylaw #22.24 – Cambria 6th Avenue E Road Closure and set the Public Hearing date for Monday, August 12, 2024.

Mitchell Visser

Prepared by:
Mitchell Visser
Manager of Legislative
Services



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

**TOWN OF DRUMHELLER
BYLAW NUMBER 22.24
DEPARTMENT: DEVELOPMENT**

Cambria 6th Avenue E Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of certain underdeveloped public Streets as depicted on:

SCHEDULE – A

and acquiring title to these lands in the name of the TOWN OF DRUMHELLER for retention or sale as Council may determine; in accordance with the Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; an application has been made by adjacent owners of Block 6, Plan 5808 G.X. to have a portion of the subject public road closed to public use and to consolidate this land with the title to Block 6, Plan 5808 G.X.; and

WHEREAS; this undeveloped portion of the road created by subdivision plan No. 5808 G.X. within the N.E. 1/4 Section 15, in Township 28, Range 19, W. of the 4th Meridian will not be required for public road or other public purposes in the future; 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; and

WHEREAS; a notice of this 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 _____ 2024 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 that portion of the undeveloped Street depicted on the attached Schedule – ‘A’ which is more particularly describe as:

THAT PORTION OF 6TH AVENUE EAST CREATED BY PLAN 5808 G.X.
DESCRIBED AS:

THE NORTH WESTERLY 6.10 METRES IN PERPENDICULAR WIDTH
THROUGHOUT 6TH AVENUE EAST WHICH LIES ADJACENT TO THE SOUTH
EASTLY BOUNDARY OF
BLOCK 6, PLAN 5808 G.X.
EXCEPTING THEREOUT ROAD PLAN 7128 J.K.

EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring 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 of the Municipal Government Act, being Chapter M-26,
of the Revised Statutes of Alberta 2000, as amended.

SHORT TITLE

This Bylaw may be cited as the "Cambria 6th Avenue E Road Closure"

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
DRUMHELLER this 8th day of July 2024.**


MAYOR: HER WORSHIP; HEATHER COLBERG


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



APPROVED BY: ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS

Seal

MINISTER OF ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS
127 LEGISLATURE BUILDING, 10800 - 97 AVENUE, EDMONTON, AB, T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN
DRUMHELLER this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN
DRUMHELLER this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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