

## REQUEST FOR DECISION

<b>TITLE:</b>	Rosedale Rd Closure Land Bylaw 06.22 - 375 Avenue South, Rosedale
<b>DATE:</b>	June 14, 2023
<b>PRESENTED BY:</b>	Darryl Drohomerski, C.E.T., CAO
<b>ATTACHMENT:</b>	Bylaw 06.22, Schedule 'A'

### SUMMARY:

Triggered by a land sale request, a road closure bylaw is required to close a portion of an undeveloped road adjacent to 375 Avenue South. More specifically, the undeveloped portion of the road allowance lying south of the S.E. 1/4 Section 29 and north of the N.E. 1/4 Section 20, in Township 28, Range 19, W. of the 4th Meridian as shown on the attached Schedule 'A'.

First Reading was completed in April 2022 and a Public Hearing in May 2022. The Town recently received back the Bylaw approved by the Minister from Alberta Transportation and we may now proceed with second and third readings.

### RECOMMENDATION:

That Council passes second and third readings of Road Closure Bylaw 06.22.

### DISCUSSION:

The right of way has been unused with an exception of a piece that was previously sold to a property owner of 375 Avenue South in order to allow the compliance of a house that was constructed across the right of way. The current owners would like to essentially 'square off' the parcel by requesting a closure of the portion of the unused right of way. Parcels B and C are also being closed at the same time to allow for future consolidation with other property owners.

### FINANCIAL IMPACT:

The property owner of 375 Avenue South is paying the costs of the closure as well as purchasing the land at fair market value.

### STRATEGIC POLICY ALIGNMENT:

Land sales as a revenue source aligns with fiscal responsibility.

**COMMUNICATION STRATEGY:**

Once passed, the Road Closure will be registered with Alberta Transportation and Economic Corridors and with Alberta Land Titles Office and the requesting adjacent property owner shall be notified.

**MOTION M2023.150: Moved by Councillor Lacher - June 19th, 2023**

That Council give second reading to Rosedale Road Closure Land Bylaw 06.22

**SECONDED: Councillor Kolafa**

**MOTION M2023.151: Councillor Sereda - June 19th, 2023**

That Council give third reading to Rosedale Road Closure Land Bylaw 06.22

**SECONDED: Councillor Lacher**



Prepared By:  
Darryl Drohomerski, C.E.T.  
Chief Administrative Officer



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

**TOWN OF DRUMHELLER  
BYLAW NUMBER 06.22**

**THIS IS A BYLAW OF THE TOWN OF DRUMHELLER** in the province of Alberta, for the purpose of closing a portion of an undeveloped original road allowance to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER for retention or sale as Council may determine; in accordance with the Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended;

**WHEREAS**, an undeveloped portion of the road allowance lying south of the SE ¼ Section 29 and north of the NE ¼ Section 20, in Township 28, Range 19, W of the 4<sup>th</sup>. Meridian has never been developed, never used for travel and will not be required for public road or other public purposes in the foreseeable future; and

**WHEREAS**, an application has been made to the Town of Drumheller to have a portion of this undeveloped Street closed; and

**WHEREAS**, a notice was published in the Drumheller Mail once a week for two consecutive weeks; on [date] and again on [date], 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 XX day of XX, 2022, at their regular or special meeting of Council, in which all interested parties were provided an opportunity to be heard, and

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

**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 original road allowance lying south of the SE ¼ Section 29 and north of the NE ¼ Section 20, in Township 28, Range 19, W of the 4<sup>th</sup>. Meridian as depicted on the attached Schedule A and more particularly described as:

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

EXCEPTING THEREOUT ALL MINES AND MINERALS

For public use, obtain three titles to same in the name of the TOWN OF DRUMHELLER, a Municipal Body Corporate, of 224 Centre Street, DRUMHELLER, Alberta. T0J 0Y4 for retention or sale as Council may decide.

**SHORT NAME**

This Bylaw may be known as Rosedale Road Closure Land Bylaw 06.22

**TRANSITIONAL**

This Bylaw takes effect on the day of final passing thereof.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER  
This 19<sup>th</sup> day of April, 2022.

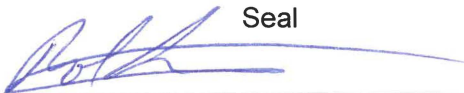
  
MAYOR: HER WORSHIP; HEATHER GOLBERG

  
Seal

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



APPROVED BY: ~~ALBERTA INFRASTRUCTURE AND TRANSPORTATION~~ and Economic Corridors ✓

  
Seal

for: ~~MINISTER OF ALBERTA INFRASTRUCTURE AND TRANSPORTATION~~ and Economic Corridors ✓  
RM. 425, LEGISLATIVE BUILDING,  
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF  
DRUMHELLER  
this \_\_\_ day of \_\_\_, 2022.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF  
DRUMHELLER  
this \_\_ day of \_\_\_, 2022.

\_\_\_\_\_  
MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

## ROSEDALE DISTRICT

— DRUMHELLER, ALBERTA —

PLAN SHOWING PROPOSED ROAD CLOSURE  
AFFECTING PART OF THE  
ORIGINAL ROAD ALLOWANCE BETWEEN THE  
N.E.1/4 SEC.20 AND S.E.1/4 SEC.29,  
TOWNSHIP 28, RANGE 19, W.4M.

— SCALE = 1:1500 — MARCH, 2022 —

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan are shown thus...   

