

REQUEST FOR DECISION

TITLE:	Bylaw #18.24 – Midlandvale Community Hall Road Closure
DATE:	June 17, 2024
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw #18.24 – Midlandvale Community Hall Road Closure

SUMMARY:

The Midlandvale Community Hall Association recently began construction of a new Outdoor Rink. During the process of applying for Development Permits, it was determined that a portion of the land being used for the Outdoor Rink Project, as well as their existing building, is on an unused municipal right-of-way.

As the undeveloped road allowance is no longer required or utilized for public travel, and because the land is required for the completion of the Outdoor Rink, the Town of Drumheller would like to permanently close a portion of the road allowance and sell the land to the Midlandvale Community Hall Association.

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

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

RECOMMENDATION:

That Council gives first reading to Midlandvale Community Hall Road Closure Bylaw #18.24 and sets the Public Hearing date for Monday, July 22, 2024

DISCUSSION:

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

FINANCIAL IMPACT:

The administrative costs associated with the road closure are estimated to be about \$2,000, with most of the cost attributed to the requirement to advertise in the local newspaper.

STRATEGIC POLICY ALIGNMENT:

Council and Administration wish to correct any issues where private construction is or was undertaken on municipal land.

COMMUNICATION STRATEGY:

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

- a) newspaper ads in the Drumheller mail, running the weeks of July 3rd and July 10th;
- b) letters to adjacent proprietors within 200m of the proposed road closure; and,
- c) on the Town of Drumheller website as a media release on the Town calendar

MOTION: Moved by Councillor Price, Councillor Sereda, M2024.209, June 17, 2024

That Council give first reading to Midlandvale Community Hall Road Closure Bylaw #18.24 and set the Public Hearing date for July 22, 2024.

Mitchell Visser

Prepared by:
Mitchell Visser
Manager of Legislative
Services



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

**TOWN OF DRUMHELLER
BYLAW NUMBER 18.24
DEPARTMENT: DEVELOPMENT**

Midlandvale Community Hall Road Closure

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

SCHEDULE – A

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

WHEREAS; an application has been made by the Midlandvale Community Hall Association to have the subject public lane closed to public use and to consolidate this land with its adjacent titles; and

WHEREAS; this undeveloped portion of the lane created by subdivision plan No. 7291 C.G. within the S.E. 1/4 Section 9, in Township 29, Range 20, W. of the 4th. Meridian has never been developed, never used for public travel and will not be required for public road or other public purposes in the foreseeable future; and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest and no one will be adversely affected by this road closure; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

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

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close that portion of the undeveloped Lane depicted on the attached Schedule – 'A' which is more particularly described as:

THAT PORTION OF THE LANE IN BLOCK 4, PLAN 7291 C.G.
THAT LIES NORTH OF THE EASTERLY PRODUCTION OF THE
SOUTH BOUNDARY OF LOT 15.

EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring titles to these lands in the name of the TOWN OF DRUMHELLER with a mailing address of; 224 Centre Street, DRUMHELLER, Alberta T0J 0Y4 pursuant to Sections 22 of the Municipal Government Act, being Chapter M-26, of the Revised Statutes of Alberta 2000, as amended.

SHORT TITLE

This Bylaw may be cited as the "Midlandvale Community Hall Road Closure Bylaw"

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 17th day of June 2024.


MAYOR: HER WORSHIP; HEATHER COLBERG

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

APPROVED BY: ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS

Seal

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

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

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

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

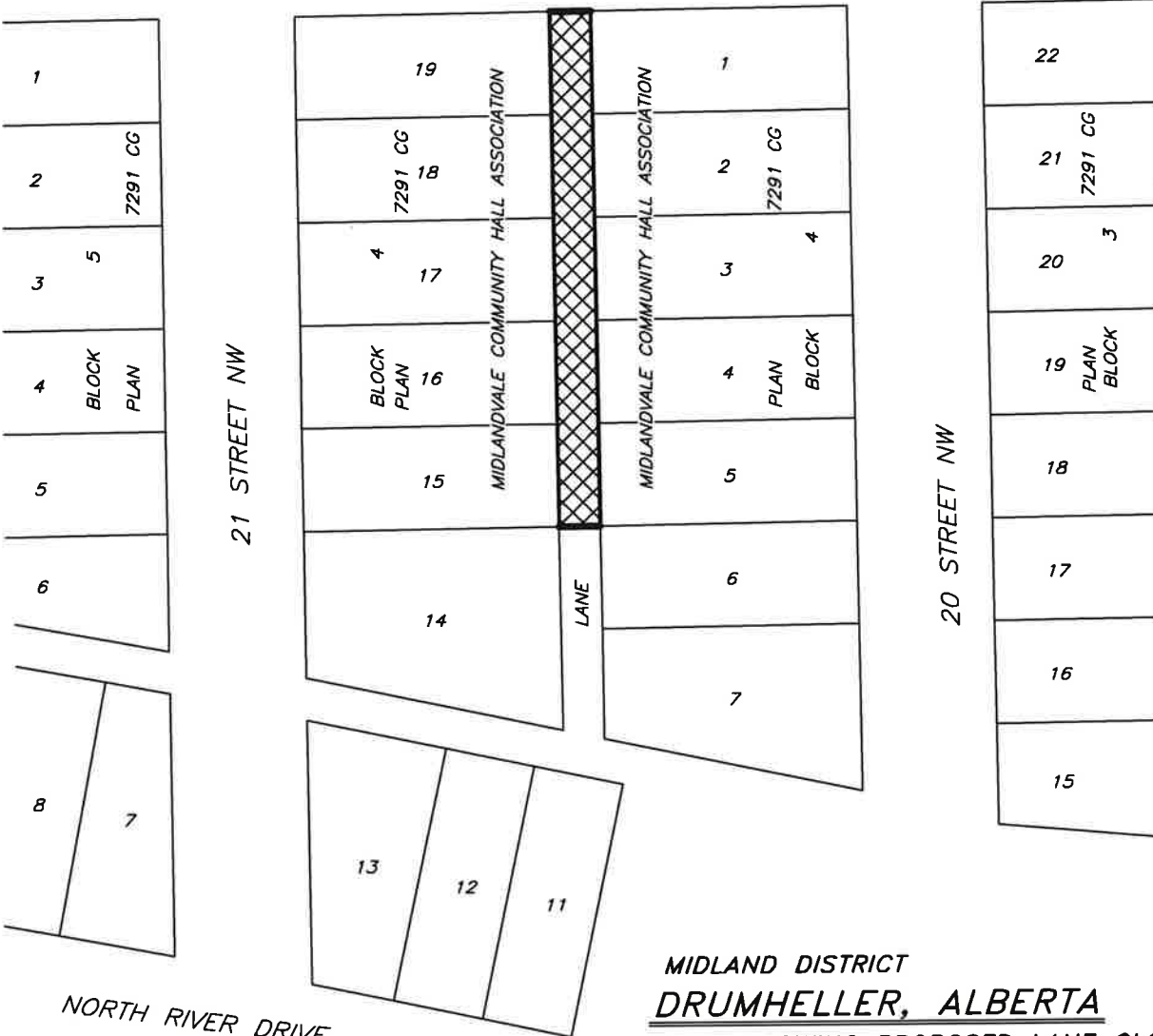
MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

1 AVENUE N.W.

(PLAN 2179 EZ)



**MIDLAND DISTRICT
DRUMHELLER, ALBERTA**

**PLAN SHOWING PROPOSED LANE CLOSURE
WITHIN BLOCK 4, PLAN 7291 CG
WITHIN THE**

S.E.1/4 SEC.9, TWP,29, RGE.20, W.4M.

SCALE= 1:1000 — 2024 — G.W. WALLACE A.L.S.

LEGEND:

Area affected by this plan is shown thus... 

REV.	DATE	DESCRIPTION
0	May 29, 2024	ISSUED

HUNTER WALLACE SURVEYS LTD.
DRUMHELLER, ALBERTA
FILE: 24-106