



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Monday, September 23, 2024

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and
[Live Stream on Drumheller Valley YouTube Channel](#)

1. CALL TO ORDER

2. OPENING COMMENTS

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 **Agenda for the September 23, 2024, Regular Meeting of Council**

Proposed Motion: That Council adopt the agenda for the September 23, 2024, Regular Meeting of Council as presented. (or as amended)

5. MEETING MINUTES

5.1 **Minutes for the September 9, 2024, Regular Meeting of Council**

[Regular Council Meeting – September 9, 2024 – Draft Minutes](#)

Proposed Motion: That Council approve the minutes for the September 9, 2024, Regular Meeting of Council as presented.

6. COUNCIL BOARDS AND COMMITTEES

7. DELEGATIONS

8. PUBLIC HEARING AT 5:30 P.M.

8.1 **Proposed Bylaw #24.24 – Advertising Bylaw**

1. Mayor Opens the Public Hearing and Introduces the Matter
2. Presentation of Information – Chief Administrative Officer
3. Rules of Conduct for Public Participation
All the material related to Public Hearing will be documented and taken into consideration.
4. Public Participation – Pre-Registered to Present Remotely
5. Public Participation – Pre-Registered to Present in Person

6. Public Participation – Written Submissions
7. Final Comments
8. Mayor to Call for Public Hearing to Close

9. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

9.1 **Chief Administrative Officer**

9.1.1 **Nacmine East End, Road Closure Bylaw #02.24 – Second Reading**

[Request-for-Decision](#)

[Nacmine East End, Road Closure Bylaw #02.24 – 2nd Reading](#)

Proposed Motion:

That Council give Second Reading to Road Closure Bylaw #02.24, as presented.

Proposed Motion:

That Council give Third and Final Reading to Road Closure Bylaw #02.24, as presented.

9.1.2 **Nacmine 4th Street, Road Closure Bylaw #03.24 – Second Reading**

[Request-for-Decision](#)

[Nacmine 4th Street, Road Closure Bylaw #03.24 – 2nd Reading](#)

Proposed Motion:

That Council give Second Reading to Road Closure Bylaw #03.24, as presented.

Proposed Motion:

That Council give Third and Final reading to Road Closure Bylaw #03.24, as presented.

9.1.3 **Rosedale Mabbott Road, Road Closure Bylaw #06.24 – Second Reading**

[Request-for-Decision](#)

[Rosedale Mabbott Road, Road Closure Bylaw #06.24 – 2nd Reading](#)

Proposed Motion:

That Council give Second Reading to Road Closure Bylaw #06.24, as presented.

Proposed Motion:

That Council give Third and Final reading to Road Closure Bylaw #06.24, as presented.

9.1.4 **Rosedale Pinter Drive, Road Closure Bylaw #07.24 – Second Reading**

[Request-for-Decision](#)

[Rosedale Pinter Drive, Road Closure Bylaw #07.24 – 2nd Reading](#)

Proposed Motion:
That Council give Second Reading to Road Closure Bylaw #07.24, as presented.

Proposed Motion:
That Council give Third and Final reading to Road Closure Bylaw #07.24, as presented.

9.1.5 **Bylaw #27.24 – East Coulee West PULs**

[Request-for-Decision](#)
[Bylaw #27.24 – East Coulee North PULs](#)

Proposed Motion:
That Council gives First Reading to Bylaw #27.24 – East Coulee West PULs

Proposed Motion:
That Council gives Second Reading to Bylaw #27.24 – East Coulee West PULs

Proposed Motion:
That Council gives unanimous consent for Third Reading to Bylaw #27.24 – East Coulee West PULs

Proposed Motion:
That Council gives Third Reading to Bylaw #27.24 – East Coulee West PULs

9.1.6 **Bylaw #28.24 – Revision of Bylaw 17.19**

[Request-for-Decision](#)
[Bylaw #28.24 – Revision of Bylaw #17.19](#)
[Bylaw #17.19 – 3rd Street SW Road Closure](#)
[Revised Bylaw #17.19 – 3rd Street SW Road Closure](#)

Proposed Motion:
That Council gives First Reading to Bylaw #28.24 – Revision of Bylaw #17.19.

Proposed Motion:
That Council gives Second Reading to Bylaw #28.24 – Revision of Bylaw #17.19.

Proposed Motion:
That Council gives unanimous consent for Third Reading to Bylaw #28.24 – Revision of Bylaw #17.19.

Proposed Motion:
That Council gives Third Reading to Bylaw #28.24 – Revision of Bylaw #17.19.

9.2 **Flood Resiliency Project Director**

- 9.2.1 Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Lot 7, Plan 9911430
80 Railway Avenue, Rosedale

[Request-for-Decision](#)
[Certificate of Approval](#)
[Resolution of Council](#)

Proposed Motion:

That Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of the parcel of land described as Lot 7, Plan 9911430; Title Number 171 233 365.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE SERVICES

10. CLOSED SESSION

10. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

MINUTES

TIME & DATE: 4:30 PM – Monday, September 9, 2024

LOCATION: Council Chambers, 224 Centre Street and via Zoom platform

[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 Tom Zariski
Councillor Lisa Hansen-Zacharuk

Chief Administrative Officer: Darryl Drohomerski
Director of Corporate & Community Services: Victoria Chan
Director of Infrastructure: Jared Brounstein
Dir. of Emergency and Protective Services: Greg Peters
Flood Resiliency Project Director: Deighen Blakely
Manager of Legislative Services: Mitchell Visser
Manager of Economic Development: Reg Johnston
Infrastructure Capital Projects Manager: Jason Warrack
Manager of Municipal Enforcement: Trent Kure
Manager Recreation, Arts & Culture: Rick Ladouceur
Fire Chief: Derian Rosario
Reality Bytes IT: David Vidal
Recording Secretary: Angela Keibel

1. CALL TO ORDER

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

2. OPENING COMMENTS

Mayor Colberg thanked Irv and Corinne Gerling, Barb Neigum, J. Brounstein and the public works employees for their efforts on improving the lights on the dinosaur in Munchie Park.

J. Brounstein gave an update on the Town cleanup schedule.

Councillor Sereda provided information about the 2024 Resident Sentiment Survey that Travel Drumheller, in partnership with Travel Alberta, wishes to engage residents in to gather thoughts, concerns, and ideas about tourism to provide feedback and help shape initiatives in the Drumheller Valley. The survey is open until September 20, 2024, and can be accessed via www.traveldrumheller.com/resident-sentiment.

Councillor Zariski reported that there will be pancake breakfasts on Sundays in the Drumheller Valley as follows: Knights of Columbus do the breakfast at St. Anthony's Hall on the second Sunday of each month; Nacmine Community Association on the third Sunday of each month; East Coulee Community Association on the fourth Sunday of each month.

Councillor Zariski recited the Oath of Office to be sworn in as Deputy Mayor for the months of September and October 2024.

Mayor Colberg thanked Councillors Hansen-Zacharuk and Sereda for their service as Deputy Mayor throughout the summer.

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 **Agenda for September 9, 2024, Regular Council Meeting**

M2024.273 Moved by Councillor Lacher, Councillor Price
That Council adopt the agenda for the September 9, 2024, Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

5. MEETING MINUTES

5.1 **Minutes for the August 26, 2024, Regular Meeting of Council**

Agenda Attachment: Regular Council Meeting – August 26, 2024 – Draft Minutes

M2024.274 Moved by Councillor Kolafa, Councillor Sereda
That Council approve the minutes for the August 26, 2024, Regular Meeting as presented.

CARRIED UNANIMOUSLY

6. COUNCIL BOARDS AND COMMITTEES

7. DELEGATIONS

8. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

8.1 **Chief Administrative Officer**

YouTube Timestamp: 7:55

8.1.1 **Mid-sized Towns Mayors Caucus – Terms of Reference**

Agenda Attachments: Request-for-Decision; Mid-sized Towns Mayors Caucus TOR – January 19, 2024; Mid-sized Towns Mayors Caucus TOR – Revised July 2, 2024

M2024.275 Moved by Councilor Zariski, Councillor Price

That Council approve the Alberta Mid-sized Towns Mayors' Caucus Terms of Reference as amended.

CARRIED UNANIMOUSLY

8.1.2 **Housing Accelerator Fund (HAF)**

Agenda Attachments: Request-for-Decision; HAF Initiatives 2024

M2024.276 Moved by Councillor Sereda, Councillor Hansen-Zacharuk

That Council approve the Housing Accelerator Fund (HAF) Action Plan -2024 and the attached Action Plan Initiatives.

CARRIED UNANIMOUSLY

8.1.3 **Bylaw 26.24 – Revision of Bylaw 16.24**

Agenda Attachments: Request-for-Decision; Bylaw 26.24 – Revise Bylaw 16.24; Bylaw 16.24 – 1st Reading; Revised Bylaw 16.24 – Newcastle West PUL 1

M2024.277 Moved by Councillor Lacher, Councillor Price

That Council gives First Reading to Bylaw 26.24 - Revision of Bylaw #16.24.

CARRIED UNANIMOUSLY

M2024.278 Moved by Councilor Zariski, Councillor Hansen-Zacharuk

That Council gives Second Reading to Bylaw 26.24 - Revision of Bylaw #16.24.

CARRIED UNANIMOUSLY

M2024.279 Moved by Councillor Kolafa, Councillor Hansen-Zacharuk

That Council gives unanimous consent for Third Reading to Bylaw 26.24 - Revision of Bylaw #16.24.

CARRIED UNANIMOUSLY

M2024.280 Moved by Councillor Price, Councillor Lacher

That Council gives Third Reading to Bylaw 26.24 - Revision of Bylaw #16.24.

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

8.3 **Director of Corporate and Community Services**

YouTube Timestamp: 30:40

8.3.1 **2024 Municipal Taxes – Sandstone Manor Roll# 000 04029906**

Agenda Attachment: Request-for-Decision

M2024.281 Moved by Councilor Zariski, Councillor Sereda
That Council rescind the motion # 2024.268 adopted on August 26, 2024.

CARRIED UNANIMOUSLY

M2024.282 Moved by Councillor Sereda, Councillor Price
That Council approve the cancellation of the 2024 Municipal Tax levied against Roll No. 04029906 (Drumheller Housing Administration) in the amount of \$15,035.22.

CARRIED UNANIMOUSLY

8.3.2 **2025 Minimum Tax (Municipal Property Tax portion)**

Agenda Attachments: Request-for-Direction

EMERGENCY AND PROTECTIVE SERVICES DEPARTMENT

8.4 **Director of Emergency and Protective Services**

YouTube Timestamp: 53:05

8.4.1 **Fire Bylaw**

Agenda Attachments: Briefing Note; Draft Bylaw 25.24 – Fire Bylaw; Draft Bylaw 25.24 – Schedule A – Fee Schedule; Draft Bylaw 25.24 – Schedule B – Fine Schedule

INFRASTRUCTURE SERVICES

8.5 **Director of Infrastructure Services**

YouTube Timestamp: 1:21:30

8.5.1 **RFP – 2023-063 Solid Waste Collection Contract**

Agenda Attachments: Request-for-Decision; Request for Proposal; Financial Evaluation; Proposal Evaluation

M2024.283 Moved by Councillor Kolafa, Councillor Sereda
That Council approves the award of a 5-year contract to Environmental 360 for both Residential and Commercial Solid Waste Collection within the Town of Drumheller.

CARRIED UNANIMOUSLY

9. CLOSED SESSION

YouTube Timestamp: 1:41:30

9.1 **Third Party Business and Local Public Body Confidences**

FOIP 16 – Disclosure harmful to business interests of a third party.

FOIP 23 – Local public body confidences.

FOIP 24 – Advice from officials.

M2024.284 Moved by Councillor Lacher, Councillor Sereda

That Council close the meeting to the public to discuss Third Party Business and Local Public Body Confidences as per FOIP 16 – Disclosure harmful to business interests of a third party, FOIP 23 – Local public body confidences, and FOIP 24 – Advice from officials at 6:08 pm.

CARRIED UNANIMOUSLY

M2024.285 Moved by Councillor Lacher, Councillor Price

That Council open the meeting to the public at 9:20 pm.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

M2024.286 Moved by Councillor Sereda, Councillor Kolafa

That Council adjourn the meeting.

CARRIED UNANIMOUSLY

Council adjourned the meeting at 9:20 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

REQUEST FOR DECISION

| | |
|----------------------|---|
| TITLE: | Nacmine East End, Road Closure Bylaw #02.24 (2 nd Reading) |
| DATE: | September 23, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENT: | Nacmine East End, Road Closure Bylaw #02.24 (2 nd Reading) |

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, a road closure bylaw is required to close a portion of the right of way to facilitate the construction of a berm. This Bylaw deals with closing a portion of the right of way at the northwest corner of the intersection of 1st Street and 3rd Avenue in Nacmine. Council gave first reading to Bylaw #02.24 on January 8th, 2024 (M2024.03) and held a public hearing on February 05, 2024. The Bylaw and submissions from the public hearing were sent to Alberta Transportation for approval. Now that the signed package has been returned, second and third readings are required to close the roadway.

RECOMMENDATION:

That Council gives second and third reading to Bylaw #02.24 and proceed with the closure of the public right of way.

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 Nacmine Berm that cuts diagonally across the northwest corner of the intersection of 1st Street and 3rd Avenue at the west end of Nacmine. This closure will not impact any pavement at this intersection.

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 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.

These portions of road closures are necessary to wrap the berm around, and protect, the properties in the west end of Nacmine that are below the Provincial 1:100 Flood Elevation. 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:

Once the Bylaw has been passed by Council, the Road Closure will be registered with Land Titles.

MOTION:

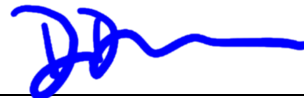
That Council give second reading to Road Closure Bylaw #02.24, as presented.

MOTION:

That Council give third and final reading to Road Closure Bylaw #02.24, as presented.



Prepared by:
Mitchell Visser
Manager of Legislative Services



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



TRANSPORTATION AND ECONOMIC CORRIDORS
TECHNICAL STANDARDS BRANCH
2ND FLOOR, TWIN ATRIA BUILDING
4999-98 AVENUE
EDMONTON, ALBERTA, CANADA
T6B 2X3

TELEPHONE NO: 780-427-7902
Toll Free Connection Dial 310-0000

August 26, 2024

Town of Drumheller
224 Centre Street
Drumheller, AB T0J 0Y4

Attention: Mitchell Visser, CAO

RE: ROAD CLOSURE – BYLAW 02.24 (RPATH0044189)

Enclosed is the above noted bylaw which was approved by Alberta Transportation and Economic Corridors for closure and disposal on August 26, 2024.

Following the second and third readings by Council, the bylaw may be registered at Land Titles.

Please notify me when registration is complete.

Yours truly,

Laura Miller
Digitally signed by
Laura Miller
Date: 2024.08.26
16:13:24 -06'00'

Road Closure Coordinator

cc: Brittany Van Norman
Development and Planning Technologist
Red Deer, Alberta

Enclosures

TOWN OF DRUMHELLER
BYLAW NUMBER 02.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine East End Rd Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing a portion of a Public Street as depicted on:

SCHEDULE – 1 AREA – ‘A’

being portions of 1st. Street and 3rd. Avenue created by Plan 7125 D.D.

all within the North West Quarter of Section 8 in Township 29, Range 20,
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 areas is impossible without encroaching upon and using part of the adjacent public streets, and

WHEREAS; the proposed new flood mitigation berms will continue to occupy the area depicted on Schedule 1, and

WHEREAS; the parties hereto 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 Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on Wednesday January 17 and again on Wednesday January 24, 2024 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 5th day of February 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 intersection of 1st. Street and 3rd. Avenue shown depicted on the attached Schedule – 1, which is more particularly described as:

PLAN

AREA – ‘A’
EXCEPTING THEREOUT ALL MINES AND MINERALS

SHORT TITLE

This Bylaw may be cited as Nacmine East End Rd Closure

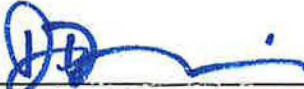
TRANSITIONAL

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 JANUARY, 2024.



MAYOR: HER WORSHIP; HEATHER COLBERG



Seal

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

APPROVED BY: ^{✓ TRANSPORTATION ✓} ALBERTA ~~INFRASTRUCTURE~~ and ECONOMIC CORRIDORS

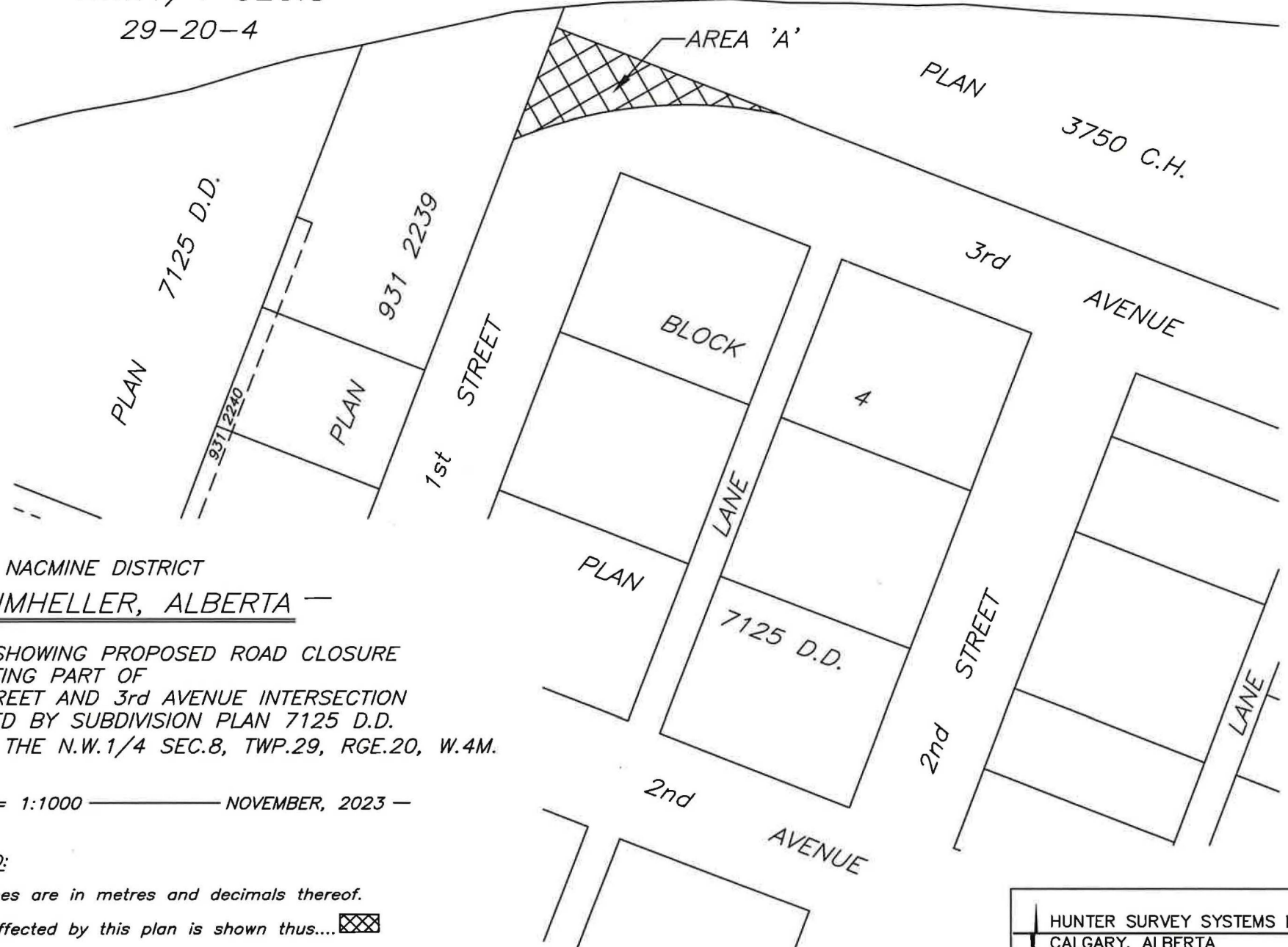


Seal

MINISTER OF ALBERTA ^{✓ TRANSPORTATION ✓} INFRASTRUCTURE AND ECONOMIC CORRIDORS

ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

N.W. 1/4 SEC.8
29-20-4




NACMINE DISTRICT
— DRUMHELLER, ALBERTA —

PLAN SHOWING PROPOSED ROAD CLOSURE
AFFECTING PART OF
1st STREET AND 3rd AVENUE INTERSECTION
CREATED BY SUBDIVISION PLAN 7125 D.D.
WITHIN THE N.W.1/4 SEC.8, TWP.29, RGE.20, W.4M.

— SCALE= 1:1000 — NOVEMBER, 2023 —

LEGEND:

Distances are in metres and decimals thereof.
Area affected by this plan is shown thus.... 

HUNTER SURVEY SYSTEMS LTD.
CALGARY, ALBERTA
FILE: 20-035-NRC-1

REQUEST FOR DECISION

| | |
|----------------------|---|
| TITLE: | Nacmine 4th Street, Road Closure Bylaw #03.24 (2 nd Reading) |
| DATE: | September 23, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENT: | Nacmine 4th Street, Road Closure Bylaw #03.24 (2 nd Reading) |

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, a road closure bylaw is required to close a portion of the right of way to facilitate the construction of a berm. This Bylaw deals with closing the entire right of way immediately adjacent to the Red Deer River between 3rd Street and 5th Street to facilitate berm placement.

For clarity with the other road closures in Nacmine, Administration is calling this the 4th Street Road Closure as that street is the mid-point of the two ends of this defined boundary. Council gave first reading to Bylaw #03.24 on January 8th, 2024 (M2024.04) and held a public hearing on February 05, 2024. The Bylaw and submissions from the public hearing were sent to Alberta Transportation for approval. Now that the signed package has been returned, second and third readings are required to close the roadway.

RECOMMENDATION:

That Council gives second and third reading to Bylaw #03.24 and proceed with the closure of the public right of way.

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 Nacmine Berm that runs parallel to the Red Deer River between 3rd Street and 5th Street at the west end of Nacmine. This land is located immediately north of 284 3rd Street, 281 4th Street, 360 4th Street, 435 3rd Avenue and 463 3rd Avenue and this land has always been a public road right of way.

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 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, as in this case. 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 to wrap the berm around, and protect, properties in Nacmine that are below the Provincial 1:100 Flood Elevation.

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:

Once the Bylaw has been passed by Council, the Road Closure will be registered with Land Titles.

MOTION:

That Council give second reading to Road Closure Bylaw #03.24, as presented.

MOTION:

That Council give third and final reading to Road Closure Bylaw #03.24, as presented.



Prepared by:
Mitchell Visser
Manager of Legislative Services



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



RECEIVED SEP 04 2024

TRANSPORTATION AND ECONOMIC CORRIDORS
TECHNICAL STANDARDS BRANCH
2ND FLOOR, TWIN ATRIA BUILDING
4999-98 AVENUE
EDMONTON, ALBERTA, CANADA
T6B 2X3

TELEPHONE NO: 780-427-7902
Toll Free Connection Dial 310-0000

August 30, 2024

Town of Drumheller
224 Centre Street
Drumheller, AB T0J 0Y4

Attention: Mitchell Visser, Manager of Legislative Services

RE: **ROAD CLOSURE – BYLAW 03.24 (RPATH0044193)**

Enclosed is the above noted bylaw which was approved by Alberta Transportation and Economic Corridors for closure and disposal on August 27, 2024.

Following the second and third readings by Council, the bylaw may be registered at Land Titles.

Please notify me when registration is complete.

Yours truly,

Laura Miller

Digitally signed by Laura
Miller
Date: 2024.08.30 09:23:28
-06'00'

Road Closure Coordinator

cc: Brittany Van Norman
Development and Planning Technologist
Red Deer, Alberta

Enclosures

TOWN OF DRUMHELLER
BYLAW NUMBER 03.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine 4th St; Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing undeveloped Public Streets as depicted on:

SCHEDULE – 1 AREAS – ‘A’ and ‘B’

being portions of Unnamed Streets created by Plans 7935 E.M. and 4491 F.A.

all within the North West Quarter of Section 8 in Township 29, Range 20,
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 areas is impossible without encroaching upon and using parts of the undeveloped public streets, and

WHEREAS; the proposed new flood mitigation berms will continue to occupy the area depicted on Schedule 1, and

WHEREAS; the parties hereto 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 Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on Wednesday January 17th, and again on Wednesday January 20th, 2024 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 5th day of February 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 the unnamed Streets shown depicted on the attached Schedule – 1, which is more particularly described as:

PLAN

AREAS – ‘A’ and ‘B’
EXCEPTING THEREOUT ALL MINES AND MINERALS

SHORT TITLE


This Bylaw may be cited as Nacmine 4th Street; 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 JANUARY, 2024.

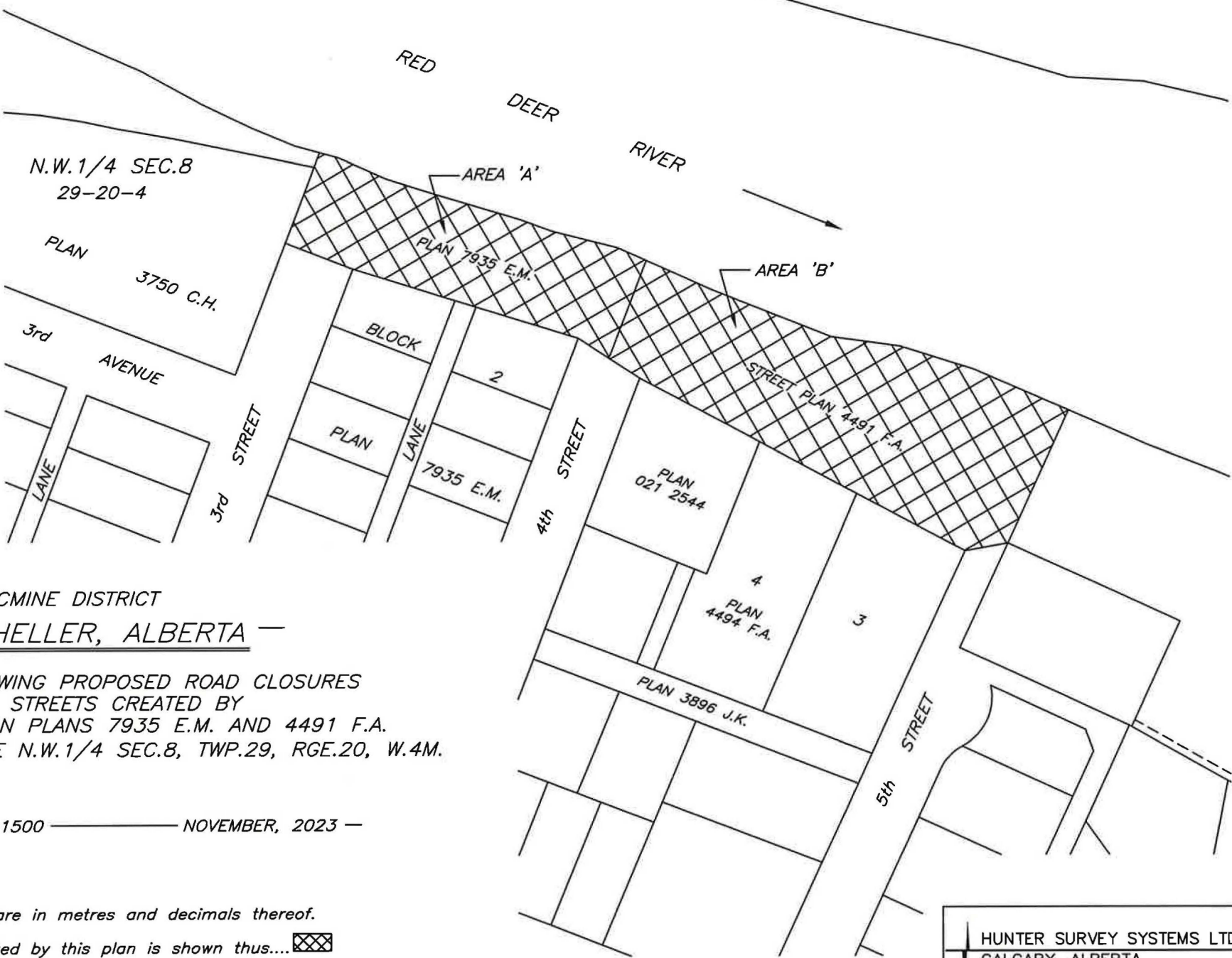

MAYOR: HER WORSHIP; HEATHER COLBERG

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



APPROVED BY: ^{✓TRANSPORTATION✓} ALBERTA INFRASTRUCTURE and ECONOMIC CORRIDORS

 Seal
for MINISTER OF ALBERTA INFRASTRUCTURE AND ECONOMIC CORRIDORS
^{TRANSPORTATION}
ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6



NACMINE DISTRICT

— DRUMHELLER, ALBERTA —

PLAN SHOWING PROPOSED ROAD CLOSURES AFFECTING STREETS CREATED BY SUBDIVISION PLANS 7935 E.M. AND 4491 F.A. WITHIN THE N.W.1/4 SEC.8, TWP.29, RGE.20, W.4M.

—SCALE= 1:1500 ————— NOVEMBER, 2023 —

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 

| |
|----------------------------|
| HUNTER SURVEY SYSTEMS LTD. |
| CALGARY, ALBERTA |
| FILE: 20-035-NRC-2&3 |

REQUEST FOR DECISION

| | |
|----------------------|--|
| TITLE: | Rosedale Mabbott Road, Road Closure Bylaw #06.24 (2 nd Reading) |
| DATE: | September 23, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENT: | Rosedale Mabbott Road, Road Closure Bylaw #06.24 (2 nd Reading) |

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, a road closure bylaw is required to close a portion of the right of way to facilitate the construction of a berm. This Bylaw deals with closing a portion of the right of way of Mabbott Road between the Red Deer River and southern edge of the Star Mine Suspension Bridge parking lot to allow the berm to be constructed parallel to the river.

Council gave first reading to Bylaw #06.24 on February 5th, 2022 (M2024.46) and held a public hearing on March 4th, 2024. The Bylaw and submissions from the public hearing were sent to Alberta Transportation for approval shortly after for the Minister's approval. Now that the signed package has been returned, second and third readings are required to close the roadway.

RECOMMENDATION:

That Council gives second and third reading to Bylaw #06.24 and proceed with the closure of the public right of way.

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 Rosedale Berm across the Star Mine Bridge parking lot, which is technically and legally part of the right of way for Mabbott Road. It is unique to have a right of way that includes a parking lot, however, when the Province took over responsibility for the suspension bridge, it also included land on both sides of the river, abutting the bridge.

The parking lot for the suspension bridge will be reduced because of the berm construction that runs parallel to the river, however, the Town owns property adjacent to the parking lot that could be converted for parking if required. Any land not needed for berm construction will remain as a parking lot and the site will be configured for optimal parking on site.

There is an existing access road, as noted by Plan 931 1192, that allows access across the parking lot to the residential property at 515 Mabbott Road. This access will not be affected by this road closure and will continue as shown on Schedule 'A'.

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 varies from 6 meters (for an alley) to 20-40 meters for a street or avenue and in this case much wider because it included land abutting the Star Mine Suspension Bridge which was eventually turned into a parking lot.

These portions of road closures are necessary to wrap the berm around, and protect, properties in Rosedale that are below the Provincial 1:100 Flood Elevation.

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:

Once the Bylaw has been passed by Council, the Road Closure will be registered with Land Titles.

MOTION:

That Council give second reading to Road Closure Bylaw #06.24, as presented.

MOTION:

That Council give third and final reading to Road Closure Bylaw #06.24, as presented.



Prepared by:
Mitchell Visser
Manager of Legislative Services



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



TRANSPORTATION AND ECONOMIC CORRIDORS
TECHNICAL STANDARDS BRANCH
2ND FLOOR, TWIN ATRIA BUILDING
4999-98 AVENUE
EDMONTON, ALBERTA, CANADA
T6B 2X3

TELEPHONE NO: 780-427-7902
Toll Free Connection Dial 310-0000

August 26, 2024

Town of Drumheller
224 Centre Street
Drumheller, AB T0J 0Y4

Attention: Mitchell Visser, CAO

RE: ROAD CLOSURE – BYLAW 06.24 (RPATH0044138)

Enclosed are:

1. the above noted bylaw which was approved by Alberta Transportation and Economic Corridors for closure and disposal on August 26, 2024.
2. Endorsed copies of the right of way agreement with ATCO Electric *which must be registered concurrently* with the bylaw at Land Titles.

Following the second and third readings by Council, the bylaw may be registered at Land Titles.

Please notify me when registration is complete.

Yours truly,

Laura Miller

Digitally signed by Laura
Miller
Date: 2024.08.26 16:27:03
-06'00'

Road Closure Coordinator

cc: Brittany Van Norman
Development and Planning Technologist
Red Deer, Alberta

Enclosures

TOWN OF DRUMHELLER
BYLAW NUMBER 06.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Rosedale Mabbot Road, Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of a road (parking lot) depicted on the attached Schedule 'A' and more particularly described as:

Extra Road – 'A' and Extra Road – 'B' on Plan 931 1192

within S.E.1/4 Sec. 28, in Township 28. Range 19, West 4th Meridian, to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Section 22 of the Municipal Government Act, being Chapter M-26 of the 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 and Rosebud River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS: the Town of Drumheller requires portions of the aforementioned Extra Roads to provide adequate room for berm construction and redesigning this parking lot for public use and is satisfied the said Extra Roads are not required for access to other lands nor will it be required for public road purposes in the foreseeable 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 parking lot re-design, and

WHEREAS: a notice was published in the Drumheller Mail once a week for two consecutive weeks; on ^{Feb. 14,}₂₀₂₄ and again on ^{Feb 21,}₂₀₂₄, the last of such publications being at least five days before the day fixed for the passing of this Bylaw, and notified adjacent land owners that would likely be affected by this road closure to the public, and

WHEREAS: the Council of the Town of Drumheller held a public hearing on the 4th day of *March* 2024, at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard, and

WHEREAS: the Council of the Town of Drumheller was not petitioned for an opportunity to be heard by any person prejudicially affected by this Bylaw.

NOW THEREFORE: be it resolved that THE COUNCIL of the TOWN OF DRUMHELLER in the Province of Alberta does hereby enact to close the Extra Roads depicted on Schedule 'A' attached hereto and more particularly described as:

EXTRA ROAD – 'A' and EXTRA ROAD – 'B' ON PLAN 931 1192
EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring a title 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 Section 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 Rosedale Mabbot Road, 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 OF DRUMHELLER this 5th day of February 2024.


MAYOR: HEATHER COLBERG

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



APPROVED BY: ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS

 Seal
MINISTER OF TRANSPORTATION and ECONOMIC CORRIDORS

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER

this day of 2024.

MAYOR: HEATHER COLBERG

Seal

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

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER

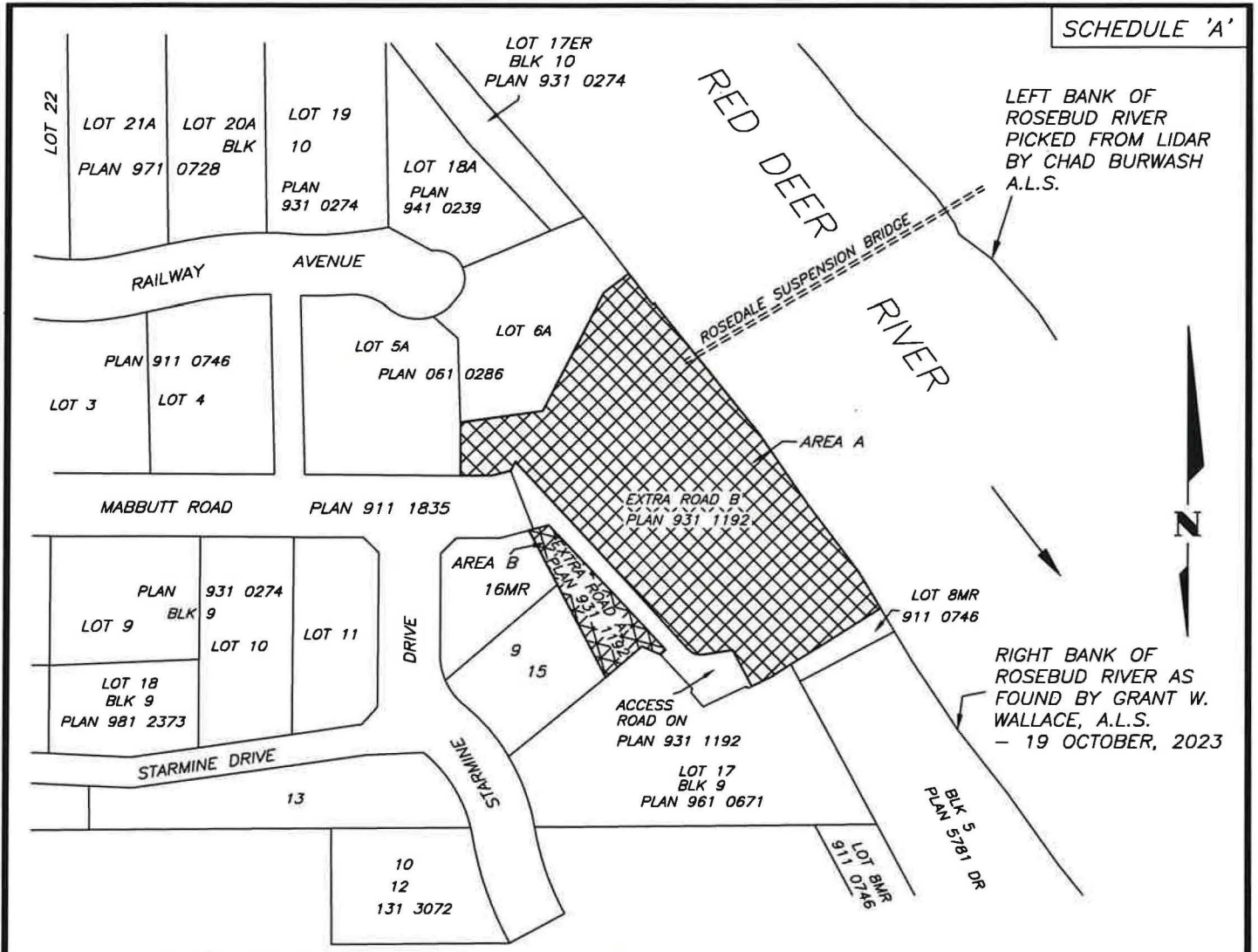
this day of 2024.

MAYOR: HEATHER COLBERG

Seal



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

SCHEDULE 'A'



PLAN SHOWING PROPOSED ROAD CLOSURE
 AFFECTING EXTRA ROAD -A AND
 EXTRA ROAD -B, ON PLAN 931 1192
 WITHIN THE
 S.E.1/4 SEC.28, TWP.28, RGE.19, W.4M.
 SCALE= 1:2000 — 2024 — W.R.HUNTER, A.L.S.

LEGEND:

- Area affected by this plan is shown thus....
- Area A.... 
 - Area B.... 

| REVISION TABLE | | |
|----------------|--------------|--------|
| 0 | JAN. 9, 2024 | ISSUED |

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 23-260-ROAD-C-2 ROSEDALE

REQUEST FOR DECISION

| | |
|----------------------|--|
| TITLE: | Rosedale Pinter Drive, Road Closure Bylaw #07.24 (2 nd Reading) |
| DATE: | September 23, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENT: | Rosedale Pinter Drive, Road Closure Bylaw #07.24 (2 nd Reading) |

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, a road closure bylaw is required to close a portion of the right of way to facilitate the construction of a berm. This Bylaw deals with closing a portion of the right of way of Pinter Drive north of Lot 1, Block 11, Plan 171 2180 and the Red Deer River to allow the berm to be constructed parallel to the river. A portion of this Road Closure Bylaw is proposing to close the right of way north of the Red Deer River to the edge of the Undeveloped Road Allowance and crosses lands recently acquired by the Town of Drumheller for the Star Mine Suspension Bridge repairs.

Council gave first reading to Bylaw #07.24 on February 5th, 2022 (M2024.47) and held a public hearing on March 4th, 2024. The Bylaw and submissions from the public hearing were sent to Alberta Transportation for approval. Now that the signed package has been returned, second and third readings are required to close the roadway.

RECOMMENDATION:

That Council gives second and third reading to Bylaw #07.24 and proceed with the closure of the public right of way.

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 Rosedale Berm across the right of way for Pinter Drive.

This Bylaw aims to close two sections of the same right of way, on either side of the Red Deer River. Area A and B are required for the Rosedale Berm construction and will be discussed in further detail below. Area C is proposed to be closed to allow for consolidation of the lands recently acquired for the Star Mine Suspension Bridge repairs. The lands adjacent to the Town lands, on either side of this undeveloped right of way belong to the Province, under the title of Alberta Environment and would be granted to them for consolidation as they see fit.

Areas A and B are unique as they are shown as two separate areas of land in this Bylaw. The reason for this is that the original subdivision survey in 1927 shows the Red Deer River traversing through the now "Dry Abandoned Channel" and an island was in existence and surveyed at that time. When the channel dried up and the island became connected to the lands south of the river, ownership of these lands is determined to be the center point of the old river channel according to Alberta Lands and each parcel receives the land from half the riverbed as determined from top of bank to the center of the original channel. Even though this is a public right of way, because of the existence of the old channel, it is shown as two distinct areas to be closed.

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 varies from 6 meters (for an alley) to 20-40 meters for a street or avenue.

These portions of road closures are necessary to wrap the berm around, and protect, properties in Rosedale that are below the Provincial 1:100 Flood Elevation. 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:

Once the Bylaw has been passed by Council, the Road Closure will be registered with Land Titles.

MOTION:

That Council give second reading to Road Closure Bylaw #07.24, as presented.

MOTION:

That Council give third and final reading to Road Closure Bylaw #07.24, as presented.

Prepared by:
Mitchell Visser
Manager of Legislative Services

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



TRANSPORTATION AND ECONOMIC CORRIDORS
TECHNICAL STANDARDS BRANCH
2ND FLOOR, TWIN ATRIA BUILDING
4999-98 AVENUE
EDMONTON, ALBERTA, CANADA
T6B 2X3

TELEPHONE NO: 780-427-7902
Toll Free Connection Dial 310-0000

August 26, 2024

Town of Drumheller
224 Centre Street
Drumheller, AB T0J 0Y4

Attention: Mitchell Visser, CAO

RE: ROAD CLOSURE – BYLAW 07.24 (RPATH0044139)

Enclosed is the above noted bylaw which was approved by Alberta Transportation and Economic Corridors for closure and disposal on August 26, 2024.

Following the second and third readings by Council, the bylaw may be registered at Land Titles.

Please notify me when registration is complete.

Yours truly,

Laura Miller

Digitally signed by Laura
Miller
Date: 2024.08.26 16:04:33
-06'00'

Road Closure Coordinator

cc: Brittany Van Norman
Development and Planning Technologist
Red Deer, Alberta

Enclosures

TOWN OF DRUMHELLER
BYLAW NUMBER 07.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Rosedale Pinter Dr, Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of an undeveloped original road allowance depicted as Areas 'A', 'B' and 'C' on the attached Schedule – 'A' and more particularly described as:

PLAN
AREAS 'A', 'B' and 'C'
EXCEPTING THEREOUT ALL MINES AND MNERALS

that lies between the S.E. 1/4 Sec. 28 and the N.E. 1/4 Sec. 21 in Township 28. Range 19, West 4th Meridian to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Section 22 of the Municipal Government Act, being Chapter M-26 of the 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 and Rosebud River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS; the Town of Drumheller requires portions of the aforementioned undeveloped road allowance to provide adequate room for berm construction and related matter and is satisfied the said undeveloped road allowance is not required for access to other lands nor will it be required for public road purposes in the foreseeable 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 original road closure, and

WHEREAS; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on Feb. 14, 2024, and again on Feb. 21, 2024, the last of such publications being at least five days before the day fixed for the passing of this Bylaw, and notified adjacent land owners that would likely be affected by this road allowance closure to the public, and

WHEREAS: the Council of the Town of Drumheller held a public hearing on the 4th day of March, 2024, at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard, and

WHEREAS: the Council of the Town of Drumheller was not petitioned for an opportunity to be heard by any person prejudicially affected by this Bylaw;

NOW THEREFORE; be it resolved that THE COUNCIL of the TOWN OF DRUMHELLER in the Province of Alberta does hereby enact to close Areas 'A', 'B' and 'C' shown on the attached Schedule – 'A' and more particularly described as:

PLAN
AREAS 'A', 'B' and 'C'

EXCEPTING THEREOUT ALL MINES AND MNERALS

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 Section 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 Rosedale Pinter Dr, 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 OF DRUMHELLER


this 5th day of February, 2024.


MAYOR: HEATHER COLBERG

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



APPROVED BY: ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS

 Seal
MINISTER OF TRANSPORTATION and ECONOMIC CORRIDORS

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

MAYOR: HEATHER COLBERG

Seal

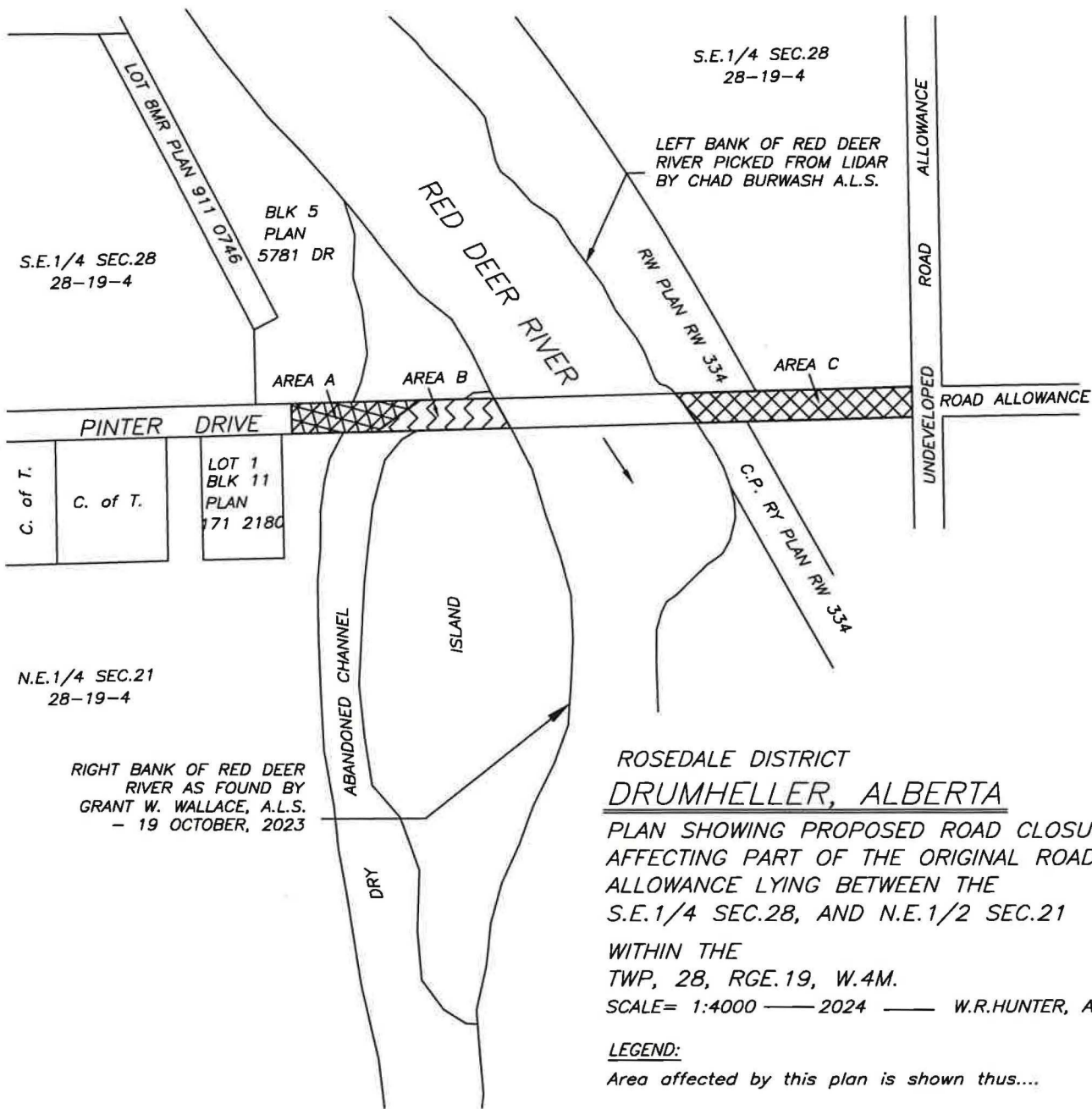
CHIEF ADMINISTRATIVE OFFICER
DARRYL E. DROHOMERSKI, C.E.T.

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

MAYOR: HEATHER COLBERG

Seal




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



ROSEDALE DISTRICT
DRUMHELLER, ALBERTA

PLAN SHOWING PROPOSED ROAD CLOSURE
 AFFECTING PART OF THE ORIGINAL ROAD
 ALLOWANCE LYING BETWEEN THE
 S.E.1/4 SEC.28, AND N.E.1/2 SEC.21
 WITHIN THE
 TWP, 28, RGE.19, W.4M.
 SCALE= 1:4000 — 2024 — W.R.HUNTER, A.L.S.

LEGEND:
 Area affected by this plan is shown thus....

- Area A.... 
- Area B.... 
- Area C.... 

| REVISION TABLE | | |
|----------------|--------------|----------------------|
| 1 | FEB. 1, 2024 | RIVER NAME CORRECTED |
| 0 | JAN. 9, 2024 | ISSUED |

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 23-260-ROAD-C ROSEDALE

REQUEST FOR DECISION

| | |
|----------------------|---------------------------------------|
| TITLE: | Bylaw #27.24 – East Coulee West PULs |
| DATE: | September 11, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENTS: | Bylaw #27.24 – East Coulee North PULs |

SUMMARY:

The *East Coulee River Drive West Road Closure Bylaw #20.22* passed third and final reading on July 22, 2024 for the purpose of closing undeveloped portions of a municipal right-of-way to facilitate the construction of a flood mitigation berm in East Coulee. This Road Closure is now in the process of being registered with Alberta Land Titles.

As part of the funding agreement with the Province of Alberta and the Government of Canada, land acquired for the flood mitigation project must be dedicated as either Environmental Reserves (ERs), Public Utility Lots (PULs) or another designation satisfactory to the Province.

Therefore, Bylaw 27.24 enacts the conversion of the undeveloped right-of-way closed in accordance with Bylaw #20.22 into a PUL.

RECOMMENDATION:

Council pass all three readings of Bylaw #27.24 – East Coulee West PULs

DISCUSSION:

In order to comply with the funding agreement established with the Province of Alberta and the Government of Canada, land acquired for the flood mitigation project must be dedicated as either Environmental Reserves (ERs), Public Utility Lots (PULs), or another designation satisfactory to the Province. PULs are titled parcels of land which are owned by the Town of Drumheller and contain public utilities or municipal infrastructure. Wherever possible, land acquired for the use of berms will be converted into PUL lots as the berms are considered municipal infrastructure.

Administration would like to create a separate PUL for the sanitary sewer facility in East Coulee. Therefore, Lot 2 will contain the sanitary sewer line, while Lot 2 will contain the remainder of the line occupied by the Berm.

FINANCIAL IMPACT:

The costs to convert this land are included with the Flood Mitigation project and is a requirement of the funding agreement with the Province of Alberta and the Government of Canada.

STRATEGIC POLICY ALIGNMENT:

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

COMMUNICATION STRATEGY:

Once passed, the town will register the PUL with Land Titles. As this is an Administrative Bylaw, notice will not be provided to the general public.

MOTION:

Moves that Council gives First Reading to Bylaw #27.24 – East Coulee West PULs

MOTION:

Moves that Council gives Second Reading to Bylaw #27.24 – East Coulee West PULs

MOTION:

Moves that Council give unanimous consent for Third Reading of Bylaw #27.24 – East Coulee West PULs

MOTION:

Moves that Council gives Third Reading to Bylaw #27.24 – East Coulee West PULs

Prepared by:
Mitchell Visser
Manager of Legislative Services

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

**TOWN OF DRUMHELLER
BYLAW NUMBER 27.24**

DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

East Coulee North PULs

THIS IS A BYLAW OF THE TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of creating Public Utility Lots to provide for the operation and maintenance of a flood mitigation berm and appurtenances thereto and a sanitary sewer facility and holding title to same in the name of the TOWN OF DRUMHELLER pursuant to Section 665 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: one of the terms of the aforementioned agreement requires that land acquired for this flood mitigation project be dedicated as Environmental Reserves, Public Utility Lots or other designation satisfactory to the Province; and

WHEREAS; the Town of Drumheller desires to have and hold a separate Public Utility Lot for the existence and continued operation of a sanitary sewer facility;

NOW THEREFORE; be it resolved that THE COUNCIL of the TOWN OF DRUMHELLER in the Province of Alberta does hereby enact to create Public Utility Lots depicted on the attached Schedule – ‘A’ and more particularly described as:

PLAN

BLOCK 15

LOT 1 PUL AND LOT 2 PUL

EXCEPTING THEREOUT ALL MINES AND MINERALS

and obtain and hold title to same in the name of the TOWN OF DRUMHELLER a Municipal Body Corporate with a mailing address of: 224 Centre Street, Drumheller, Alberta, T0J 0Y4

SHORT TITLE

This Bylaw may be cited as “East Coulee North PULs”

TRANSITIONAL

This Bylaw takes effect on the day it is registered in the Land Titles Office.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER, THIS _____ DAY OF _____, 2024.

MAYOR: HEATHER COLBERG

Seal

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

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER, THIS _____ DAY OF _____, 2024.

MAYOR: HEATHER COLBERG

Seal

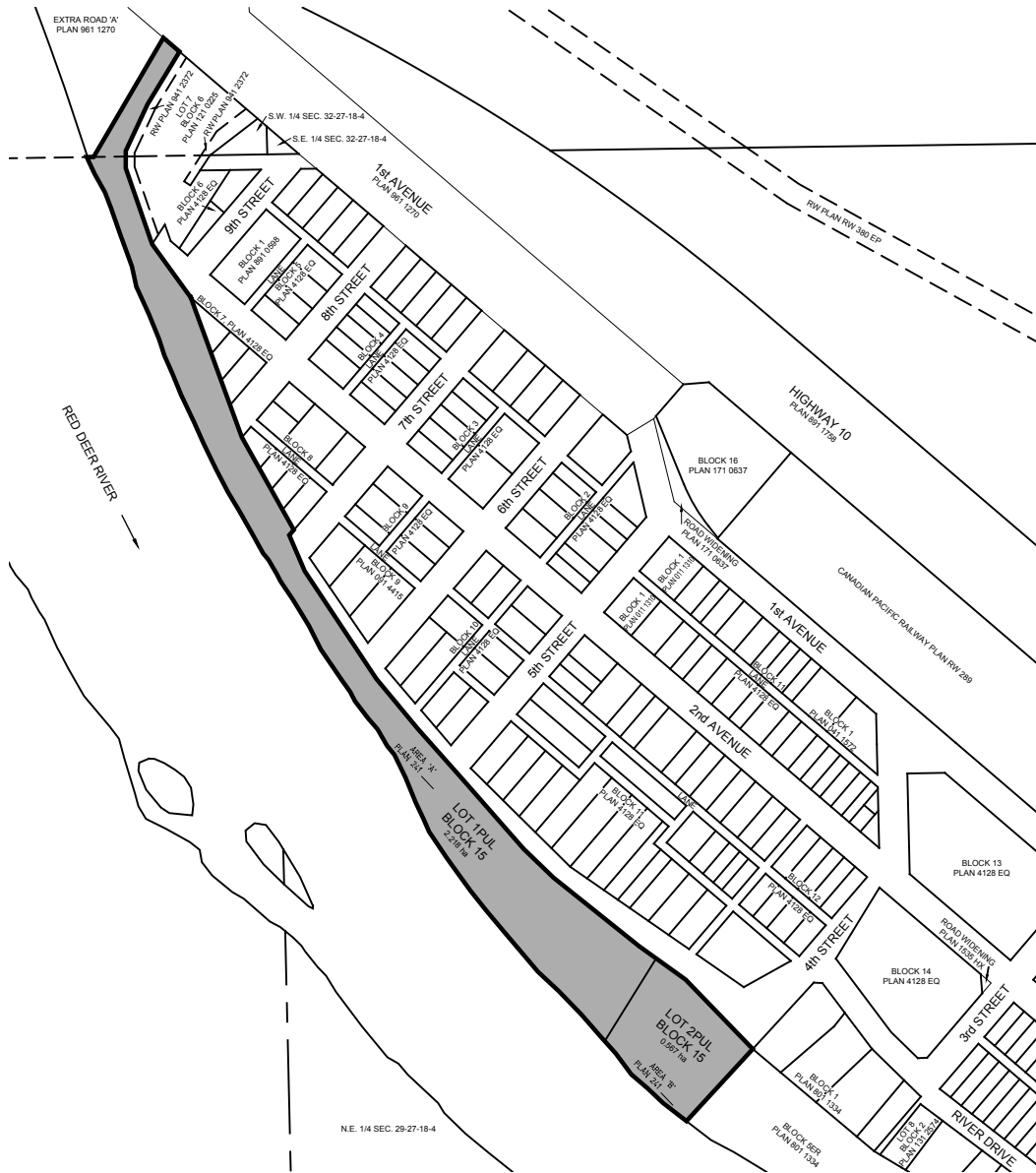
DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER, THIS _____ DAY OF _____, 2024.

MAYOR: HEATHER COLBERG

Seal

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




EAST COULEE DISTRICT
DRUMHELLER, ALBERTA

DRUMHELLER FLOOD MITIGATION PROJECT
 PLAN SHOWING AREAS
 TO BE DEDICATED PUBLIC UTILITY LOTS
 TO ACCOMMODATE FLOOD MITIGATION WORKS
 AND SEWAGE TREATMENT FACILITY
 AFFECTING PLAN _____
 AREAS - 'A' and 'B',
 WITHIN THE
 N.1/2 SEC. 29 and the S.W.1/4 SEC. 32,
 TWP. 27, RGE. 18, W. 4TH. MER.

SCALE= 1:5000 -2024- W.R. HUNTER, A.L.S.

LEGEND:

AREA TO BE DESIGNATED PUBLIC UTILITY LOT
 SHOWN THUS:..... 

| | | | |
|-----|----------------|--------|---|
| 0 | 26 AUGUST 2024 | ISSUED |  HUNTER SURVEY SYSTEMS LTD. CALGARY, ALBERTA FILE: 20-035 (N.DRUMHELLER C) |
| NO. | DATE | DETAIL | |

REQUEST FOR DECISION

| | |
|----------------------|---|
| TITLE: | Bylaw #28.24 – Revision of Bylaw #17.19 |
| DATE: | September 23, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENTS: | Bylaw #28.24 – Revision of Bylaw #17.19 Bylaw #17.19 - 3rd Street SW Road Closure Revised Bylaw #17.19 - 3rd Street SW Road Closure |

SUMMARY:

Bylaw #17.19 passed third and final reading on February 22, 2021. This Bylaw was passed in order to close a portion of a public street and sell the land to an encroaching land owner. Recently, this Bylaw was brought to Land Titles for registration. However, when this bylaw was submitted to Land Titles, it was rejected due to a clerical mistake in the Bylaw that incorrectly listed the block number as “2” rather than “3” in the legal description. Therefore, Administration requests that Council pass Bylaw #28.24 to revise Bylaw #17.19, thereby fixing this clerical mistake.

RECOMMENDATION:

That Council pass all three readings of Bylaw #28.24 – Revision of Bylaw #17.19

DISCUSSION:

N/A

FINANCIAL IMPACT:

Administrative costs with revising Bylaw #17.19

STRATEGIC POLICY ALIGNMENT:

N/A

COMMUNICATION STRATEGY:

Once passed, the Town will register Bylaw #17.19. As this is an Administrative Bylaw, notice will not be provided to the general public.

MOTION:

Moves that Council gives first reading to Bylaw #28.24 – Revision of Bylaw #17.19

MOTION:

Moves that Council gives second reading to Bylaw #28.24 – Revision of Bylaw #17.19.

MOTION:

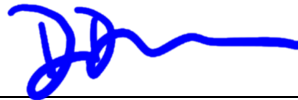
Moves that Council give unanimous consent for third reading of Bylaw #28.24 – Revision of Bylaw #17.19.

MOTION:

Moves that Council gives third and final reading to Bylaw #28.24 – Revision of Bylaw #17.19



Prepared by:
Mitchell Visser
Manager of Legislative Services



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

TOWN OF DRUMHELLER
BYLAW NUMBER 27.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Revision Bylaw for Bylaw #17.19

THIS IS A BYLAW OF THE TOWN OF DRUMHELLER, in the Province of Alberta to revise Bylaw #17.19 to correct a typographical error whereby “Block 3” was incorrectly shown as “Block 2”. Furthermore, we have received the following certification from the Chief Administrative Officer of the Town of Drumheller that this revision was prepared in accordance with Section 63, of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta 2000, as amended.

CERTIFICATION:

I, **DARRYL E. DROHOMERSKI**, Chief Administrative Officer of the Town of Drumheller hereby certifies that:

1. I am aware a typographical error was made in the legal description whereby “Block 3” was incorrectly shown as “Block 2;” and
2. that this revision is only to current this typographic error and does not materially affect By-Law 17.19 in principle or substance, and
3. the revised legal description shall now rather read:

PLAN 4159 C.P.

THE WESTERLY 2.44 METRES IN PERPENDICULAR WIDTH THROUGHOUT
3RD. STREET S.W. WHICH LIES ADJACENT TO THE EAST BOUNDARY OF
LOT 1, BLOCK 3, PLAN 4159 C.P.

EXCEPTING THEREOUT AL MINES AND MINERALS.

4. and, that this Certification is done in accordance with the terms and conditions of Section 63 of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta 2000, as amended.

CERTIFIED BY ME this day of September 2024

DARRYL E. DROHOMERSKI
Chief Administrative Officer, Town of Drumheller

NOW THEREFORE; being satisfied this revision is only to correct a typographical error and does not materially affect Bylaw #17-19 in principle or substance; THE COUNCIL of THE TOWN OF DRUMHELLER, in the Province of Alberta hereby acts to approve and pass this Revised Bylaw and instruct the Chief Administrative Officer to make the necessary revisions accordingly.

SHORT TITLE

This Bylaw may be cited as "Revision Bylaw for Bylaw #17.19"

TRANSITIONAL

1. The Town of Drumheller Bylaw #17.19 is hereby revised to become Revised Bylaw #17.19.
2. This Bylaw takes effect on the day of the final passing thereof.

READ THE FIRST TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER, THIS 23rd DAY OF SEPTEMBER, 2024.

READ THE SECOND TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER, THIS 23rd DAY OF SEPTEMBER, 2024.

READ THE THIRD AND FINAL TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER, THIS 23rd DAY OF SEPTEMBER, 2024.

MAYOR: HEATHER COLBERG

Seal

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

THE TOWN OF DRUMHELLER

BY-LAW NUMBER 17.19

THIS IS A BY-LAW OF THE TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing a portion of a undeveloped Street (3rd. Street S.W. on Plan 4159 C.P.) to public travel 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 M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; an undeveloped portion of 3rd. Street S.W. created by Subdivision Plan 4159 C.P. hereinafter described is not required for public travel and an application has been made to the Town of Drumheller to have a portion of this undeveloped Street closed, and

WHEREAS; this portion of 3rd. Street S.W. has not been developed, has never been used for public travel and will never be required for public road or other public purposes in the foreseeable future, and

WHEREAS; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on August 19, 2020 and again on August 26, 2020, the last of such publications being at least five days before the day fixed for the passing of this By-Law, and

WHEREAS: the Council of the Town of Drumheller held a public hearing on the 31st day of August, A.D., 2020 at their Regular Meeting of Council in which all interested parties were provided an opportunity to be heard, and

WHEREAS: the Council of THE TOWN OF DRUMHELLER was not petitioned for an opportunity to be heard by any person prejudicially affected by this By-Law;

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 3rd. Street S.W. created by Subdivision Plan 4159 C.P. shown on Schedule "A" attached and more particularly described as:

PLAN 4159 C.P.

THE WESTERLY 2.44 METRES IN PERPENDICULAR WIDTH THROUGHOUT
3RD. STREET S.W. WHICH LIES ADJACENT TO THE EAST BOUNDARY OF LOT
1, BLOCK 2, PLAN 4159 C.P.

EXCEPTING THEREOUT ALL MINES AND MINERALS

from public use, obtain title to same in the name of THE TOWN OF DRUMHELLER, a Municipal Body Corporate, of 224 Centre Street, DRUMHELLER, Alberta. T0J 0Y4.

2.

**THE TOWN OF DRUMHELLER
BY-LAW NUMBER 17.19 (CONT'D.)**

THIS BY-LAW takes effect on the day of the final passing thereof.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER
this 25th day of November, A.D. 2019.

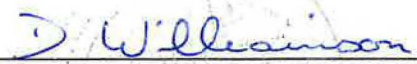

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal


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

APPROVED BY: ALBERTA INFRASTRUCTURE and TRANSPORTATION

Seal


MINISTER OF ALBERTA INFRASTRUCTURE AND TRANSPORTATION
RM. 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 22 day of Feb A.D. 2021




MAYOR: HER WORSHIP; HEATHER COLBERG

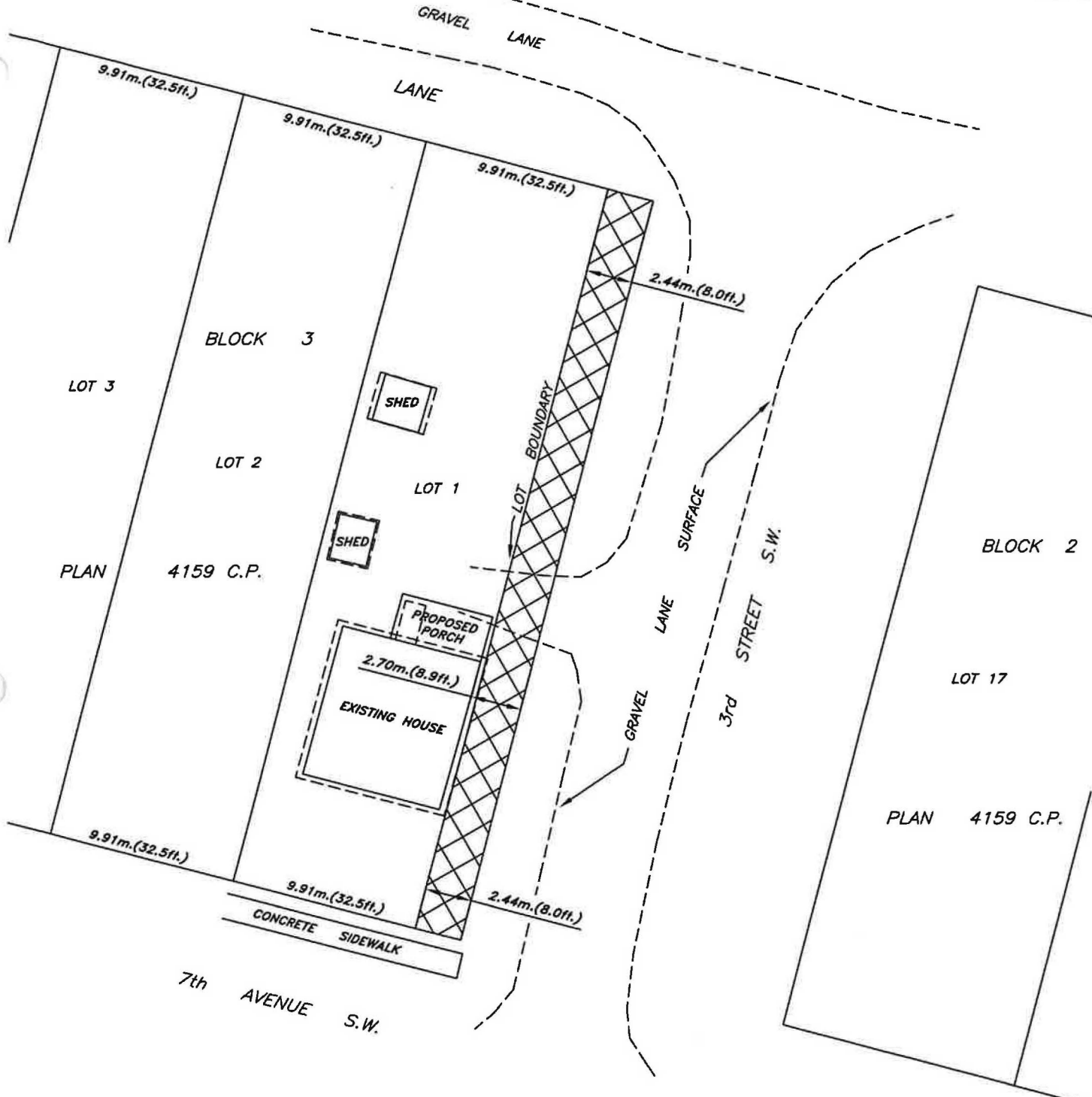
Seal


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

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER
this 22 day of FEBRUARY A.D. 2021


MAYOR: HER WORSHIP: HEATHER COLBERG

Seal: 

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




-DRUMHELLER, ALBERTA-

PLAN SHOWING ROAD CLOSURE
AFFECTING PART OF
3rd STREET S.W. ON PLAN 4159 C.P.
ADJACENT TO
LOT 1, BLOCK 3, PLAN 4159 C.P.

-SCALE= 1:300 — 2019 — W.R.HUNTER, A.L.S.—



LEGEND:
Distances are in metres and decimals thereof.
Area affected by this plan is shown thus... 
and contains: 98.11sq.metres(1056.0sq.feet.)



HUNTER WALLACE SURVEYS LTD.
DRUMHELLER, ALBERTA
FILE: 19-123

THE TOWN OF DRUMHELLER

REVISED BY-LAW NUMBER 17.19

THIS IS A BY-LAW OF THE TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing a portion of a undeveloped Street (3rd. Street S.W. on Plan 4159 C.P.) to public travel 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 M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; an undeveloped portion of 3rd. Street S.W. created by Subdivision Plan 4159 C.P. hereinafter described is not required for public travel and an application has been made to the Town of Drumheller to have a portion of this undeveloped Street closed, and

WHEREAS; this portion of 3rd. Street S.W. has not been developed, has never been used for public travel and will never be required for public road or other public purposes in the foreseeable future, and

WHEREAS; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on August 19, 2020 and again on August 26, 2020, the last of such publications being at least five days before the day fixed for the passing of this By-Law, and

WHEREAS: the Council of the Town of Drumheller held a public hearing on the 31st day of August, A.D., 2020 at their Regular Meeting of Council in which all interested parties were provided an opportunity to be heard, and

WHEREAS: the Council of THE TOWN OF DRUMHELLER was not petitioned for an opportunity to be heard by any person prejudicially affected by this By-Law;

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 3rd. Street S.W. created by Subdivision Plan 4159 C.P. shown on Schedule "A" attached and more particularly described as:

PLAN 4159 C.P.

THE WESTERLY 2.44 METRES IN PERPENDICULAR WIDTH THROUGHOUT
3RD. STREET S.W. WHICH LIES ADJACENT TO THE EAST BOUNDARY OF LOT
1, BLOCK 3, PLAN 4159 C.P.

EXCEPTING THEREOUT ALL MINES AND MINERALS

from public use, obtain title to same in the name of THE TOWN OF DRUMHELLER, a Municipal Body Corporate, of 224 Centre Street, DRUMHELLER, Alberta. T0J 0Y4.

**THE TOWN OF DRUMHELLER
BY-LAW NUMBER 17.19 (CONT'D.)**

THIS BY-LAW takes effect on the day of the final passing thereof.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER
this 25th day of November, A.D. 2019.

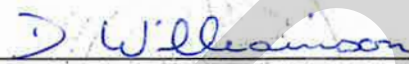

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal


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

APPROVED BY: ALBERTA INFRASTRUCTURE and TRANSPORTATION

Seal


MINISTER OF ALBERTA INFRASTRUCTURE AND TRANSPORTATION
RM. 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 22 day of Feb A.D. 2021




MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

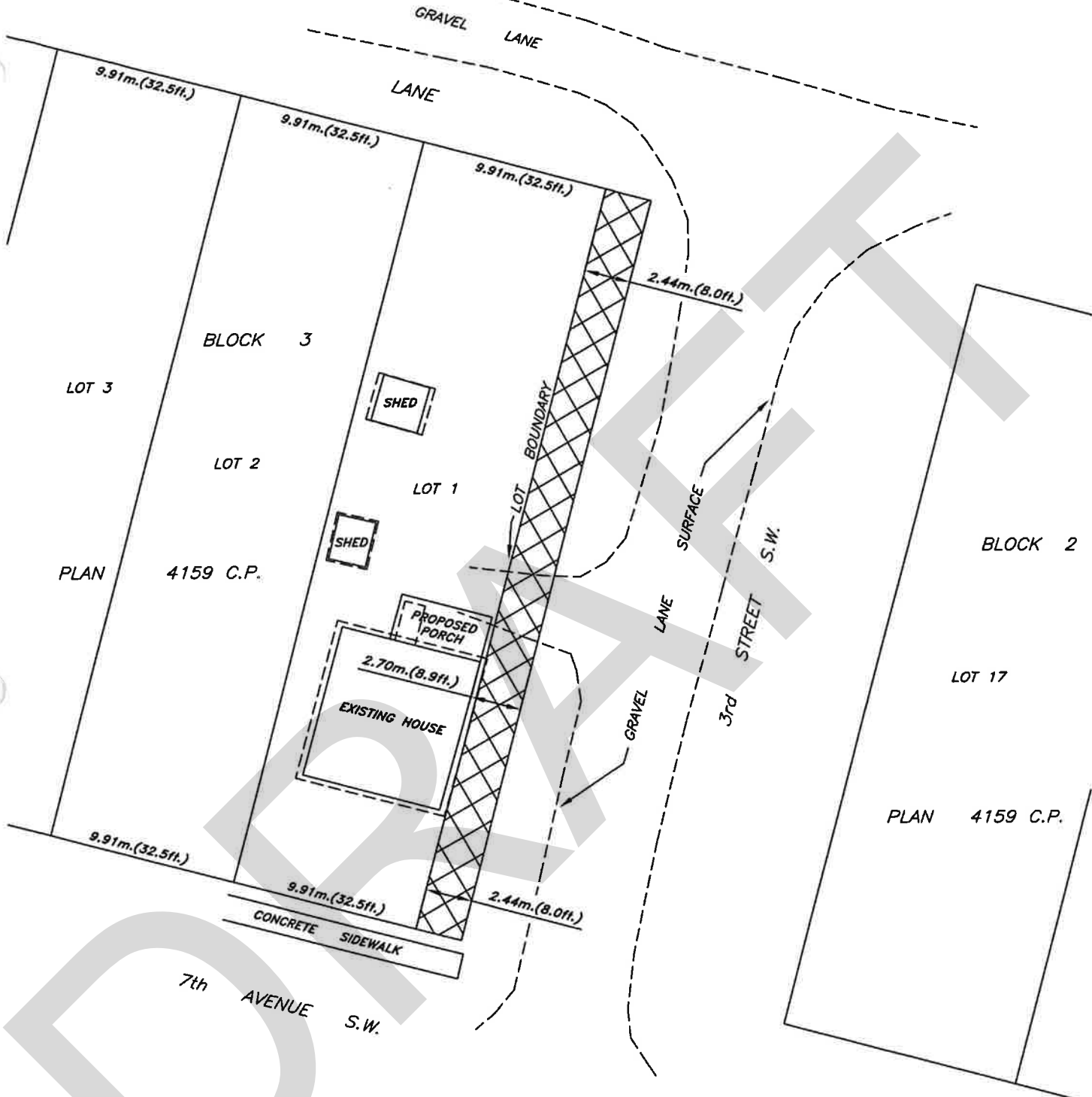

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER
this 22 day of FEBRUARY A.D. 2021


MAYOR: HER WORSHIP: HEATHER COLBERG

Seal: 

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

DRAFT



-DRUMHELLER, ALBERTA-

PLAN SHOWING ROAD CLOSURE
AFFECTING PART OF
3rd STREET S.W. ON PLAN 4159 C.P.
ADJACENT TO
LOT 1, BLOCK 3, PLAN 4159 C.P.

-SCALE= 1:300 — 2019 — W.R.HUNTER, A.L.S.—



LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... and contains: 98.11sq.metres(1056.0sq.feet.)



HUNTER WALLACE SURVEYS LTD.
DRUMHELLER, ALBERTA
FILE: 19-123

REQUEST FOR DECISION

| | |
|----------------------|--|
| TITLE: | Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Lot 7, Plan 9911430 80 Railway Avenue, Rosedale |
| MEETING DATE: | September 23 rd , 2024 |
| PRESENTED BY: | Deighen Blakely, P.Eng., Project Director Flood Resiliency Program |
| ATTACHMENTS: | Certificate of Approval with Parcel Map – Schedule ‘A’ Resolution to Proceed with Expropriation |

SUMMARY

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is undertaking construction of structural flood mitigation in the form of berms. To proceed with construction of the Rosedale Berm starting in the spring of 2025, partial acquisition of land from this parcel is required. Negotiations with the impacted landowner began in October 2023 and have been on-going over the past several months. The subject partial acquisition property owner has rejected our purchase offers of Fair Market Value, as determined by an appraisal.

A Resolution approving Expropriation was passed by Council on June 17, 2024. The Notice of Intention to Expropriate has been served on the registered property owner and affected parties in accordance with the Expropriation Act. A Notice of Objection was filed with the Province of Alberta Ministry of Justice on August 15, 2024. The Drumheller Resiliency and Flood Mitigation Program has since been able to alleviate the property owner’s concerns regarding the Rosedale Berm project and the objection was withdrawn from the Province of Alberta on August 29, 2024. The next step in the expropriation process is for Council to decide whether to approve or disapprove the expropriation based on the terms outlined in the attached Certificate of Approval.

RECOMMENDATION

Administration recommends that Council approve the Certificate of Approval and Resolution pertaining to a portion of 80 Railway Avenue (9911430; ;7), as presented.

DISCUSSION

Under Council Policy C-03-22 for Land Acquisition for the Drumheller Resiliency and Flood Mitigation Program, and the Provincial Grant Funding Agreement for 18GRSTR41, partial parcel acquisitions can be made at the higher of the appraised or assessed value. An offer has been made to the impacted property owner for the Rosedale Berm project on this basis and the offer has been rejected. Following service of the Notice of Intent to Expropriate, a Notice of Objection was filed with the Province of Alberta on August 15, 2024 in relation to this property; the objection was subsequently withdrawn from the Province of Alberta on August 29, 2024. Affidavits of service are retained on file.

The next step in the process is for the approving authority, in this case Council, to review and decide if it wishes to approve the expropriation, and if so, then pass a resolution to approve the Certificate of Approval to proceed with expropriation. This would be followed by Notice of Proposed Payment and Notice of Possession, with Actual Possession taking place 90 days after expropriation is effected (by registration of Certificate of Approval at Land Titles Office).

FINANCIAL IMPACT

The costs of the land purchase and associated legal fees for the proceedings are eligible for 100% funding under the Alberta Government 18GRSTR41 Grant. The Federal Disaster Mitigation and Adaptation Fund (DMAF) grant program can be used to cover up to 40% of the land-only costs for berm construction. Alberta Environment and Protected Areas has indicated that they will not compensate for land acquisition over and above the appraised value of the land which has been their practice for all other flood mitigation projects undertaken in the Province. Damages awarded to plaintiffs due to expropriation of their property may be considered for funding on a case-by-case basis by the Alberta Government. Alberta Environment and Protected Areas' legal team will review the particulars behind any damage award before a decision on whether 18GRSTR41 can be used to support these costs. Any costs deemed ineligible will be the responsibility of the Town.

WORKFORCE AND RESOURCES IMPACT

Acquisition of land by means of expropriation versus by agreement requires significant additional Flood Office staff time to prepare expropriation documents for Council, present the documents, and coordinate registration with Land Titles, estimated to be at minimum, two days of staff time per expropriation, assuming no objections are filed. Legislative Services staff also spend approximately a half day of time for expropriation to coordinate Council agendas, document signing and registrations at Land Titles. Additionally, the Town requires support from legal counsel and a professional surveyor, which results in additional costs to the Town and additional effort for coordination.

STRATEGIC POLICY ALIGNMENT

Town Bylaw 11.21 states that Council's Vision is "*through a proactive flood-mitigation strategy, we are committed to changing the channel on flood readiness with a sustainable plan to protect Drumheller from future flooding. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment and our cultural heritage*". Completing the expropriation is required to obtain the property necessary for the berm construction and will allow the Town free access to manage and maintain the new berms and associated infrastructure moving forward.

COMMUNICATION STRATEGY

Direct Notice of the Expropriation (completed by registering the Certificate of Approval and Resolution with Land Titles), and serving the Notice of Expropriation, Notice of Possession, and Notice of Proposed Payment on the affected property owner, and all parties with a registered interest in the subject lands, will be completed as soon as practicably possible given the legislated considerations and the registration delays at Land Titles.

MOTION

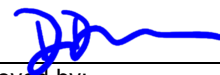
That Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of the parcel of land described as Lot 7, Plan 9911430; Title Number 171 233 365.



Prepared by:
Tara Paradis, EIT
DRFMO Project Assistant



Reviewed by:
Deighen Blakely, P.Eng.
DRFMO Project Director



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

**Form 4
Expropriation Act
(Section 18)**

CERTIFICATE OF APPROVAL

The Town of Drumheller, whose address is 224 Centre Street, Drumheller, Alberta, T0J 0Y4, hereby approves the expropriation of the lands being depicted on the attached Schedule 'A' and more particularly described as:

**THAT PORTION OF:
“PLAN 9911430
LOT 7
CONTAINING 0.421 HECTARES (1.04 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS”**

INCLUDING:

**FEE SIMPLE ESTATE WHICH LIES WITHIN:
PLAN
AREA 'A'
EXCEPTING THEREOUT ALL MINES AND MINERALS**

(hereinafter referred to as the “Lands”)

1. The nature of the interest in the lands expropriated is: the fee simple estate shown and marked as Area 'A' on Schedule 'A'.
2. The work or purpose for which the interest in the lands is expropriated is:
 - Construction and/or enhancement of existing dikes, berms, retaining walls, erosion protection, overland drainage courses, storm water outfalls, control structures and associated appurtenances;
 - for the retention and development of Natural Areas, Environmental Reserves, Municipal Reserves, Public Utility Lots, and other uses as approved by approval authorities; and
 - access for purposes of construction and/or maintenance of the above.
3. The expropriating authority is the: **Town of Drumheller**
224 Centre Street
Drumheller, Alberta, T0J 0Y4
4. The land stands in the Register of the South Alberta Land Registration District in the name of David Keirle in Certificate of Title Number 171 233 365.

Dated this _____ day of _____, 2024.

TOWN OF DRUMHELLER

Per: _____
Darryl Drohomerski, C.E.T.
Chief Administrative Officer

RESOLUTION OF COUNCIL OF THE TOWN OF DRUMHELLER

WHEREAS a Notice of Intention to Expropriate was served by the Town of Drumheller on July 25, 2024, on the Landowner and all parties with a registered interest in the subject lands and duly published, in accordance with the *Expropriation Act*;

AND WHEREAS a Notice of Objection was filed with the Province of Alberta by the Landowner on August 15, 2024 and subsequently withdrawn from the Province of Alberta on August 29, 2024;

AND WHEREAS the period during which an Objection can be issued by the Landowner or any party with a registered interest in the subject lands has expired;

AND UPON consideration of the Request for a Decision dated September 23, 2024, completed by the Town of Drumheller Flood Program Director, as well as the recommendations of the Town Administration, including the Town Solicitor, Council has determined that the proposed expropriation is fair, sound, and reasonably necessary, and in the public interest and good, to achieve the objectives of the Town;

NOW THEREFORE BE IT RESOLVED:

1. THAT pursuant to its authority under the *Municipal Government Act* and the *Expropriation Act*, the Town of Drumheller, as approving authority, hereby approves the expropriation of the lands and interests being depicted on the attached Certificate of Approval (Attachment #1);
2. THAT the officers, servants or agents of the Town of Drumheller and the solicitors for the Town of Drumheller be, and are hereby authorized and directed to do all things necessary to initiate, carry out and conclude the expropriation proceedings under the provisions of the *Expropriation Act*, or otherwise, and they are hereby authorized and empowered to sign, seal, serve and publish the necessary documents to initiate, proceed with and conclude the said expropriation, as applicable.

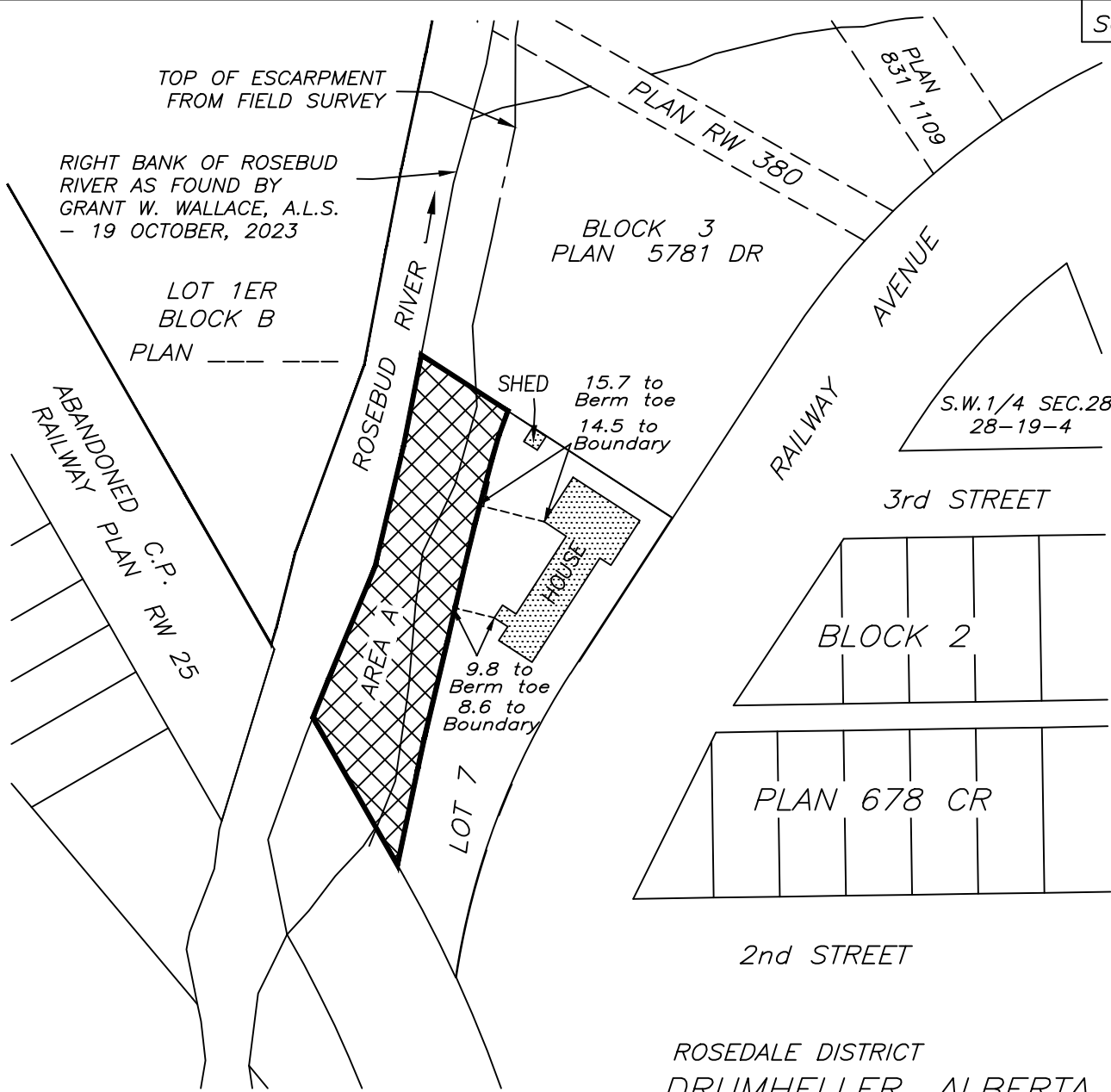
Dated this _____ day of _____, 2024


Motion Carried

Town of Drumheller

Heather Colberg, Mayor

Darryl Drohomerski, CAO



ROSEDALE DISTRICT
DRUMHELLER, ALBERTA
 PLAN SHOWING AREA TO BE ACQUIRED BY
 EXPROPRIATION FOR FLOOD MITIGATION
 PURPOSES AFFECTING
 PART OF LOT 7, PLAN 991 1430
 WITHIN THE
 S.W.1/4 SEC.28, TWP.28, RGE.19, W.4M.
 SCALE= 1:1500 — 2023 -24— W.R.HUNTER, A.L.S.
LEGEND:
 Distances are in metres and decimals thereof.
 Area-A—Fee Simple shown thus... 
 Area A = 24252sq.ft. = 2253.1sq.m.

| REV. | DATE | DESCRIPTION |
|------|----------------|----------------------------------|
| 3 | June 11, 2024 | REMOVE AREA B—(T.W.S.) |
| 2 | June 4, 2024 | BY AGREEMENT TO BY EXPROPRIATION |
| 1 | April 17, 2024 | REVISED BOUNDARY AND AREA |
| 0 | Dec. 14, 2023 | ISSUED |

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 23-260-LOT7-R3-1-ROSEDALE