

TOWN OF DRUMHELLER

BYLAW NUMBER 01.21

THIS IS A BYLAW OF THE TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of changing the boundaries of an Environmental Reserve pursuant to Section 676(1)(d) of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000 to satisfy a concern relating to the dedication of an Environmental Reserve in 1981 and to allow part of this property to be used for other purposes.

WHEREAS: Lot 19 E.R. (Environmental Reserve) in Block 3 containing 6.80 Acres was created by Subdivision Plan No. 811 1554; and

WHEREAS: Section 664 of the said Municipal Government Act; states that Environmental Reserve is only required to be dedicated if the land is:

- (a) a swamp, gully, ravine, coulee or natural drainage course, or
- (b) is land subject to flooding or unstable, or
- (c) is along the bed of a body of water, and

WHEREAS: the land within the said Lot 19 E.R. (Environmental Reserve), Block 3, Plan 811 1554 is not a swamp, gully, ravine, coulee, natural drainage course, is not subject to flooding nor is along the bed of any body of water; and

WHEREAS: Subdivision Plan 811 1554 also dedicated an additional 15.17 Acres of Environment Reserve and 1.90 Acres of Municipal Reserve in this area; and

WHEREAS: the Council of the Town of Drumheller now finds portions of this land is not required for Environmental Reserve and after considering the foregoing and the vast amount of Environment Reserve already in this vicinity now finds a better use for this land which we believe to be in long term best interests of the citizens of the Town of Drumheller; and

WHEREAS: a notice will be published in the Drumheller Mail once a week for two consecutive weeks on January 13, 2021 and again on January 20, 2021 the last of such publications being at least five days before the day fixed for the passing of this Bylaw, and a notice was mailed to adjacent owners advising them of this Bylaw including the date and location of a meeting to be held where concerns can be heard or alternatively the name and address where any concerns may be sent; 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;

NOW THEREFORE; be it resolved that THE COUNCIL of the TOWN OF DRUMHELLER in the Province of Alberta does hereby enact to correct this concern by amending the boundaries of the said Environment Reserve as shown on the attached plan marked "Schedule A" and more particularly described as:

'THAT PORTION OF LOT 19 E.R., BLOCK 3, PLAN 811 1554 THAT LIES WITHIN'

PLAN

BLOCK 1

LOT 39

EXCEPTING THEREOUT ALL MINES AND MINERALS.

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and hereby requests the Registrar of the South Alberta Land Titles District to cancel the Certificate of Title to the subject lands insofar as it affects the subject Lot 39 and issue a new title to the Town of Drumheller, a Municipal Body Corporate with a mailing address of: 224 Centre Street, DRUMHELLER, Alberta T0J 0Y4 and to amend the remaining Certificate of Title to the said Lot 19 E.R. accordingly.

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 OF DRUMHELLER this 11th day of January, 2021.


MAYOR: HEATHER COLBERG




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

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER this 8th day of February, 2021


MAYOR: HEATHER COLBERG




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

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER this 8th day of February, 2021


MAYOR: HEATHER COLBERG




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

—SCALE= 1:300 ————— DECEMBER, 2020 —

Area affected by this plan is shown thus....

