



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Monday August 14, 2023

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 August 14, 2023, Regular Council Meeting

Proposed Motion: That Council adopt the agenda for the August 14, 2023, Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for July 24, Regular Council as presented.

[Regular Council Meeting – July 24, 2023 - Minutes](#)

Proposed Motion:

Move that Council approve the minutes for the July 24, 2023, Regular Council meeting, as presented.

COUNCIL BOARDS AND COMMITTEES

DELEGATION

6. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

6.1 Flood Mitigation Project Manager

- 6.1.1 Request for Decision: Resolution and Notice of Intention to Expropriate
Lots 6 to 8 Inclusive, Block 5, Plan 8168FS
(222 4 Street West, Lehigh)

[Request for Decision](#)

[Certificate of Approval and Resolution for Expropriation](#)

Proposed Motion:

Moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lots 6 to 8 Inclusive, Block 5, Plan 8168FS; Title Number 961 099 949.

- 6.1.2 Request for Decision: Resolution and Notice of Intention to Expropriate
Lot 2, Block 2, Plan 8810626
224 2 Avenue West, Lehigh

[Request for Decision](#)

[Certificate of Approval and Resolution for Expropriation](#)

Proposed Motion:

Moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lot 2, Block 2, Plan 8810626; Title Number 201 181 865.

- 6.1.3 Request for Decision: Resolution and Notice of Intention to Expropriate
Lots 9 to 11 Inclusive, Block 5, Plan 8168FS
228 4 Street West, Lehigh

[Request for Decision](#)

[Certificate of Approval and Resolution for Expropriation](#)

Proposed Motion:

Moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lots 9 to 11 Inclusive, Block 5, Plan 8168FS; Title Number 921 181 898.

- 6.1.4 Request for Decision: Resolution and Notice of Intention to Expropriate
Lot 1, Block 1, Plan 8810626
244 3 Street West, Lehigh

[Request for Decision](#)

[Certificate of Approval and Resolution for Expropriation](#)

Proposed Motion:

Moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lot 1, Block 1, Plan 8810626; Title Number 141 206 331.

- 6.1.5 Request for Decision: Resolution and Notice of Intention to Expropriate
Lots 12 and 13, Block 5, Plan 8168FS and
Lots 14 to 17 Inclusive, Block 5, Plan 8168FS
245 3 Street West, Lehigh

[Request for Decision](#)

[Certificate of Approval and Resolution for Expropriation](#)

Proposed Motion:

Moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcels of land described as Lots 12 and 13, Block 5, Plan 8168FS; Title Number 921 125 157, and Lots 14 to 17 Inclusive, Block 5, Plan 8168FS; Title Number 921 125 157 +1.

- 6.2 Manager of Economic Development

- 6.2.1 Request for Decision: Housing Accelerator Fund (HAF)

[Request for Decision](#)

Proposed Motion:

Moves that Council approve the Housing Accelerator Fund (HAF) Action Plan as presented.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

6.3 Chief Administrative Officer

6.3.1 Briefing Note: Aquaplex Repairs and Timeline

[Briefing Note](#)

7. CLOSED SESSION

7.1 Chief Administrative Officer

7.1.1 Personnel and Labour relations; Third Party Contract and Development

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

FOIP 21 – Disclosure harmful to intergovernmental relations

FOIP 24 – Advice from Officials

Proposed Motion: That Council close the meeting to the public to discuss Personnel and Labour relations and third party contracts and development as per FOIP 16 – Disclosure harmful to business interests of a third party, FOIP 21 – Disclosure harmful to intergovernmental relations, FOIP 24 – Advice from Officials

Proposed Motion: That Council open the meeting to the Public.

8. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



**TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING**

MINUTES

TIME & DATE: 4:30 PM – Monday July 24, 2023

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

1. CALL TO ORDER

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

2. OPENING COMMENTS

Reminder from the Mayor that the Downtown Plaza has entertainment on Fridays and Saturday nights during the summer.

3. ADDITIONS TO THE AGENDA

No additions to the agenda.

4. ADOPTION OF AGENDA

4.1 Agenda for July 24, 2023, Regular Council Meeting

M2023.177 Moved by Councilor Zariski, Councillor Lacher that Council adopt the agenda for the July 24, 2023, Regular Council Meeting, as presented.

CARRIED UNANIMOUSLY

5. MEETING MINUTES

5.1 Minutes for July 10, Regular Council as presented.

Agenda attachment: Regular Council Meeting – July 10, 2023 – Minutes.

M2023.178 Moved by Councillor Hansen-Zacharuk, Councillor Kolafa that Council approve the minutes for the July 10, 2023, Regular Council meeting, as presented.

CARRIED UNANIMOUSLY

6. COUNCIL BOARDS AND COMMITTEES

6.1 Council Boards and Committees Minutes

Agenda Attachment: Drumheller Public Library, January – April, Drumheller Housing Administration, March

M2023.179 Moved by Councillor Kolafa, Councillor Price
that Council accept as information the Drumheller Public Library January to April Minutes and Drumheller Housing Administration March minutes, as presented.

CARRIED UNANIMOUSLY

7. DELEGATION

8. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

Timestamp: [2:28](#)

8.1.1 Request for Decision: West Newcastle Road Closure Bylaw 11.22 – Second and Third Readings

Agenda attachment: Request for Decision; Proposed Bylaw 11.22

M2023.180 Moved by Councillor Lacher, Councillor Sereda
that Council give second reading to West Newcastle Road Closure Bylaw 11.22, as presented.

CARRIED UNANIMOUSLY

M2023.181 Moved by Councillor Price, Councillor Hansen-Zacharuk
that Council give third reading to West Newcastle Road Closure Bylaw 11.22, as presented.

CARRIED UNANIMOUSLY

8.1.2 Request for Decision: East Newcastle Road Closure Bylaw 12.22 – Second and Third Reading

Agenda attachment: Request for Decision; Proposed Bylaw 12.22

M2023.182 Moved by Councillor Lacher, Councillor Kolafa
that Council give second reading to East Newcastle Road Closure Bylaw 12.22,
as presented.

CARRIED UNANIMOUSLY

M2023.183 Moved by Councillor Hansen-Zacharuk, Councillor Sereda
that Council give third reading to East Newcastle Road Closure Bylaw 12.22, as
presented.

CARRIED UNANIMOUSLY

8.1 Flood Mitigation Project Manager
Timestamp: [8:24](#)

8.1.1 Request for Decision: Expropriation Certificate of Approval and Resolution for
Expropriation; Lot 2, Block 3, Plan 8011334
(161 River Drive, East Coulee)

Agenda attachment: Request for Decision; Certificate of Approval and Resolution for
Expropriation

M2023.184 Moved by Councilor Zariski, Councillor Kolafa
that Council approve the Certificate of Approval and
Resolution for Expropriation pertaining to the parcel of land described as Lot 2,
Block 3, Plan 8011334; Title Number 011 092 193.

CARRIED UNANIMOUSLY

8.1.2 Request for Decision: Expropriation Certificate of Approval and Resolution for
Expropriation; Lot 7, Block 2, Plan 8011334
(217 River Drive, East Coulee)

Agenda attachment: Request for Decision; Certificate of Approval and Resolution for
Expropriation

M2023.185 Moved by Councillor Sereda, Councillor Lacher
that Council approve the Certificate of Approval and
Resolution for Expropriation pertaining to the parcel of land described as Lot 7,
Block 2, Plan 8011334; Title Number 921 258 594.

CARRIED UNANIMOUSLY

8.1.3 Request for Decision: Expropriation Certificate of Approval and Resolution for
Expropriation; Lot 5, Block 2, Plan 8011334
(245 River Drive, East Coulee)

Agenda attachment: Request for Decision; Certificate of Approval and Resolution for
Expropriation

M2023.186 Moved by Councillor Kolafa, Councillor Lacher
that Council approve the Certificate of Approval and
Resolution for Expropriation pertaining to a portion of the parcel of land
described as Lot 5, Block 2, Plan 8011334; Title Number 191 245 422.

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

8.2 Director of Corporate and Community Services
Timestamp: [14:29](#)

8.2.1 Request for Decision: Parks and Recreation Master Plan

Agenda attachment: Request for Decision; Link to Website “Current State” Research
and Engagement Summary Report; Link to Website Parks and Recreation Master Plan

M2023.187 Moved by Councillor Sereda, Councillor Hansen-Zacharuk
that Council adopt the Parks and Recreation Master Plan 2023 to 2043 as
presented on July 10, 2023.

CARRIED UNANIMOUSLY

8.2.2 Request for Decision: 2024 Electricity Franchise Fee Increase
Timestamp: [38.18](#)

Agenda attachment: Request for Decision

M2023.188 Moved by Councillor Price, Councillor Lacher
that Council approve the increase of the ATCO electric franchise fees from 9
percent to 11.5 percent.

2 IN FAVOUR: Councillor Zariski, Councillor Lacher

4 OPPOSED: Mayor Colberg, Councillor Hansen-Zacharuk, Councillor Kolafa,
Councillor Sereda

MOTION DENIED

8.2.3 2023 Quarterly Financial Report: January to June

Agenda attachment: Report + Appendix

Council adjourned for a break at 5:26 PM.

Council resumed the meeting at 5:33 PM.

8.3 Manager of Community Development and Social Planning
Timestamp: [1:03:05](#)

8.3.1 Request for Decision: Proposed Drumheller Valley Family and Community Support Services (FCSS) Program Policy CDSP-C-01

Agenda attachment: Request for Decision; Council Policy CDSP-C-01

M2023.189 Moved by Councillor Price, Councillor Sereda
that Council adopt the Drumheller Valley Family and Community Support Services Council Policy CDSP-C-01, as presented.

CARRIED UNANIMOUSLY

8.3.2 Request for Direction: Proposed Community Development & Social Well-Being Advisory Board Bylaw

Agenda attachment: Request for Decision; Draft Proposed Bylaw XX.XX

M2023.190 Moved by Councillor Sereda, Councillor Hansen-Zacharuk
that Council directs Administration to complete a Bylaw to establish the Community Development & Social Well-Being Advisory Board to be brought forward to Council for approval.

6 IN FAVOUR: Councillor Zariski, Councillor Lacher, Councillor Hansen-Zacharuk, Councillor Kolafa, Councillor Sereda
1 OPPOSED: Mayor Colberg

CARRIED

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

8.4 Director of Infrastructure
Timestamp: [1:24:25](#)

8.4.1 Briefing Note: Aquaplex – Indoor Pool – Recirculation Pump Pit

Agenda attachment: Briefing Note

8.4.2 Request for Decision: Aquaplex Make-Up Air Unit (MAU) Replacement

Agenda attachment: Request for Decision

M2023.191 Moved by Councillor Lacher, Councillor Price
that Council approve the additional funds for the Aquaplex MAU Replacement
Project in the amount of \$425,000.00.

6 IN FAVOUR: Mayor Colberg, Councillor Lacher, Councillor Hansen-Zacharuk,
Councillor Kolafa, Councillor Sereda
1 OPPOSED: Councillor Zariski

CARRIED

M2023.192 Moved by Councillor Lacher, Councillor Kolafa
that Council approve the award of the Aquaplex Make-Up Air Unit Replacement
Project to Cremac Metal Products Ltd. for the amount of \$ 615,515.00 excluding
GST.

6 IN FAVOUR: Mayor Colberg, Councillor Lacher, Councillor Hansen-Zacharuk,
Councillor Kolafa, Councillor Sereda
1 OPPOSED: Councillor Zariski

CARRIED

9. CLOSED SESSION

9.1 Third Party Contracts and Personnel
FOIP 16 – Disclosure harmful to business interests of a third party
FOIP 21 – Disclosure harmful to intergovernmental relations
FOIP 24 – Advice from Officials

M2023.193 Moved by Councillor Hansen-Zacharuk, Councillor Sereda
that Council close the meeting to the public to discuss third party contracts and
personnel as per FOIP 16 – Disclosure harmful to business interests of a third
party, FOIP 21 – Disclosure harmful to intergovernmental relations, FOIP 24 –
Advice from Officials.

CARRIED UNANIMOUSLY

Council closed the meeting to the public at 6:24 PM.

M2023.194 Moved by Councillor Sereda, Councillor Hansen-Zacharuk
that Council open the meeting to the public.

CARRIED UNANIMOUSLY

Council opened the meeting to the public at 8:42 PM

10. ADJOURNMENT

M2023.195 Moved by Councillor Price, Councillor Lacher
that Council adjourn the meeting. Time 8:42PM

CARRIED UNANIMOUSLY

MAYOR

CHIEF ADMINISTRATIVE OFFICER

REQUEST FOR DECISION

TITLE:	Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of One Parcel for Floodway Buyout affecting Lots 6 to 8 Inclusive, Block 5, Plan 8168FS 222 4 Street West, Lehigh
DATE:	August 14 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director Flood Resiliency Program
ATTACHMENTS:	Resolution to Expropriate Notice of Intent to Expropriate Parcel Map – Schedule ‘A’

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is working to protect the people and property in Drumheller from loss due to flooding. The community of Lehigh has flooded twice in the past two decades, and the Town needs to keep people and property safe from larger floods anticipated in the future. A study completed in early 2022 concluded that berm construction is not viable in Lehigh and the only feasible alternative is floodway buyouts. To proceed with the floodway buyouts, full acquisition of this parcel is required. The impacted landowners were notified in January 2022, and our land agent has been working to negotiate purchase of this property for the past several months. The subject full acquisition property owners have not accepted our purchase offer of Fair Market Value, as determined by an appraisal. As such, the next step in obtaining the land as part of the Lehigh floodway buyouts is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to complete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 222 4 Street West (8168FS;5;6-8), 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, parcel acquisitions can be made at the higher of the appraised or assessed value. An offer has been made to the impacted property owners for the floodway buyouts on this basis and the offer has been rejected. Expropriation is the next step in acquiring the property as part of the floodway buyouts.

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. 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.

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 floodway buyouts.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owners, and all parties with a registered interest in the subject lands, as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owners being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

MOTION:

Councillor _____ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lots 6 to 8 Inclusive, Block 5, Plan 8168FS; Title Number 961 099 949.

SECONDED:



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



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

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE
OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of completing floodway buyouts needed to protect residents from future flooding events in the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 6 TO 8 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.
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.

MOVED AND PASSED by Council this _____ day of _____, 2023.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

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

THE EXPROPRIATION ACT
RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 6 TO 8 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands")

2. The nature of the interest in the Lands intended to be expropriated is: fee simple.
3. The work or purpose for which the interest in the Lands is required is: floodway buyout.
4. Section 6 of the *Expropriation Act* provides that:
 - "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
 - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
5. Section 10 of the *Expropriation Act* provides that:
 - "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
 - (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
 - (b) in any other case, within 21 days after the first publication of the notice of intention.
 - (2) The notice of objection shall state:
 - (a) the name and address of the person objecting;
 - (b) the nature of the objection;
 - (c) the grounds on which the objection is based; and
 - (d) the nature of the interest of the person objecting.
6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.

7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Per: _____
Heather Colberg, Mayor (c/s)

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

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER
Attention: Darryl Drohomerski, C.E.T.
Chief Administrative Officer
224 Centre Street
Drumheller, AB T0J 0Y4
Phone: 403-823-1312
Fax: 403-823-7739
ddrohomerski@drumheller.ca

LEHIGH DISTRICT
DRUMHELLER, ALBERTA

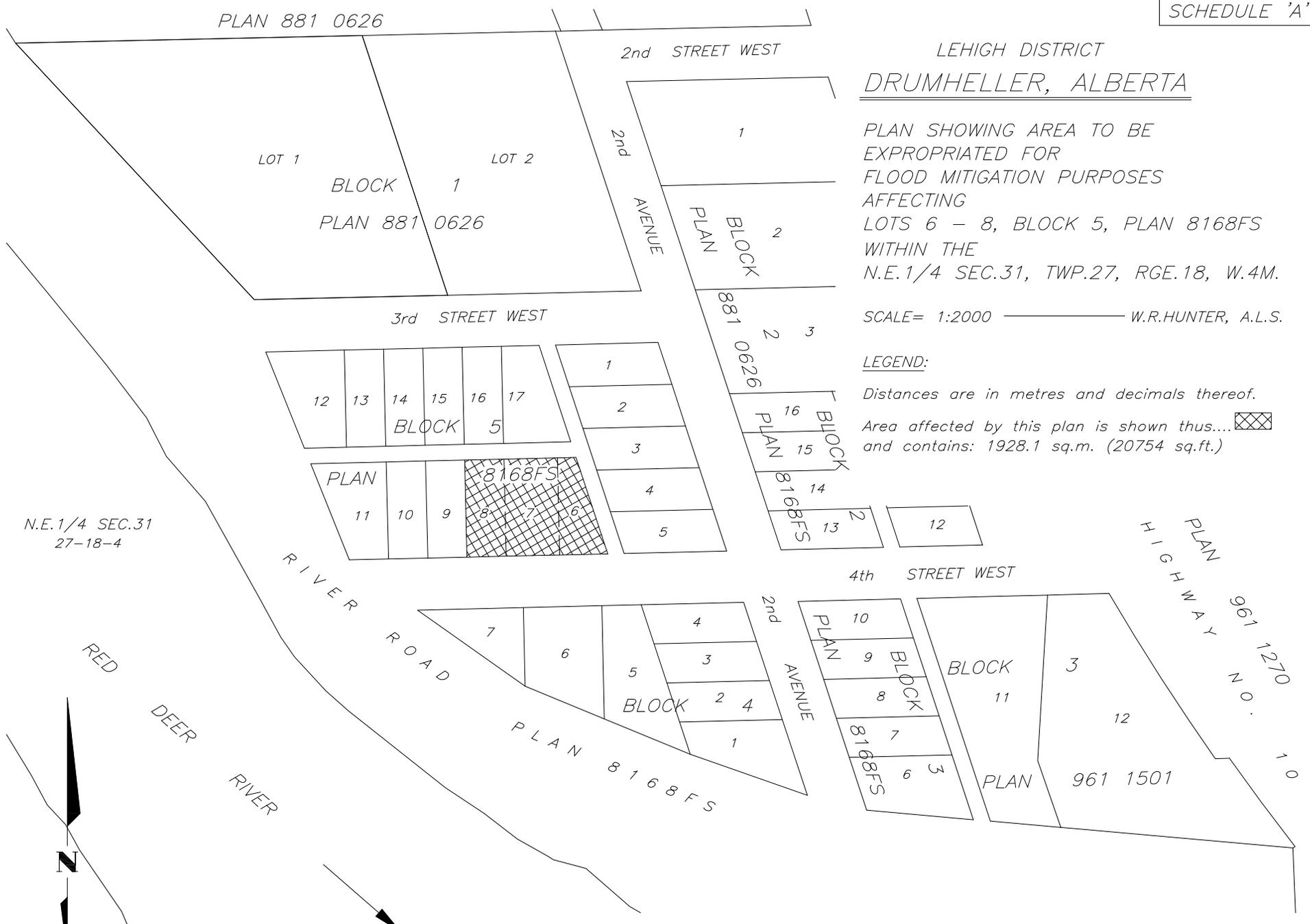
PLAN SHOWING AREA TO BE
 EXPROPRIATED FOR
 FLOOD MITIGATION PURPOSES
 AFFECTING
 LOTS 6 - 8, BLOCK 5, PLAN 8168FS
 WITHIN THE
 N.E.1/4 SEC.31, TWP.27, RGE.18, W.4M.

SCALE= 1:2000 ————— W.R.HUNTER, A.L.S.

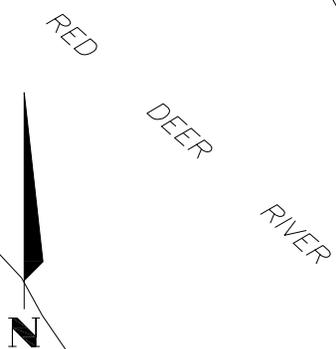
LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 
 and contains: 1928.1 sq.m. (20754 sq.ft.)



N.E.1/4 SEC.31
 27-18-4



NO.	DATE	DETAIL
1	3 AUGUST, 2023	ISSUED
2	9 AUGUST, 2023	REVISED. NEW PLAN ISSUED.

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035 Page 17 of 47

REQUEST FOR DECISION

TITLE:	Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of One Parcel for Floodway Buyout affecting Lot 2, Block 2, Plan 8810626 224 2 Avenue West, Lehigh
DATE:	August 14 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director Flood Resiliency Program
ATTACHMENTS:	Resolution to Expropriate Notice of Intent to Expropriate Parcel Map – Schedule ‘A’

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is working to protect the people and property in Drumheller from loss due to flooding. The community of Lehigh has flooded twice in the past two decades, and the Town needs to keep people and property safe from larger floods anticipated in the future. A study completed in early 2022 concluded that berm construction is not viable in Lehigh and the only feasible alternative is floodway buyouts. To proceed with the floodway buyouts, full acquisition of this parcel is required. The impacted landowner was notified in January 2022, and our land agent has been working to negotiate purchase of this property for the past several months. The subject full acquisition property owner has not accepted our purchase offer of Fair Market Value, as determined by an appraisal. As such, the next step in obtaining the land as part of the Lehigh floodway buyouts is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to complete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 224 2 Avenue West (8810626;2;2), 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, 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 floodway buyouts on this basis and the offer has been rejected. Expropriation is the next step in acquiring the property as part of the floodway buyouts.

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. 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.

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 floodway buyouts.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owner, and all parties with a registered interest in the subject lands, as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owner being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

MOTION:

Councillor _____ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lot 2, Block 2, Plan 8810626; Title Number 201 181 865.

SECONDED:



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



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

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE
OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of completing floodway buyouts needed to protect residents from future flooding events in the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8810626
BLOCK 2
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.319 HECTARES (0.79 ACRES) MORE OR LESS

(such lands to be the subject of the taking hereinafter referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.
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.

MOVED AND PASSED by Council this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

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

THE EXPROPRIATION ACT
RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8810626
BLOCK 2
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.319 HECTARES (0.79 ACRES) MORE OR LESS

(such lands to be the subject of the taking hereinafter referred to as "the Lands")

2. The nature of the interest in the Lands intended to be expropriated is: fee simple.
3. The work or purpose for which the interest in the Lands is required is: floodway buyout.
4. Section 6 of the *Expropriation Act* provides that:
 - "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
 - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
5. Section 10 of the *Expropriation Act* provides that:
 - "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
 - (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
 - (b) in any other case, within 21 days after the first publication of the notice of intention.
 - (2) The notice of objection shall state:
 - (a) the name and address of the person objecting;
 - (b) the nature of the objection;
 - (c) the grounds on which the objection is based; and
 - (d) the nature of the interest of the person objecting.
6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.

7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Per: _____
Heather Colberg, Mayor (c/s)

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

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER
Attention: Darryl Drohomerski, C.E.T.
Chief Administrative Officer
224 Centre Street
Drumheller, AB T0J 0Y4
Phone: 403-823-1312
Fax: 403-823-7739
ddrohomerski@drumheller.ca

LEHIGH DISTRICT
DRUMHELLER, ALBERTA

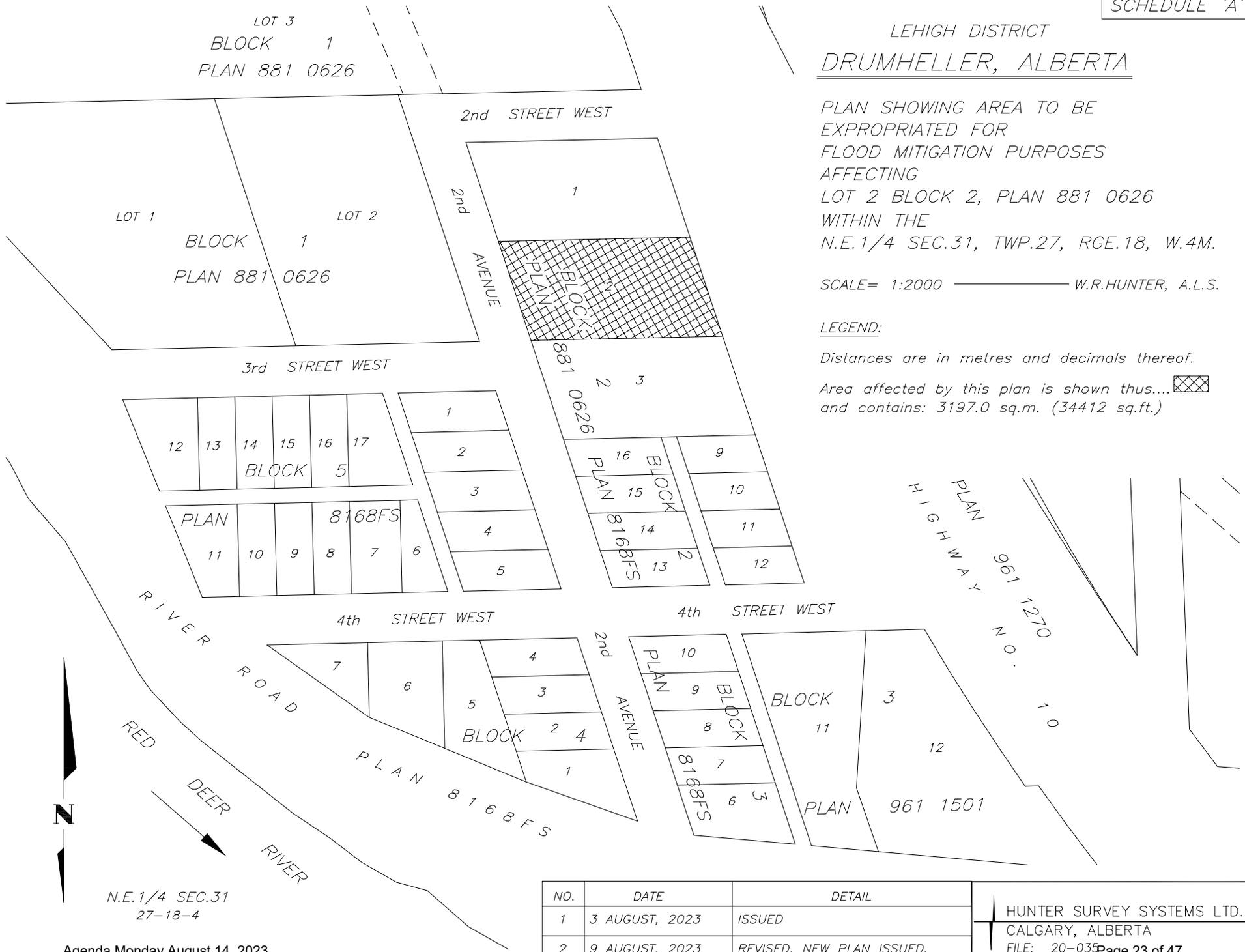
PLAN SHOWING AREA TO BE
 EXPROPRIATED FOR
 FLOOD MITIGATION PURPOSES
 AFFECTING
 LOT 2 BLOCK 2, PLAN 881 0626
 WITHIN THE
 N.E.1/4 SEC.31, TWP.27, RGE.18, W.4M.

SCALE= 1:2000 ————— W.R.HUNTER, A.L.S.

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus...
 and contains: 3197.0 sq.m. (34412 sq.ft.)



N.E.1/4 SEC.31
 27-18-4

Agenda Monday August 14, 2023

NO.	DATE	DETAIL
1	3 AUGUST, 2023	ISSUED
2	9 AUGUST, 2023	REVISED. NEW PLAN ISSUED.

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035 Page 23 of 47

REQUEST FOR DECISION

TITLE:	Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of One Parcel for Floodway Buyout affecting Lots 9 to 11 Inclusive, Block 5, Plan 8168FS 228 4 Street West, Lehigh
DATE:	August 14 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director Flood Resiliency Program
ATTACHMENTS:	Resolution to Expropriate Notice of Intent to Expropriate Parcel Map – Schedule ‘A’

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is working to protect the people and property in Drumheller from loss due to flooding. The community of Lehigh has flooded twice in the past two decades, and the Town needs to keep people and property safe from larger floods anticipated in the future. A study completed in early 2022 concluded that berm construction is not viable in Lehigh and the only feasible alternative is floodway buyouts. To proceed with the floodway buyouts, full acquisition of this parcel is required. The impacted landowner was notified in January 2022, and our land agent has been working to negotiate purchase of this property for the past several months. The subject full acquisition property owner has not accepted our purchase offer of Fair Market Value, as determined by an appraisal. As such, the next step in obtaining the land as part of the Lehigh floodway buyouts is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to complete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 228 4 Street West (8168FS;5;9-11), 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, 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 floodway buyouts on this basis and the offer has been rejected. Expropriation is the next step in acquiring the property as part of the floodway buyouts.

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. 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.

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 floodway buyouts.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owner, and all parties with a registered interest in the subject lands, as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owner being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

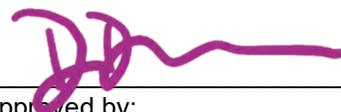
MOTION:

Councillor _____ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lots 9 to 11 Inclusive, Block 5, Plan 8168FS; Title Number 921 181 898.

SECONDED:



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



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

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE
OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of completing floodway buyouts needed to protect residents from future flooding events in the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 9 TO 11 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.
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.

MOVED AND PASSED by Council this _____ day of _____, 2023.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

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

THE EXPROPRIATION ACT
RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 9 TO 11 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands")

2. The nature of the interest in the Lands intended to be expropriated is: fee simple.
3. The work or purpose for which the interest in the Lands is required is: floodway buyout.
4. Section 6 of the *Expropriation Act* provides that:
 - "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
 - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
5. Section 10 of the *Expropriation Act* provides that:
 - "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
 - (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
 - (b) in any other case, within 21 days after the first publication of the notice of intention.
 - (2) The notice of objection shall state:
 - (a) the name and address of the person objecting;
 - (b) the nature of the objection;
 - (c) the grounds on which the objection is based; and
 - (d) the nature of the interest of the person objecting.
6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.

7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Per: _____
Heather Colberg, Mayor (c/s)

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

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER
Attention: Darryl Drohomerski, C.E.T.
Chief Administrative Officer
224 Centre Street
Drumheller, AB T0J 0Y4
Phone: 403-823-1312
Fax: 403-823-7739
ddrohomerski@drumheller.ca

LEHIGH DISTRICT
DRUMHELLER, ALBERTA

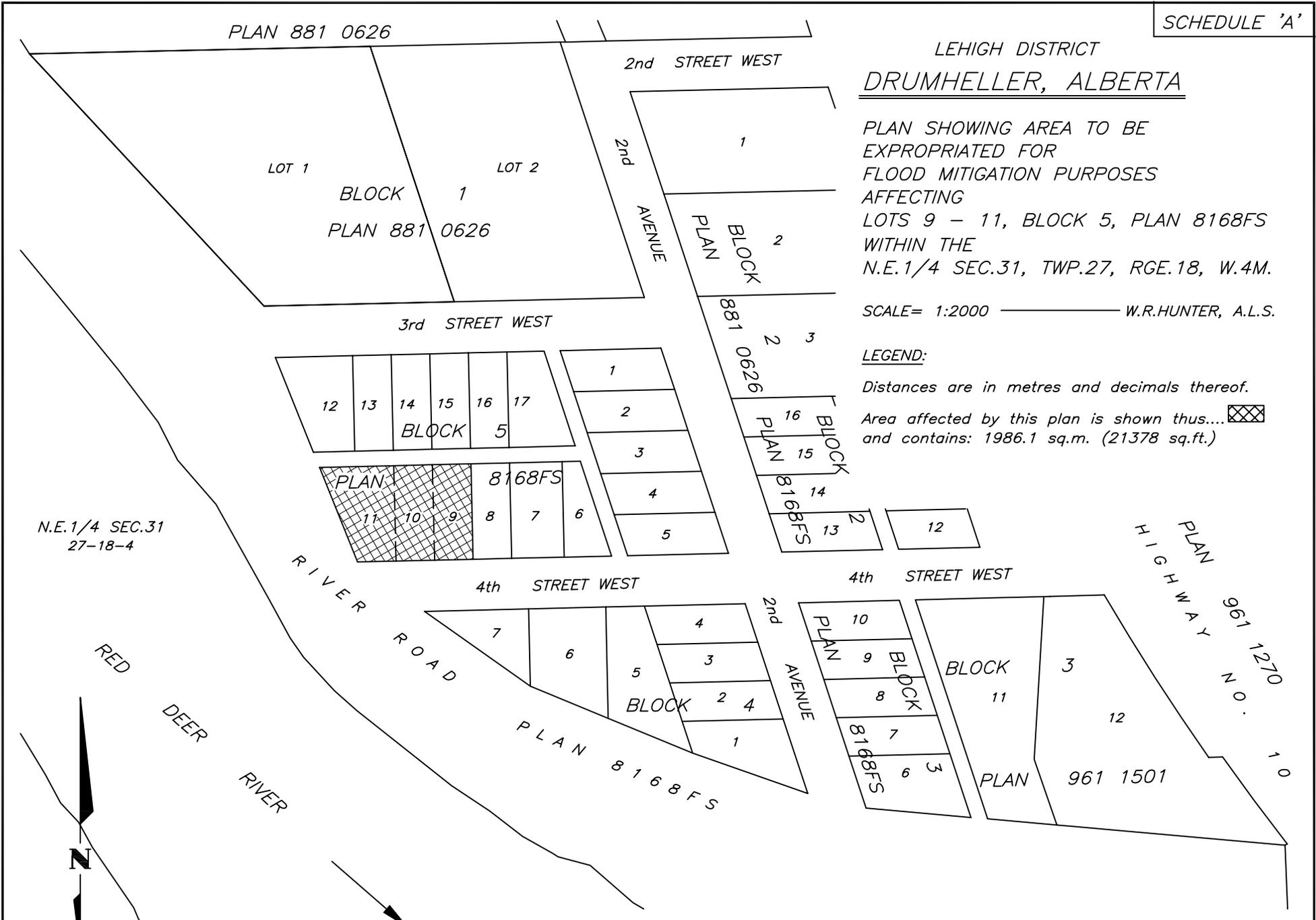
PLAN SHOWING AREA TO BE
 EXPROPRIATED FOR
 FLOOD MITIGATION PURPOSES
 AFFECTING
 LOTS 9 - 11, BLOCK 5, PLAN 8168FS
 WITHIN THE
 N.E.1/4 SEC.31, TWP.27, RGE.18, W.4M.

SCALE= 1:2000 ————— W.R.HUNTER, A.L.S.

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 
 and contains: 1986.1 sq.m. (21378 sq.ft.)



N.E.1/4 SEC.31
 27-18-4

PLAN 961 1270
 HIGHWAY NO. 10



NO.	DATE	DETAIL
1	3 AUGUST, 2023	ISSUED
2	9 AUGUST, 2023	REVISED. NEW PLAN ISSUED.

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035 Page 29 of 47

REQUEST FOR DECISION

TITLE:	Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of One Parcel for Floodway Buyout affecting Lot 1, Block 1, Plan 8810626 244 3 Street West, Lehigh
DATE:	August 14 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director Flood Resiliency Program
ATTACHMENTS:	Resolution to Expropriate Notice of Intent to Expropriate Parcel Map – Schedule ‘A’

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is working to protect the people and property in Drumheller from loss due to flooding. The community of Lehigh has flooded twice in the past two decades, and the Town needs to keep people and property safe from larger floods anticipated in the future. A study completed in early 2022 concluded that berm construction is not viable in Lehigh and the only feasible alternative is floodway buyouts. To proceed with the floodway buyouts, full acquisition of this parcel is required. The impacted landowners were notified in January 2022, and our land agent has been working to negotiate purchase of this property for the past several months. The subject full acquisition property owners have refused access to their property to complete an appraisal; therefore, we have been unable to determine Fair Market Value to prepare an offer. As such, the next step in obtaining the land as part of the Lehigh floodway buyouts is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to complete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 244 3 Street West (8810626;1;1), 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, parcel acquisitions can be made at the higher of the appraised or assessed value. The impacted property owners have refused access to their property to complete an appraisal; therefore, we have been unable to determine the Fair Market Value and to prepare an offer. Expropriation is the next step in acquiring the property as part of the floodway buyouts.

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. 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.

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 floodway buyouts.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owners, and all parties with a registered interest in the subject lands, as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owners being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

MOTION:

Councillor _____ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lot 1, Block 1, Plan 8810626; Title Number 141 206 331.

SECONDED:



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



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

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE
OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of completing floodway buyouts needed to protect residents from future flooding events in the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8810626
BLOCK 1
LOT 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.06 HECTARES (2.62 ACRES) MORE OR LESS

(such lands to be the subject of the taking hereinafter referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.
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.

MOVED AND PASSED by Council this _____ day of _____, 2023.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

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

THE EXPROPRIATION ACT
RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

PLAN 8810626
BLOCK 1
LOT 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.06 HECTARES (2.62 ACRES) MORE OR LESS

(such lands to be the subject of the taking hereinafter referred to as "the Lands")

2. The nature of the interest in the Lands intended to be expropriated is: fee simple.
3. The work or purpose for which the interest in the Lands is required is: floodway buyout.
4. Section 6 of the *Expropriation Act* provides that:
 - "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
 - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
5. Section 10 of the *Expropriation Act* provides that:
 - "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
 - (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
 - (b) in any other case, within 21 days after the first publication of the notice of intention.
 - (2) The notice of objection shall state:
 - (a) the name and address of the person objecting;
 - (b) the nature of the objection;
 - (c) the grounds on which the objection is based; and
 - (d) the nature of the interest of the person objecting.
6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.

7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Per: _____
Heather Colberg, Mayor (c/s)

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

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER
Attention: Darryl Drohomerski, C.E.T.
Chief Administrative Officer
224 Centre Street
Drumheller, AB T0J 0Y4
Phone: 403-823-1312
Fax: 403-823-7739
ddrohomerski@drumheller.ca

PLAN 881 0626

LEHIGH DISTRICT
DRUMHELLER, ALBERTA

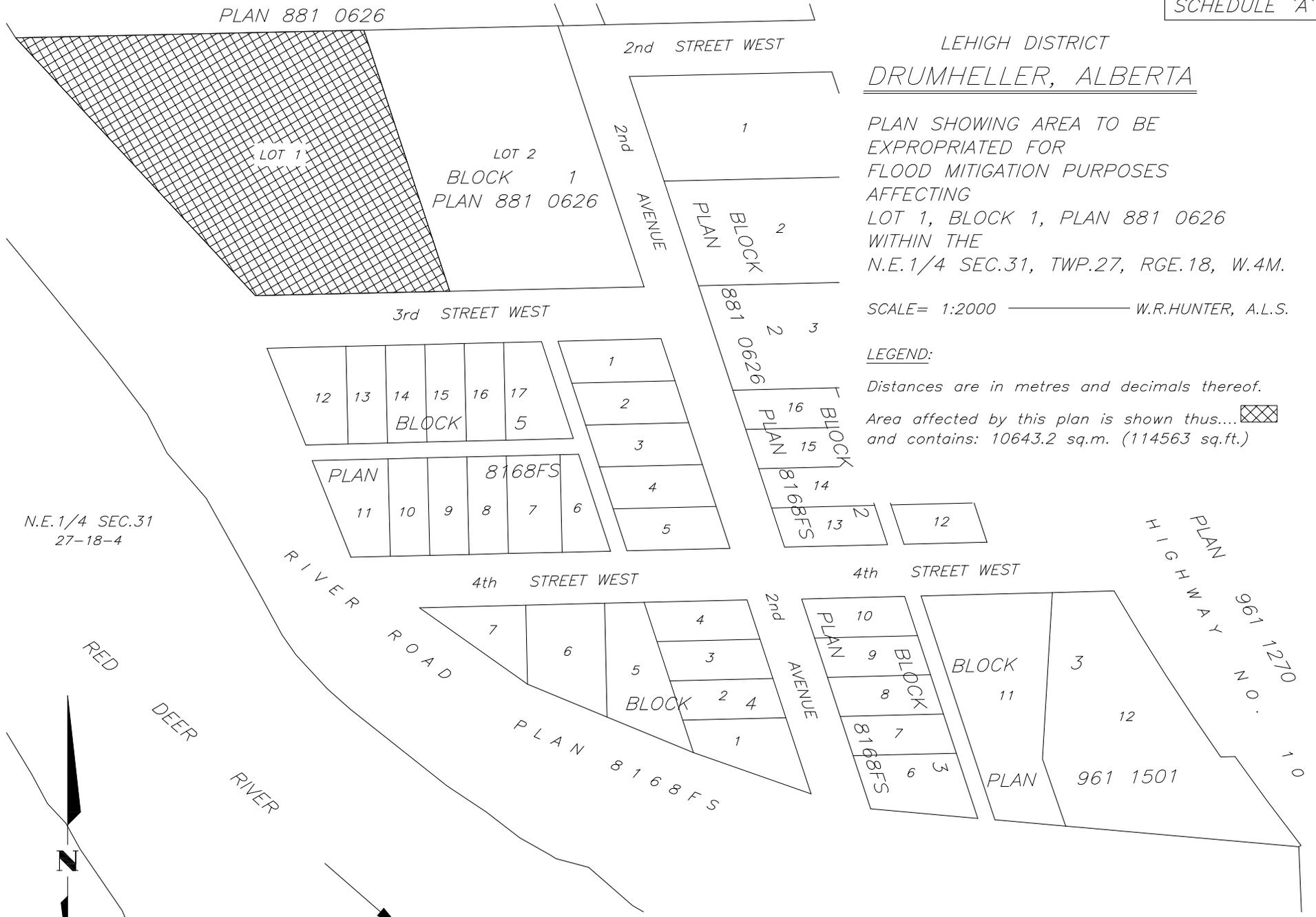
PLAN SHOWING AREA TO BE
 EXPROPRIATED FOR
 FLOOD MITIGATION PURPOSES
 AFFECTING
 LOT 1, BLOCK 1, PLAN 881 0626
 WITHIN THE
 N.E.1/4 SEC.31, TWP.27, RGE.18, W.4M.

SCALE= 1:2000 ————— W.R.HUNTER, A.L.S.

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 
 and contains: 10643.2 sq.m. (114563 sq.ft.)



N.E.1/4 SEC.31
 27-18-4

PLAN
 HIGHWAY
 961 1270
 N.O.
 10

NO.	DATE	DETAIL
1	3 AUGUST, 2023	ISSUED
2	9 AUGUST, 2023	REVISED. NEW PLAN ISSUED.

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035 Page 35 of 47

REQUEST FOR DECISION

TITLE:	Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of Two Parcels for Floodway Buyout affecting Lots 12 and 13, Block 5, Plan 8168FS and Lots 14 to 17 Inclusive, Block 5, Plan 8168FS 245 3 Street West, Lehigh
DATE:	August 14 th , 2023
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director Flood Resiliency Program
ATTACHMENTS:	Resolution to Expropriate Notice of Intent to Expropriate Parcel Map – Schedule ‘A’

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is working to protect the people and property in Drumheller from loss due to flooding. The community of Lehigh has flooded twice in the past two decades, and the Town needs to keep people and property safe from larger floods anticipated in the future. A study completed in early 2022 concluded that berm construction is not viable in Lehigh and the only feasible alternative is floodway buyouts. To proceed with the floodway buyouts, full acquisition of this parcel is required. The impacted landowner was notified in January 2022, and our land agent has been working to negotiate purchase of this property for the past several months. The subject full acquisition property owner has not accepted our purchase offer of Fair Market Value, as determined by an appraisal. As such, the next step in obtaining the land as part of the Lehigh floodway buyouts is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to complete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 245 3 Street West (8168FS;5;12,13 and 8168FS;5;14-17), 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, 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 floodway buyouts on this basis and the offer has been rejected. Expropriation is the next step in acquiring the property as part of the floodway buyouts.

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. 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.

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 properties necessary for the floodway buyouts.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owner via legal representatives as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owner being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

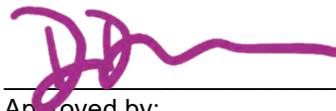
MOTION:

Councillor _____ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcels of land described as Lots 12 and 13, Block 5, Plan 8168FS; Title Number 921 125 157, and Lots 14 to 17 Inclusive, Block 5, Plan 8168FS; Title Number 921 125 157 +1.

SECONDED:



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



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

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER
CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of completing floodway buyouts needed to protect residents from future flooding events in the following lands, depicted as Area 'A' and Area 'B', respectively, on Schedule 'A' attached hereto, and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 12 AND 13
EXCEPTING THEREOUT ALL MINES AND MINERALS

AND

PLAN 8168FS
BLOCK 5
LOTS 14 TO 17 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter collectively referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.
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.

MOVED AND PASSED by Council this _____ day of _____, 2023.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

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

THE EXPROPRIATION ACT
RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands, depicted as Area 'A' and Area 'B', respectively, on Schedule 'A' attached hereto, and more particularly described as:

PLAN 8168FS
BLOCK 5
LOTS 12 AND 13
EXCEPTING THEREOUT ALL MINES AND MINERALS

AND

PLAN 8168FS
BLOCK 5
LOTS 14 TO 17 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter collectively referred to as "the Lands")

2. The nature of the interest in the Lands intended to be expropriated is: fee simple.
3. The work or purpose for which the interest in the Lands is required is: floodway buyout.
4. Section 6 of the *Expropriation Act* provides that:
 - "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
 - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
5. Section 10 of the *Expropriation Act* provides that:
 - "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
 - (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
 - (b) in any other case, within 21 days after the first publication of the notice of intention.
 - (2) The notice of objection shall state:
 - (a) the name and address of the person objecting;
 - (b) the nature of the objection;
 - (c) the grounds on which the objection is based; and
 - (d) the nature of the interest of the person objecting.

6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.
7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this ____ day of _____, 2023.

TOWN OF DRUMHELLER

Per: _____
Heather Colberg, Mayor (c/s)

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

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER
Attention: Darryl Drohomerski, C.E.T.
Chief Administrative Officer
224 Centre Street
Drumheller, AB T0J 0Y4
Phone: 403-823-1312
Fax: 403-823-7739
ddrohomerski@drumheller.ca

LEHIGH DISTRICT
DRUMHELLER, ALBERTA

PLAN SHOWING AREA TO BE
 EXPROPRIATED FOR
 FLOOD MITIGATION PURPOSES
 AFFECTING
 LOTS 12 & 13, AND LOTS 14 - 17 INCL.,
 BLOCK 5, PLAN 8168FS
 WITHIN THE
 N.E.1/4 SEC.31, TWP.27, RGE.18, W.4M.

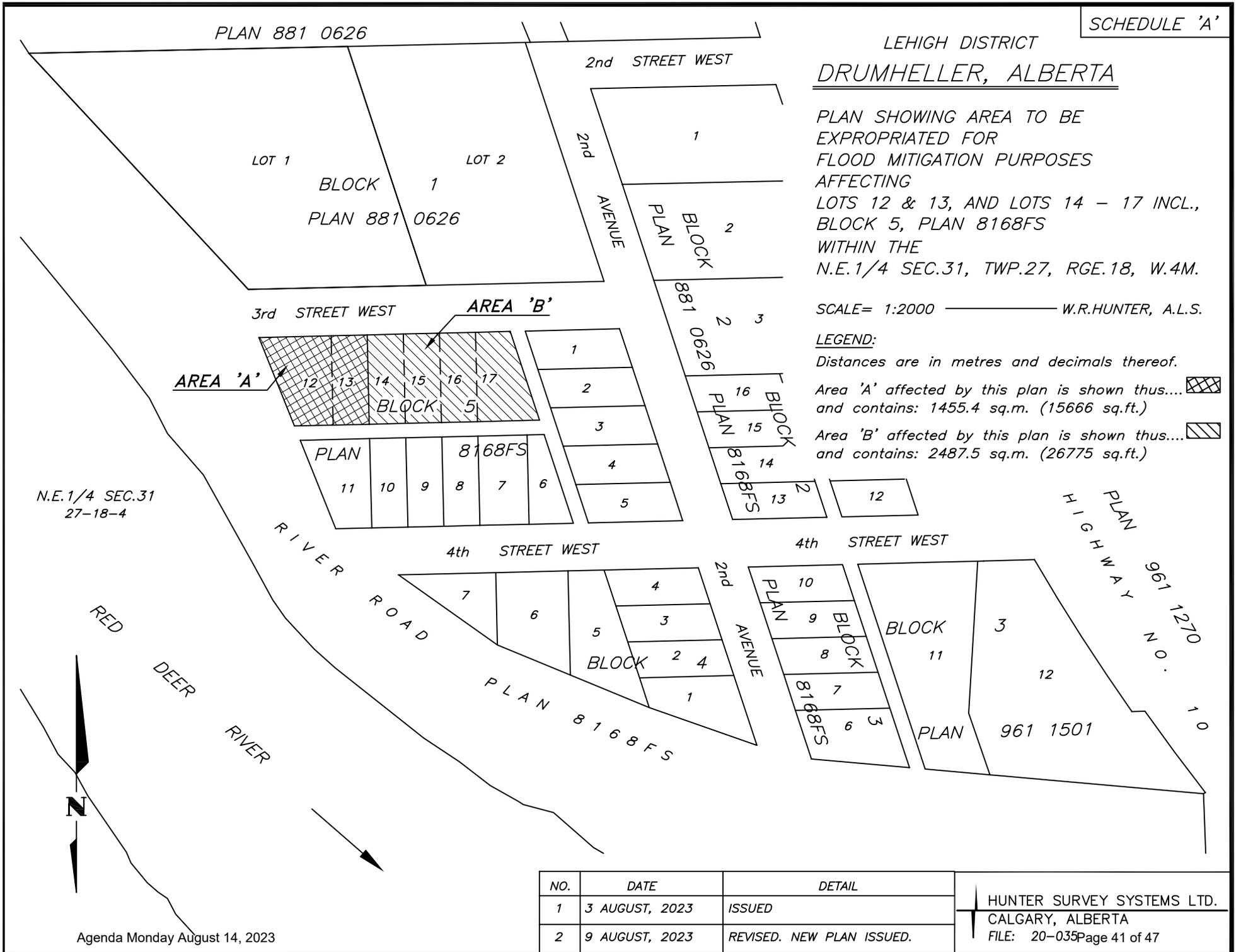
SCALE= 1:2000 ————— W.R.HUNTER, A.L.S.

LEGEND:

Distances are in metres and decimals thereof.

Area 'A' affected by this plan is shown thus...  and contains: 1455.4 sq.m. (15666 sq.ft.)

Area 'B' affected by this plan is shown thus...  and contains: 2487.5 sq.m. (26775 sq.ft.)



Request for Decision

TITLE:	Housing Accelerator Fund (HAF)
DATE:	August 14, 2023
PRESENTED BY:	Reg Johnson, Manager of Economic Development
ATTACHMENTS:	Housing Accelerator Fund (HAF) Action Plan

SUMMARY:

The Housing Accelerator Fund (HAF) is a \$4 billion-dollar fund for local governments to fast track the creation of new housing inventory that was first introduced in the 2022 Federal Budget. The objective of the program is to support lasting changes to the supply of housing through changes in local government land use planning and development approvals.

Municipalities in the *small/rural/indigenous stream* are required to support a minimum of five (5) initiatives which they must complete within a three (3) year timeframe (with lasting changes for the next ten (10) years). HAF is not directly underwriting specific housing projects or reimbursing proponents for specific cost, instead HAF is attempting to drive transformational change and create conditions for more housing supply in the short and long term. Administration recommends the following six (6) initiatives:

- Secondary Suites Incentive Program
- Prefabricated “Tiny Homes” Project
- Increasing Inventory of Affordable Housing
- Vacant Lot Tax
- Incentive Program for High-Density, Infill Developments and Single-Occupancy Units
- Creation of An Employee Housing Complex

The program offers \$20,000 in funding per each new unit projected to be built as a result of the HAF initiatives. It also offers an additional estimated \$7,000 - \$15,000 per unit if it is “missing middle” housing, and an additional estimated \$19,000 per affordable housing unit, for a total potential amount of \$54,000 per new unit. Funding can be used to support any of the above six (6) initiatives, and any surplus funds can be used for:

- Investments in affordable housing
- Investments in housing-related infrastructure
- Investments in community-related infrastructure that supports housing.

The application must include an approved “Action Plan” approved by elected Council and include an attestation of the applicant’s Chief Financial Officer (or equivalent) on the viability of the plan. The action plan consists our projection of current housing growth, the increase in projected growth as a result of the HAF program, and a description of the initiatives that will be undertaken by the Town. Please see the attached Housing Accelerator Fund (HAF) Action Plan.

The deadline for the HAF application is August 18, 2023, 11:59 PM.

RECOMMENDATION:

Administration recommends Council approve the Housing Accelerator Fund (HAF) Action Plan.

FINANCIAL IMPACT:

Administration costs associated with the action plan initiatives are covered by HAF funding. Funding caps will be established for Secondary Suite, High-density, infill developments and single-occupancy unit incentive programs. Costs associated with the Prefabricated "Tiny Homes" Project will be mitigated by seeking partnership with external organizations to assist in construction.

STRATEGIC POLICY ALIGNMENT:

Both the Municipal Development Plan (MDP) and Drumheller Valley Housing Strategy (DVHS) support the initiatives within the Housing Accelerator Fund (HAF) Action Plan.

The MDP policies encourages the Town to "Increase the number and diversity of residents living in downtown by allowing for additional residential density, incentivizing residential development (through grants and other programs), and prioritizing the development of services and amenities to support residents" and also encourages the development of "secondary residences", "seniors' housing" and "infill housing"

The DVHS list of High Priority Actions to be Completed by 2025 include:

- Diversify housing stock
- Secure housing in the near term for seasonal employees
- Promote secondary suites
- Convert underutilized and vacant buildings into supportive housing

COMMUNICATION STRATEGY:

A Communication Strategy will be developed for each individual initiative upon approval of our application

<p>MOTION: Councillor: _____</p> <p>Moves that Council approve the Housing Accelerator Fund (HAF) Action Plan as presented.</p> <p>Seconder: _____</p>
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Prepared by:
Reg Johnston
Manager of Economic Development



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

HAF ACTION PLAN

Section A: Targets and Other Estimates

Projections should be based on a three-year period ending no later than September 1, 2026.

1. Total number of housing units projected to be permitted without any support afforded by HAF. If this projection does not align with historical trends as provided in Section E: Historical Building Permit Issuances, use the comment box below to explain and provide supporting details or analysis.	125
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Provide a breakdown by type of housing:

1.1 Single detached homes	6
1.2 Multi-unit housing (in close proximity to rapid transit)	0
1.3 Multi-unit housing (missing middle)	119
1.4 Multi-unit housing (other)	0
Total:	125

2. Total number of housing units projected to be permitted with the support afforded by the HAF. This is referred to as the “HAF housing supply growth target.”	222
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Provide a breakdown by type of housing:

2.1 Single detached homes	6
2.2 Multi-unit housing (in close proximity to rapid transit)	0
2.3 Multi-unit housing (missing middle)	211
2.4 Multi-unit housing (other)	5
Total:	222

Provide a breakdown by year of the HAF program:

2.5 For the year ending September 1, 2024	12
2.6 For the year ending September 1, 2025	105
2.7 For the year ending September 1, 2026	105
Total:	222

3. Total number of “HAF incented units” (units projected with HAF minus units projected without HAF).	97
4. Percentage of affordable units projected to be permitted without any support afforded by HAF.	0.00%
5. Percentage of affordable units projected to be permitted with the support afforded by HAF.	2.25%
6. Total number of dwellings (i.e., current housing stock).	3,195
7. Projected average annual housing supply growth rate without HAF.	1.30%
8. Projected average annual housing supply growth rate with HAF aka Annual Growth Rate - Min. Target to exceed 1.1%	2.32%
9. Projected increase in the housing supply growth rate aka Annual Growth Rate percentage change - Min. Target 10%	77.60%

For the purposes of the HAF program and the affordable housing bonus, please indicate how the affordable units will be identified. This could include, for example, a local definition, other level of government definition, a program definition, or a combination thereof. While this is intended to accommodate the range of definitions used across the country, and to reflect the objectives of different programs, permitted units counted under the affordable housing bonus need to meet the “below market” intentions of HAF and affordable housing.

the Affordable Housing Rate is calculated by the Drumheller Housing Administration (DHA) on an annual or biannual basis. The Affordable Housing Rate is set as 10% below market rents in the Town of Drumheller.

Section B: Initiatives	
Initiative Item	Description
<p>#1 Secondary Suites / Garden Suites</p> <p>(Encouraging Accessory Dwelling Units)</p>	<p>This initiative aims to promote Secondary Suites or Garden Suites in the Town's single-detached residential zone, with the objective of increasing density, providing housing alternatives for seniors, and increasing the housing inventory without requiring additional infrastructure.</p> <p>The program will offer incentives for these suites in the form of either grants, zero-interest loans, or a combination of both. If approved, the grant funds will be allocated to cover related administrative expenses and advertising costs.</p> <p>We anticipate the incentive will provide residents with the necessary capital to begin constructing these suites, serving either as rental units or residences for elderly relatives. If the Town chooses to incorporate a zero-interest loan in this initiative, the principal can be re-used to sustain the program beyond the conclusion of the HAF program, however, it would result in higher administrative workload.</p>
<p>#2 Tiny Homes</p> <p>(Encourage Alternative Forms for Housing Construction, Including Modular Housing, Manufactured Housing and Prefabricated Housing)</p>	<p>This initiative plans to build 15 low-cost prefabricated "tiny" homes, each around 800 square feet with screw pile foundations on a 2.1-acre lot owned by the Town. The Town is investigating partnering with external organizations to construct the prefab homes in order to reduce the cost of construction.</p> <p>This effort aims to expand housing availability and create more affordable options for low-income families. One-third (1/3) of the homes will be managed by the Drumheller Housing Association (DHA) and rented below market rate, another third (1/3) will be owned by the Drumheller Land Corporation and rented at market rate, and the final third (1/3) will be sold at market rate, thereby forming a diverse residential neighborhood.</p>
<p>#3 Increasing Inventory of Affordable Housing</p> <p>(Partnering with non-profit housing providers to preserve and increase the stock of affordable housing)</p>	<p>Currently, the Town of Drumheller has 70 affordable housing units, all of which are fully occupied. The main goal of this initiative is to increase the supply of affordable housing within the Town to meet the existing demand.</p> <p>As part of the Tiny Homes Initiative, the Drumheller Housing Association (DHA) will oversee the management of five (5) "tiny" homes, renting them out at rates below the market average. Additionally, the Town of Drumheller will actively collaborate with developers to explore further opportunities to increase the the inventory of affordable housing.</p>
<p>#4 Incentive Program for high-density, infill-developments and single-occupancy units</p> <p>(Promoting infill developments with increased housing density and a variety of unit types)</p>	<p>This initiative promotes specific developments that align with the Drumheller Valley Housing Strategy (DVHS) and Municipal Development Plan (MDP) in order to boost the housing supply within the Valley.</p> <p>Developers will be incentivized with either tax abatements or direct grants. The high-density incentive targets developments exceeding the town's current density average, the infill incentive targets new builds on vacant lots within existing neighborhoods, while the single-occupancy incentive will provide an incentive for each new single-occupancy unit.</p> <p>These incentives will be fully stackable with each other and with other incentives such as the Residential Development Incentive Program, thereby providing significant benefits to developers who align with the objectives set by the DVHS and MDP. A program cap will be implemented based on the grant funding received. all applications will require Council approval, similar to the Residential Development Incentive Program.</p>
<p>#5 Employee Housing Complex</p>	<p>This initiative will explore the construction of furnished permanent seasonal employee housing in the Downtown Core.</p> <p>Employers in the Valley have voiced concerns about housing for seasonal staff, resulting to labour shortages. This program will be requiring interested businesses to lease a certain percentage of units of the proposed employee housing complex for their seasonal employees. For example, business x would be required to sign an agreement supplying five (5) renters each season for the employee housing complex. If they are only able to supply four (4) renters one summer, the employer would be required to compensate the managing body.</p> <p>Throughout the off-season, the employee housing complex can be used to house contractors or construction staff involved in development projects. This initiative would address significant concerns regarding labour and rental shortages and mitigates risk to the developer through guaranteed renters.</p>
<p>#6 Vacant Lot Tax</p> <p>(Implementing disincentives, costing or fee structures to discourage such things as unit vacancy, underdeveloped/idle land and low-density forms of housing)</p>	<p>This initiative entails establishing a disincentive for vacant lots by introducing residential and non-residential subclasses, imposing a higher mill-rate on properties that have remained unused for a specified duration, in accordance with section 297(2) and 297(2.1) of the Municipal Government Act (MGA)</p>

BRIEFING NOTE

MEETING DATE:	August 14, 2023
TITLE:	Aquaplex Repairs and Timeline
DEPARTMENT:	CAO Office
PRESENTED BY:	Darryl Drohomerski, C.E.T. CAO
ATTACHMENT:	

INTRODUCTION / PURPOSE / PRIORITY

Since the last Briefing Note on July 24, the Town has consulted with both Associated Engineering and Knibb Construction on the extent of the damage, and repairs required, to bring the Aquaplex indoor pool back into operation.

BACKGROUND / PROBLEM

On Monday July 10, 2023, Facilities staff were informed by Aquaplex staff of evidence of a leak in the indoor pool mechanical room of the Aquaplex. The recirculation pump pit, a drywell design, had approximately 1.5ft of water in the structure. Facilities staff shut off the recirculation pump and coordinated with Aquaplex staff to close the indoor pool.

Upon examination, sediment was found to have filled the bottom of the pump well, blocking the sump pumps. Town staff then removed the hairnet strainer and recirculation pump from the dry well, during this process it was found that the hairnet and the pump were both binding. Once those components were removed, a visual inspection was carried out and a void was found under the mechanical room floor. Video inspection of the piping in the area was carried out by Town staff. In addition, a structural engineer from Associated Engineering was requested to visit the site. These tasks were all completed by end of day Wednesday July 19, 2023.

KEY POINTS / STATUS

- Phase 1 of this work is being planned by Knibb Construction and will be undertaken as soon as possible to understand the extent of the void space and pipe loss under the floor in the mechanical room. This involves cutting and removing concrete flooring to locate the pipe ends. This could take up to 2 weeks.
- Phase 2 of the work will involve formulating a plan to replace piping and fill the void under the slab as well as other work that is required to ensure a safe operation of the pool. This phase is likely 3 weeks in duration barring any unforeseen issues.
- The indoor pool was already scheduled to be shut down for other work during September, and it appears that this work can be done concurrently. After the completion of Phase 1 work, Administration will have a better idea of the extent of the damage; until then, we do not know when the indoor pool will be open to the public.
- The outdoor pool will remain open to the public until such a time that weather conditions dictate closure. We can operate the outdoor pool to an overnight low temperature of 5 degrees Celsius. With a normal September, this can push us into the last week of the month.

FINANCIAL

The first phase of the examination work is being done on a time and materials cost basis. This will better inform the contractor and consultant of the extent of the repair work required for the indoor facility. Regular updates will be provided to Council on the cost of repairs.

COMMUNICATIONS

The Infrastructure team will be keeping Council and the Public updated through Council briefings, social media posts and newspaper ads.