

REQUEST FOR DECISION

TITLE:	Bylaw #07.25 – Nacmine 5th Street Alley Closure Bylaw (1 st Reading)
DATE:	February 18, 2025
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw #07.25 – Nacmine 5th Street Alley Closure Bylaw (1 st Reading) Map – Nacmine 5 th Street Alley Closure Bylaw

SUMMARY:

An application has been made by an adjacent owner to have the alley between 177 5th Street and 193 5th Street, in Nacmine, permanently closed to the public. Currently, the alley is semi-grassed and not being maintained by the Town. Additionally, the alley is redundant as there are three (3) other entrances to the rear of the houses, in addition to the alley that is proposed to be closed.

As the alley is not being used, the Town of Drumheller is planning to place a temporary road closure on the alley to stop any continued use of the alley and allow the grass to recover. Concrete barriers have been placed at each end of the alley. This temporary road closure will remain in place until the conclusion of a permanent road closure (or defeat of this proposed Bylaw).

Administration has already entered into a preliminary agreement with the applicant for the sale of the lot and has collected fees to cover the administrative costs of the road closure bylaw. Therefore, the entire road closure process and the associated fees will be covered by the applicant.

RECOMMENDATION:

That Council give first reading to Bylaw #07.25 – Nacmine 5th Street Alley Closure Bylaw (1st Reading) and set a public hearing date for March 17, 2024.

DISCUSSION:

Similar to other municipalities, the administrative costs associated with closure of the road allowance are the responsibility of the applicant. The administrative fees have already been collected from the applicant, and the applicant has agreed to pay for the lot, at the price proposed by Administration.

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

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

FINANCIAL IMPACT:

The administrative costs associated with the road closure are estimated to be about \$1,400.00, with most of the cost attributed to staff time and the requirement to advertise in the local

newspaper. The applicant has already covered the costs associated with the road closure and has agreed to purchase the land at fair market value and consolidate the land to their lot.

STRATEGIC POLICY ALIGNMENT:

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

COMMUNICATION STRATEGY:

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

- a) newspaper ads in the Drumheller mail, running on the Wednesdays of February 29th, 2025, and March 5th, 2025.
- b) letters to adjacent property owners within 200m of the proposed road closure;
- c) letters to local utility providers;
- d) the Town of Drumheller website as a media release; and
- e) the Town of Drumheller online calendar

MOTION:

That Council gives first reading Bylaw #07.25 – Nacmine 5th Street Alley Closure Bylaw and set the Public Hearing date for Monday, March 17th, 2025.



Prepared by:
Mitchell Visser
Manager of Legislative
Services



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

TOWN OF DRUMHELLER
BYLAW NUMBER 07.25
DEPARTMENT: DEVELOPMENT AND PLANNING

Nacmine 5th Street Alley Closure Bylaw

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing an undeveloped Lane created by Subdivision Plan 1005 F.L. 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; pursuant to Section 22 of the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; an undeveloped Lane created by Subdivision Plan 1005 F.L. hereinafter described is not required for public travel and an application has been made to the Town of Drumheller to have this undeveloped Lane closed and consolidated with the adjacent Lot 5, and

WHEREAS; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on *March 5, 2025* and again on *March 12, 2025* 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 *17th* day of *March*, 2025 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard, and

NOW THEREFORE; be it resolved that THE COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close the undeveloped Lane created by Subdivision Plan 1005 F.L. depicted on Schedule "A" attached hereto and more particularly described as:

PLAN 1005 F.L.

LANE LYING NORTHEAST AND ADJACENT TO LOT 5

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.

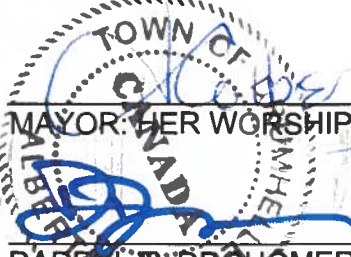
1. SHORT NAME

1.1 This Bylaw shall be cited as the "Nacmine 5th Street Alley Closure Bylaw"

2. TRANSITIONAL

2.1 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
DRUMHELLER this 18th day of February 2025


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
ROOM 425, LEGISLATIVE BUILDING,
10800 – 97th AVENUE, EDMONTON, AB, T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN
DRUMHELLER this day of 2025.

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 2025.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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