

REQUEST FOR DECISION

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| TITLE: | Bylaw #33.24 – Lehigh Road Closure (1 st Reading) |
| DATE: | October 21, 2024 |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO |
| ATTACHMENT: | Bylaw #33.24 – Lehigh Road Closure (1 st Reading) |

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, 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 wherever feasible. However, it has been determined by engineering studies that it was not feasible to protect the neighbourhood of Lehigh from flooding by earth berms due to sandy subsoil conditions which allows the transfer of high river water through the porous sandy soils resulting in flooding by percolation.

The Government of Alberta has provided the Town of Drumheller funding for the purchase of all property within the Lehigh District to remove the improvements from this area and convert it into an Environmental Reserve. since the Town is now the registered owner of all the lots within the Lehigh neighbourhood, the Town can now move forward with closing the public roads and converting the land into an Environmental Reserve.

The Town of Drumheller is already in the process of restoring the land to their natural state and transforming it into an Environmental Reserve. This includes removing old roadways, utilities, and planting additional trees.

Therefore, since the Town is satisfied that these streets and lanes are no longer required for public streets nor will they be required for public streets in the foreseeable future, Administration recommends that Council proceed with the closure of streets and lanes in Lehigh.

RECOMMENDATION:

That Council gives first reading to Bylaw #33.24 – Lehigh Road Closure and set a Public Hearing date for November 18, 2024.

DISCUSSION:

All lands in the neighbourhood of Lehigh will be converted into an Environmental Reserve to align with the requirements of this project. As defined by Section 664(1) of the *Municipal Government Act*, an Environmental Reserve is land not suitable for development and contains features such as swamps, gullies, ravines, coulees, floodplains, or land adjacent to a body of water. ERs are used to preserve natural features of land, prevent pollution, ensure public access, and prevent the development of land that is subject to flooding or unstable

FINANCIAL IMPACT:

The costs to convert this land are 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:

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

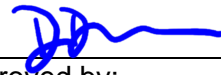
- a) newspaper ads in the Drumheller mail, running the weeks of October 30th and November 5th;
- b) letters to adjacent properties within 200m of the proposed road closures; and,
- c) on the Town of Drumheller website as a media release and on the Town calendar

MOTION:

That Council gives first reading to Bylaw #33.24 – Lehigh Road Closure and set a Public Hearing date for November 18, 2024.



Prepared by:
Mitchell Visser
Manager of Legislative
Services



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

**TOWN OF DRUMHELLER
BYLAW NUMBER 33.24
DEPARTMENT: DEVELOPMENT**

Lehigh Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing certain public Streets and Lanes in the Lehigh District as depicted on the attached:

SCHEDULE – A

affecting River Road, Second Avenue, Third and Fourth Streets West and Lanes in Blocks 2, 3 and 5 on Plan 8168 F.S.

and

Second Avenue and Second Street West on Plan 881 0626 all within the

N.E.1/4 Sec. 31, in Township 27, Range 18, West of the 4th. Meridian. (hereinafter referred to as "the said lands")

to public travel and acquiring title to the said lands in the name of the TOWN OF DRUMHELLER pursuant to Section 22 of the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta 2000, as amended and dedicating the said lands as Environmental Reserve.

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 wherever feasible, and

WHEREAS; it has been determined by engineering studies that it was not feasible to protect the District of Lehigh from flooding by earth berms due to sandy subsoil conditions which allow the transfer of high river water through the porous sandy soils resulting in flooding by percolation, and

WHEREAS; since the Town is now the registered owner of all lots abutting the lands depicted on said Schedule – 'A' and the said lands are no longer required for public streets, nor will they be required for public streets 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 these street/lane closures; and

WHEREAS; a notice of these street/lane closures were 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 meetings 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 hereby enacts to close the said lands depicted on the attached Schedule – ‘A’ and more particularly described as lying within:

PLAN
BLOCK - 6
LOT 1ER (ENVIRONMENTAL RESERVE)
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 and concurrently dedicating said lands to Environmental Reserve.

SHORT TITLE

This Bylaw may be cited as the “Lehigh 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 21 day of October 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 202_.**

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 202_.**

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

DRUMHELLER RESILIENCY AND FLOOD MITIGATION PROGRAM

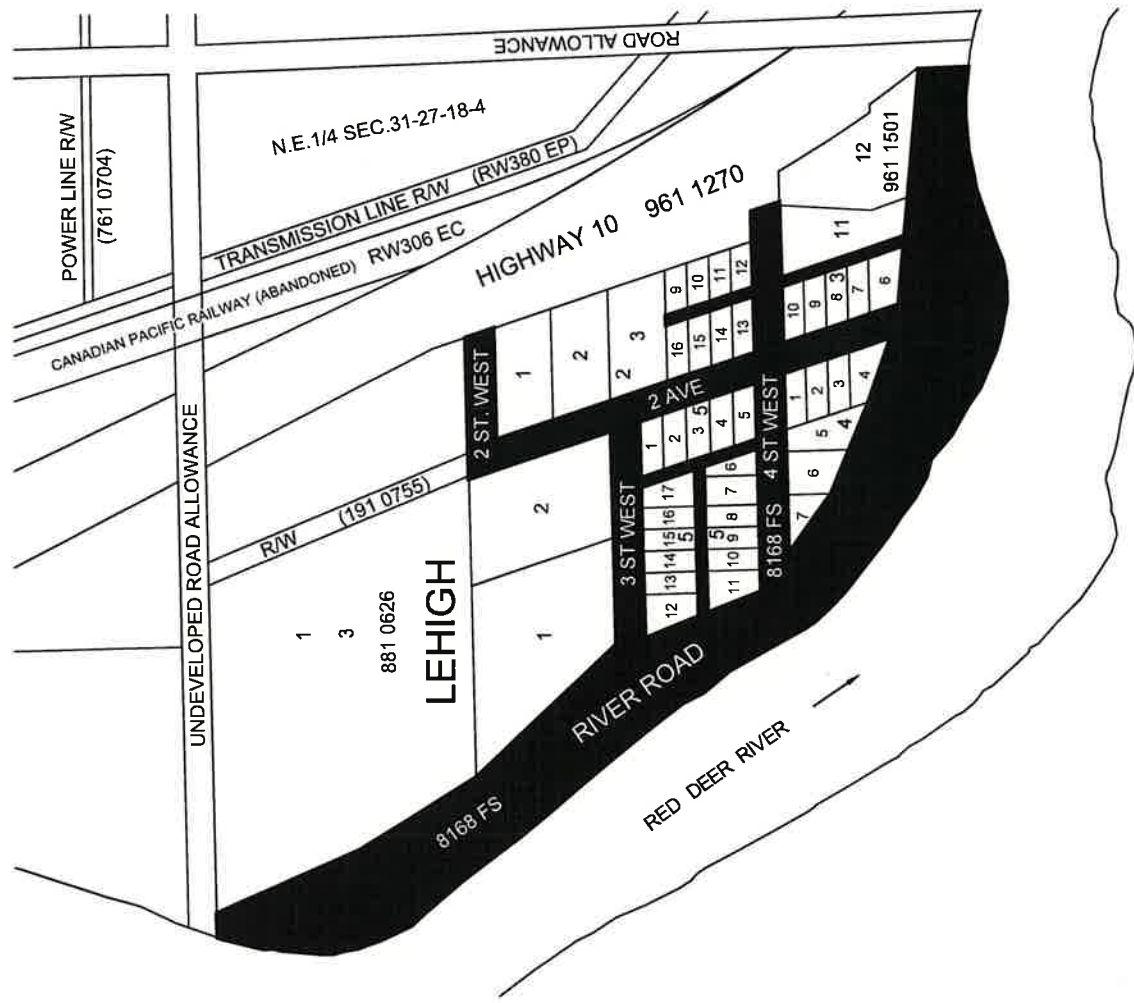
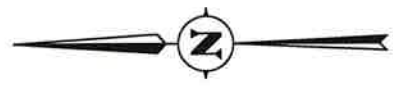
SCHEDULE 'A'

LEHIGH DISTRICT
DRUMHELLER, ALBERTA
 DRUMHELLER FLOOD MITIGATION PROJECT
 PLAN SHOWING PROPOSED STREETS and LANES
 TO BE CLOSED BY
 BY-LAW NO. 33.24
 AFFECTING RIVER ROAD, SECOND AVENUE, THIRD and FOURTH STREETS WEST, and LANES IN BLOCKS 2, 3 and 5 ON PLAN 8168 F.S.
 AND
 SECOND AVENUE and SECOND STREET WEST ON PLAN 881 0626
 ALL WITHIN THE
 N.E. 1/4 SEC. 31, IN TOWNSHIP 27, RANGE 18, WEST OF THE 4TH MERIDIAN

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

LEGEND:

AREA TO BE CLOSED BY THIS BY-LAW SHOWN THUS: [Solid black rectangle]



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|-----|-------------------|--------|------------------------------------------------|
| 0 | 11 SEPTEMBER 2024 | ISSUED | HUNTER SURVEY SYSTEMS LTD. CALGARY, ALBERTA |
| NO. | DATE | DETAIL | FILE: 20-035 (Lehigh) |