



Executive Committee - Agenda

Date: Thursday, October 1, 2020
Time: 9:30 a.m. - 5:30 p.m.
Location: Council Chamber, 2nd floor, City Hall

Call to Order: 9:30 a.m.
Lunch: Noon - 1:30 p.m.
Recess: 3:30 p.m. - 3:45 p.m.
Adjournment: 5:30 p.m.

Chair: D. Iveson Vice Chair: S. McKeen
Members: T. Cartmell, S. Hamilton, M. Walters

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Pages

1. Call to Order and Related Business

- 1.1 Call to Order
- 1.2 Roll Call
- 1.3 Adoption of Agenda
- 1.4 Adoption of Minutes

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2.	Items for Discussion and Related Business	
2.1	Select Items for Debate	
2.2	Vote on Reports not Selected for Debate	
2.3	Requests to Speak Refer to Summary of Agenda Changes	
2.4	Requests for Specific Time on Agenda Refer to Summary of Agenda Changes	
3.	Councillor Inquiries	
4.	Reports to be Dealt with at a Different Meeting None	
5.	Requests to Reschedule Reports None	
6.	Reports	
6.1	Lessons Learned - Responding to COVID-19 Time Specific: First item of business Report to be distributed when available	
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7.	Private Reports None	

8. Notices of Motion and Motions without Customary Notice
9. Adjournment



EXECUTIVE COMMITTEE MINUTES

June 29, 2020 – Council Chamber

PRESENT

D. Iveson*, S. McKeen*, T. Cartmell*, S. Hamilton*, M. Walters*
**Participated electronically*

ABSENT

None

ALSO IN ATTENDANCE

A. Giesbrecht, City Clerk*
 D. Siebold, Office of the City Clerk
 M. Barnes, Office of the City Clerk
**Participated electronically*

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1.4	Adoption of Agenda	2	Carried
1.5	Adoption of Minutes	2	Carried
1.6	Protocol Items	3	None
2.	ITEMS FOR DISCUSSION AND RELATED BUSINESS	3	
2.1	Requests to Speak	3	None
3.	COUNCILLOR INQUIRIES	3	None
4.	NOTICES OF MOTION AND MOTIONS WITHOUT CUSTOMARY NOTICE	3	Carried
5.	ADJOURNMENT	3	

DECISION SUMMARY

ITEM	DECISION
1. CALL TO ORDER AND RELATED BUSINESS	

1.1 Call to Order

Mayor D. Iveson called the meeting to order at 9:32 a.m.

1.2 Roll Call

Mayor D. Iveson conducted Roll Call and confirmed the attendance of Members of Executive Committee.

1.3 Election of Vice-Chair

Mayor D. Iveson called for nominations for the position of Vice-Chair, Executive Committee.

Councillor M. Walters nominated Councillor S. McKeen for the position of Vice-Chair, Executive Committee.

Mayor D. Iveson asked if there were any further nominations. There being no other nominations, Mayor D. Iveson declared nominations closed.

Moved M. Walters:

That Councillor S. McKeen be elected as Vice-Chair, Executive Committee.

In Favour:

Carried

D. Iveson, S. McKeen, T. Cartmell, S. Hamilton, M. Walters

1.4 Adoption of Agenda

Moved S. Hamilton:

That the June 29, 2020, Executive Committee meeting agenda be adopted.

In Favour:

Carried

D. Iveson, S. McKeen, T. Cartmell, S. Hamilton, M. Walters

1.5 Adoption of Minutes

Moved S. McKeen:

That the following minutes be adopted:

- February 24, 2020, Executive Committee
- May 5, 2020, Executive Committee (Non-regular)
- May 19, 2020, Executive Committee (Non-regular)

In Favour:

Carried

D. Iveson, S. McKeen, T. Cartmell, S. Hamilton, M. Walters

1.6 Protocol Items

There were no Protocol Items.

2. ITEMS FOR DISCUSSION AND RELATED BUSINESS

2.1 Requests to Speak

There were no Requests to Speak.

3. COUNCILLOR INQUIRIES

There were no Councillor Inquiries.

4. NOTICES OF MOTION AND MOTIONS WITHOUT CUSTOMARY NOTICE

Mayor D. Iveson asked if there were any Notices of Motion.
There were none.

5. ADJOURNMENT

The meeting adjourned at 9:37 a.m.

Chair

City Clerk

Sale of Land Below Market Value - King Edward Park

Recommendation

1. That the agreement between the City of Edmonton and Jim Chroniaris, Bill Chroniaris and Charlotte Mandelenakis, for the sale of land, for an amount of \$1.00, as outlined in Attachment 1 of the October 1, 2020, Financial and Corporate Services report CR_8416, be approved, and that the agreement be in form and content acceptable to the City Manager.
2. That Attachment 3 of the October 1, 2020, Financial and Corporate Services report CR_8416, remain private pursuant to sections 24 (advice from officials), 25 (disclosure harmful to economic and other interests of a public body) and 27 (privileged information) of the *Freedom of Information and Protection of Privacy Act*.

Executive Summary

As per sections 70, 231(9) and 606 of the *Municipal Government Act*, proposed City land transfers for less than market value must be advertised and subsequently approved by the appropriate Council Committee after the petition period has expired.

This report is seeking approval for the sale of surplus land according to the terms and conditions outlined in Attachment 1 at less than market value to Jim Chroniaris, Bill Chroniaris and Charlotte Mandelenakis (collectively, the “Buyer”). The land, as shown in Attachment 2 (the “Sale Land”) was acquired by the City in 1959. The Buyer is of the opinion that the City acquired the Sale Land through an error at the Land Titles Office and the City should not have an interest in the Sale Land. The Buyer has requested that the Sale Land be transferred to the Buyer for \$1.00 in order to restore title.

Report

Administration and the Buyer have been in discussions regarding the Sale Land since early 2019. The Buyer owns the lot adjacent to the Sale Land, including the building that has been encroaching onto the Sale Land since it was originally built. The Buyer has approached the City seeking to acquire the Sale Land for \$1.00, as, in their opinion, the City acquired the land through an error at the Land Titles Office. Administration now recommends that Executive Committee approve the less than market value transfer of the Sale Land.

Background

Upon receiving the request to purchase the Sale Land at \$1.00 from the Buyer, Administration first confirmed that the Sale Land was in fact surplus to municipal requirements and available for sale. Upon confirmation, Administration conducted a review of the Sale Land's acquisition history to determine the reasonableness of the Buyer's less than market value purchase request.

The acquisition review identified that the Sale Land was originally acquired in 1959 for the purposes of road widening. Typically, when land is required for road right of way, the City would obtain ownership of the land through the registration of a Road Plan of Survey at the Land Titles Office. This results in the land acquisition area becoming road right of way, meaning, there is no longer a legal description for the land or individual certificate of title that would allow for subsequent transfer/exchange. For this acquisition, a Descriptive Plan for Road Dedication and a Subdivision Plan of Survey were registered within the span of a month. As a result of the City's acquisitions by way of registration of a road plan, a subdivision plan and a transfer of land, the Buyer's adjacent Lot 36 is 20 feet shorter in depth than the neighbouring lots, as shown on Attachment 2. Additional background information related to the acquisition can be found in Attachment 3.

In the early 1960s, the City approved permits to construct the current building that was built on the Sale Land and the adjacent lot owned by the Buyer. Since that time, the building has been in operation and the Buyer, the former owners or their tenants have been in possession of the Sale Land, though no formal agreement with the City is in place.

Next Steps

The Buyer has requested that the Sale Land be transferred to the Buyer for \$1.00 in order to restore title of Lot 36. As per the justification outlined in Attachment 3, Administration recommends that the Sale Land be transferred to the Buyer for a nominal purchase price of \$1.00. Upon approval of this report, Administration will enter into a sale agreement, which has already been executed by the Buyer.

Public Engagement

As per sections 70, 231(9) and 606 of the *Municipal Government Act*, the City advertised the proposed less than market value sale of the subject property to the Buyer for two consecutive weeks, February 27, 2020 and March 5, 2020 in the Edmonton Journal. As no petitions were received during the petition period, Executive Committee can consider approval of a less than market value transfer of the Sale Land.

Budget/Financial Implications

The Sale Land has a nominal book value of \$1.00; as such, if Executive Committee approves this transfer, there would be no writedown required for this asset. This sale was not considered within the development of the 2019-2022 Operating Budget. This below market value sale will not impact the operating performance reporting of Land Enterprise.

Legal Implications

Legal implications are included in private Attachment 3.

Attachments

1. Sale Agreement Terms and Conditions
2. Site Plan
3. Justification for Recommendation and Legal Implications (Private)

Others Reviewing this Report

- B. Andriachuk, City Solicitor

Sale Agreement Terms and Conditions

Legal Description: Plan 5867 KS
Block Twenty Four (24)
The Northerly Twenty (20) Feet In Perpendicular
Width Throughout Of Lot Thirty Six (36)
Excepting Thereout All Mines and Minerals

Buyer: Jim Chroniaris, Bill Chroniaris and Charlotte
Mandelenakis

Purchase Price: \$1.00

Closing Date: December 15, 2020, or such other date agreed to by
the City and the Buyer in writing

Conditions Precedent: Soils and Environmental Studies on or before October
15, 2020.

Agreement(s):

The Sale Agreement(s) and all ancillary agreements resulting from the sale(s) shall be in a form acceptable to the Legal Services, and in content acceptable to the Branch Manager of Real Estate, Financial and Corporate Services (the "Manager"). Approval of the sale(s) of the Sale Land(s) shall include the approval of such corrective, conformance and incidental amendments to the Terms and Conditions and the form and content of the Sale Agreement(s) and all ancillary agreements, as necessary or desirable to give effect to or implement the sale(s) of the Sale Land(s), all as may be subsequently approved by the Manager.

Site Plan



Funding Plan for the Brighton Block

Recommendation

That Executive Committee recommend to City Council:

1. That funding of up to \$743,084.30 be provided from the Quarters Downtown Community Revitalization Levy to fund eligible historic rehabilitation work on the Brighton Block, as outlined in Attachment 1 of the October 1, 2020, Urban Form and Corporate Strategic Development report CR_8135.
2. That a funding agreement between the City and Brighton Block Inc., as outlined in Attachment 2 of the October 1, 2020, Urban Form and Corporate Strategic Development report CR_8135, be approved, and that the agreement be in form and content acceptable to the City Manager.

Executive Summary

The Brighton Block is a designated Municipal Historic Resource. The building has undergone extensive rehabilitation and the property owner is seeking funding in excess of the terms of the City's Maintenance Incentive Program for Municipal Historic Resources to support a portion of the costs associated with eligible historic rehabilitation work. At Council's direction (October 22/23, 2019), Administration continued to work with the property owner to develop a funding plan that would provide a grant of up to 33 percent of the total costs of eligible historic rehabilitation of the building from the Quarters Downtown Community Revitalization Levy. This report seeks Council's approval of the funding plan, which requires a budget adjustment to the Quarters Downtown Community Revitalization Levy and exceeds the \$500,000 limit of the City Manager's delegated authority in relation to grant funding.

Report

City Policy C450B Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton allows for the provision of maintenance incentives of up to 33 percent of the cost of eligible historic rehabilitation work to the owners of designated Municipal Historic Resources to support the property's upkeep. Administration's practice has been to limit maintenance incentives to a maximum of \$50,000 for individual commercial, institutional, and multi-family historic resources every five years.

The October 15, 2019, Urban Form and Corporate Strategic Development report CR_7348, Brighton Block and Strathcona Hotel: Requests for Heritage Funding, presented to Urban Planning Committee, suggested that the Brighton Block rehabilitation could be considered as a one-time exception to the Maintenance Incentive Program's maximum grant amount, and that the City could reimburse up to 33 percent of the cost associated with eligible historic rehabilitation work.

Funding Plan for the Brighton Block

Given the Brighton Block's location in the Heritage Quarter, its rehabilitation and restoration aligns with the objectives of the Quarters Downtown Community Revitalization Levy Plan, the Quarters Area Redevelopment Plan and Urban Design Plan. As such, Administration believes that it would be appropriate to fund a portion of the rehabilitation costs of eligible historic rehabilitation work from the Quarters Downtown Community Revitalization Levy.

Urban Form and Corporate Strategic Development report CR_7348 accurately detailed the eligible work and corresponding costs for the Brighton Block rehabilitation and restoration. However, due to a formatting error, it incorrectly identified that the resulting maintenance grant (33 percent of total costs) would be up to \$566,636.80. The correct amount is \$743,084.30 (refer to Attachment 1- Summary of Eligible Costs for the Brighton Block).

Pending Council's approval, \$743,084.30 will be transferred from the Quarters Downtown Community Revitalization Levy Reserve to the Heritage Resources Reserve, to be disbursed to the property owner in accordance with the terms of the funding agreement and City Policy C450B *Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton* (with the exception of the maximum grant amount).

The property owner will be required to enter into a funding agreement with the City, as described in Attachment 2 - Agreement Term Sheet for the Brighton Block.

Budget/Financial

Upon completion of the eligible historic rehabilitation work as described in Attachment 1, the owner will be provided up to \$743,084.30 from the Quarters Downtown Community Revitalization Levy (through the Heritage Resources Reserve). The current Quarters Downtown Community Revitalization Levy balance is sufficient to cover committed funding, including the Brighton Block.

Based on the 2019 Quarters Downtown Community Revitalization Levy Projections, there are sufficient funds to cover the proposed grant. There is a slight impact to the

timeline for full repayment of the Quarters Downtown Community Revitalization Levy from 2028 to 2029.

The total estimated cost of the eligible historic rehabilitation work is \$2.25 million. Additional non-eligible rehabilitation work is estimated at more than \$12 million. Beyond the additional \$743,084.30 grant from the Quarters Downtown Community Revitalization Levy, the owner is responsible for all other costs for the project.

Legal

The City is under no legal obligation to assist owners of Municipal Historic Resources with the cost of maintenance.

Public Engagement

Public engagement was not undertaken in relation to this report. The report was informed by existing policy and procedures. Administration has engaged with the owner of the Brighton Block in order to facilitate their request for funding.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Condition of Success			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Unique character and history of the neighborhood is preserved.	Number of designated Municipal Historic Resources	160 (as of March 9, 2020)	There is no target for the designation of historical resources.

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
If Approved						
Financial	Grant used for costs that are not related to heritage resource conservation / rehabilitation.	1 - Rare	2 - Moderate	2 - Low	Administration reviews detailed work estimates from third party contractors for qualifying	

					rehabilitation work. Funds are not disbursed until the rehabilitation work is complete and inspected.	
Customers/ Citizens	Approving funding in excess of program limits could result in additional requests of this nature.	3 - Possible	2 - Moderate	6 -Low	All requests of this nature require Council approval and are ultimately at Council's discretion.	Administration is exploring changes to its Maintenance Incentive Program for Historic Resources so that it is better positioned to respond to requests of this nature; however, it is unlikely that multiple requests of this scale could be considered within existing levels of funding.
If not Approved						
Public Perception	Could contribute to perception that the City does not adequately support the preservation of historic resources.	3 - Possible	1 - Minor	3 - Low	Communications plan detailing the City's financial support for built heritage preservation, which ranks highly amongst major Canadian municipalities.	

Attachments

1. Summary of Eligible Costs for the Brighton Block
2. Agreement Term Sheet for the Brighton Block

Others Reviewing this Report

- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement
- B. Andriachuk, City Solicitor

Summary of Eligible Costs for the Brighton Block

Direct Costs	Eligible Costs \$
Restoration	\$182,881.00
CRX75 - Recladding back of cornice	\$11,968.89
CRX76 - Brick repair	\$15,020.31
Selective demolition	\$509,228.00
Shoring structure	\$1,059,913.00
Overhead projection scaffold	\$29,607.00
2nd and 3rd storey windows	\$121,218.14
CRX 56 - Flashing detail	\$3,745.44
CRX 59 - Precast sills	\$17,255.47
CRX 63 - Brick disinfectant	\$3,277.25
CRX- 80 - Lead abatement metal cornice	\$6,986.31
Architectural fees (61% of total)	\$159,342.63
Structural shoring design	\$24,100.00
Total	\$2,144,543.44
5% contingency	\$107,227.17
Sub-total	\$2,251,770.61
33.00% as per the terms of the Maintenance Incentive Program	\$743,084.30

* This table is from Attachment 3 of the October 15th, UFCSD Report CR_7348, Brighton Block and Strathcona Hotel: Request for Heritage Funding. The row highlighted in yellow was not included in the totals due to a formatting error. The table has been updated to reflect accurate totals.

Agreement Term Sheet for the Brighton Block

- **Parties:** The City of Edmonton (City) and Brighton Block Inc.
- **Funding:** Not to exceed \$743,084.30, to be paid from the Quarters Downtown Community Revitalization Levy
- **Property:** the building known as the Brighton Block (the “Brighton Block Building”) and the lands on which the building is located, legally described as: Plan D; Block 2; Lots 34 and 35 (the “Lands”)

Specific Terms and Conditions

- Brighton Block Inc. shall complete eligible heritage work to the Brighton Block Building, to the satisfaction of the City prior to funding being disbursed.
- Brighton Block Inc. shall provide proof of payment for all eligible heritage costs to the City’s satisfaction prior to funding being disbursed.
- Brighton Block Inc. shall maintain all-risk broad form property insurance on the building and Lands.
- Brighton Block Inc. shall maintain the Brighton Block Building in a good state of repair, acceptable to the City.

Rossdale Land Transfer Agreement

Recommendation

That Executive Committee recommend to City Council:

1. That the terms of a land transfer agreement between the City of Edmonton and EPCOR Power Development Corporation and EPCOR Utilities Inc., as outlined in Attachment 3 of the October 1, 2020, Urban Form and Corporate Strategic Development report CR_6957, be approved, and that the land transfer agreement be in form and content acceptable to the City Manager.
2. That the terms of a maintenance agreement between the City of Edmonton and EPCOR Power Development Corporation, as outlined in Attachment 4 of the October 1, 2020, Urban Form and Corporate Strategic Development report CR_6957, be approved, and that the maintenance agreement be in form and content acceptable to the City Manager.

Executive Summary

This report recommends that a land transfer agreement between the City of Edmonton and EPCOR Power Development Corporation and EPCOR Utilities Inc. be approved. The City has been negotiating with EPCOR to transfer the Rossdale Power Plant since the plant was decommissioned in 2012. Administration completed due diligence to understand the environmental conditions of the site and is now ready to bring a transfer agreement forward for approval. The land transfer is also essential to Council's vision for the Rossdale area, outlined in the River Crossing Business Plan approved by Council on September 10, 2019.

Report

In 1995, the City transferred the assets and obligations for power generation to Edmonton Power Corporation (subsequently renamed EPCOR Utilities, Inc.) pursuant to a master agreement dated September 27, 1995. Included in the transferred assets was the generating station known as the Rossdale Power Plant. The land on which the power plant is located also includes other improvements, specifically RE/MAX Field, the Rossdale Community League building, the Ross Flats apartment block, as well as numerous open space areas including the existing shared use path along the river's edge. The parties to the master agreement contemplated that this land would be subdivided at a future date. Following subdivision, public use areas would be retained by the City, and all other assets transferred to EPCOR. In the interim, the City would hold EPCOR's portions of the land as a trustee. EPCOR agreed to assume all the

liability and responsibility for its portions of the land after the closing date for the master agreement.

In 2010, EPCOR began working on a decommissioning project, and Administration initiated discussions with EPCOR so that additional portions of the EPCOR land could be returned to the City for public use, including the decommissioned Rossdale Power Plant (the “Returned Lands”). Through ongoing discussions with EPCOR, a proposed plan of subdivision was developed (Attachment 1). Areas identified as “City” in the plan of subdivision include both the land that was to be retained by the City per the 1995 master agreement, as well as the Returned Lands, which are the subject of the proposed transfer agreement. The Returned Lands include five buildings that will be transferred to the City: the Low Pressure Plant, Pumphouse #1, Pumphouse #2, Substation 060 adjacent to RE/MAX Field, and a small decommissioned ATCO Gas building. The Low Pressure Plant and Pumphouse #1 are Provincial Historic Resources. These structures and Pumphouse #2 are on the City’s Inventory of Historic Resources. Substation 060, which dates from the 1980s, was decommissioned with the termination of trolley bus service and is currently used by Edmonton Transit for storage.

Administration is prepared to move forward with the subdivision. While the subdivision of these lands was contemplated in the 1995 master agreement, the transfer of the Returned Lands with the Rossdale Power Plant was not. As the master agreement was approved by Council, the transfer of full ownership of the Returned Lands to the City by EPCOR requires Council’s approval.

Returned Lands Environmental Study

As part of the subdivision process, Administration worked to ensure that the Returned Lands were fit for public use. Administration undertook a series of environmental studies, which identified numerous contaminants caused by decades of industrial use. The cost of full site remediation to address historic contamination is estimated to be in the tens of millions of dollars. This approach is cost prohibitive and is not considered viable given potential negative impacts to the river. The environmental studies therefore recommended a combined remediation and risk management approach.

A Risk Assessment and Preliminary Risk Management Plan were completed in 2018. These focused on the waterfront area that will be developed as part of the proposed Touch the Water Promenade. Contaminants will be left in place and will be managed as required to protect the public and the river. The contaminants do not pose a risk to the public or workers in their current undisturbed state. This approach is considered the most environmentally sound solution since it minimizes potential disturbance to surrounding areas, including the river. The Risk Management Plan also stipulates remediation of one contaminated area to be retained by EPCOR. Administration will continue working with EPCOR to address remediation of the area identified.

As required by the Environmental Protection and Enhancement Act, Administration submitted the Risk Assessment and Preliminary Risk Management Plan to the Government of Alberta. The Government of Alberta has completed their preliminary review and provided initial feedback. The City is working with EPCOR and the Government of Alberta to ensure that the proposed risk management measures satisfy all parties. Approval of the Risk Management Plan by Alberta Environment and Parks will not delay the land transfer or the proposed subdivision.

The Land Transfer Agreement

Administration worked with EPCOR to delineate the terms and conditions for the land transfer agreement, which includes the following significant terms and conditions:

- The City will acquire the Returned Lands (including all buildings) for \$1.00 on a strictly “as is” basis.
- Responsibility for all taxes and ongoing costs associated with servicing (water, gas, fuel, electricity) will revert to the City.
- The City becomes responsible for all operations and maintenance costs associated with the Returned Lands.
- The City becomes responsible for all costs, including maintenance costs for the historical buildings including assuming the obligations associated with the historical designations implemented by the Province and the City.
- The City will be assuming all environmental obligations and liabilities for the Returned Lands, including indemnifying Epcor for all environmental liabilities for the Returned Lands, subject to the following:
 - Any work undertaken on the Returned Lands that requires remediation or removal of hazardous substances by order of a regulatory authority will be the responsibility of the party initiating the work.
 - If the City is the party initiating work on the Returned Lands and is therefore liable for remediation, it may still seek a contribution from EPCOR towards the cost of remediation.
 - The City will be able to request this contribution for a period of twenty years following the land transfer.
 - If the City and EPCOR cannot agree on the contribution, City Council becomes the ultimate arbiter on this matter.
 - The Alberta Environment and Parks Approval 1395-03-00 will be transferred to the City which details obligations related to the decommissioning and reclamation of the power plant site. The terms of the Approval will be amended once the land transfer takes place through discussion with AEP and EPCOR.

The land transfer agreement also sets out a series of easements that both the City and EPCOR will grant to each other, including a public access easement on the existing water reservoir that will remain under EPCOR ownership but will be available to the community (Attachment 2). This area is considered a significant component of the open space network for the River Crossing initiative.

Ongoing Projects

The Returned Lands are essential for numerous City projects currently underway, including River Crossing. The River Crossing Business Plan includes recommendations for adaptive reuse of the Rossdale Power Plant, which is identified as a signature element for the neighbourhood and a regionally significant activity node within the central river valley. Through the River Crossing capital profile (19-17-0601) approved as part of the 2019 - 2022 capital budget, a Rossdale Power Plant Advanced Assessment and Priority Rehabilitation project is starting. This \$6.7 million project will prioritize and construct limited, strategic renovations necessary to conserve the heritage buildings and allow initial public uses to occur in the power plant. The City will operate the power plant in a limited fashion until the facility can be leased to another entity for long-term reuse.

Other portions of the land described in the subdivision plan include areas that will continue to be used for civic purposes, such as the waterfront currently used by the public as a shared use path. This area has been a recreational amenity for decades, is an essential component of the main river valley trail system, and is currently being reenvisioned as part of the Touch the Water Promenade. Work on the promenade was delayed while the City completed environmental assessments for the site. Concept planning for the promenade is underway.

The land transfer would also accommodate ongoing conversations regarding the proposed gondola project.

The Maintenance Agreement

Administration will work with EPCOR to draft a maintenance services agreement through which EPCOR will continue to provide maintenance on the power plant as the City develops its own plans for interim operation and adaptive reuse of these structures. The agreement will include the following significant elements:

- The City will work with EPCOR to establish a set term for maintenance, not to exceed two years, which may be extended for one year terms, as required, while Administration undertakes additional studies and strategic renovations prior to assuming maintenance responsibilities.
- The agreement will set a maximum yearly value for services and payments not to exceed \$500,000.00 per year. The same maximum will also apply to any additional extensions which may be required.

- There will be a set limit of \$20,000.00 for any distinct service provided under the maintenance agreement. The City's written approval will be required to undertake any service which may exceed this limit.
- The agreement will include a provision for ongoing maintenance of the decorative lighting program.

The maintenance agreement will make no provision for significant repairs similar to those approved by City Council in 2013. If additional repairs are deemed essential during the term of this agreement, Administration will submit a capital budget request to Council.

Budget/Financial

The land transfer will have incremental operating costs as outlined below. The full financial implications as the City continues to advance plans for River Crossing and the adaptive reuse of the buildings that will come into the City's inventory are unknown at this time. As cost estimates and site purposing work is further refined, there will be future capital and operating budget requests coming forward for consideration. Incremental expenditures and liabilities will be absorbed within the approved 2019-2022 operating and capital budget where feasible.

Capital Funding:

The funded River Crossing capital profile (19-17-0601) includes \$6.7 million for the Rossdale Power Plant. Of this, \$1.0 million is being used for roof repairs and \$5.7 million is going into the Rossdale Power Plant Advanced Assessment and Priority Rehabilitation. This project includes preparing a historic building record, updating previous building condition assessments, preparing a conservation plan, and identifying and constructing limited, strategic renovations needed to prepare the power plant for initial new uses in the complex. It will be the responsibility of a future operator of the power plant to secure funding for more substantial renovations.

Incremental Operating Costs:

The land transfer is expected to cost the City at least an extra \$300,000 annually in operating costs as detailed below.

The City already has a \$540,000 annual approved operating budget for the Rossdale Power Plant. Through this budget, the City has been reimbursing EPCOR for power plant operating costs (winter heating to prevent foundation cracking, vandalism repair, groundwater monitoring, etc.) for several years. These costs have ensured the basic level of protective maintenance expected of a designated heritage resource and fulfilled requirements of the site's Alberta Environment and Parks decommissioning

and reclamation approval. Assuming that the land transfer occurs early in 2021, Administration will spend the year determining what additional costs and tradeoffs are associated with the City's interim operation of the power plant and the transfer of other land.

While it is not possible to precisely determine the costs before the City has had experience operating the power plant, current estimates of incremental operating costs associated with the land transfer include:

- Additional facilities maintenance costs: \$160,000.
- A new FTE for a dedicated property manager: about \$100,000.
- Operating and maintaining additional open space and road infrastructure: approximately \$14,000 annually.
- Environmental monitoring and reporting as per the Risk Management Plan and as required under the provincial Approval 1395-03-00: approximately \$30,000.
- Insurance: approximately \$10,000 if the City insures the power plant similar to how EPCOR has been insuring it (this cost does not include any environmental pollution insurance coverage that the City may decide to obtain considering the current environmental liabilities associated with the land).
- Security: to be determined through discussions with EPCOR (costs would likely be less if the City can pay EPCOR to continue providing security rather than establishing its own security measures).

As plans evolve regarding River Crossing implementation and any necessary potential deferred or discovered maintenance is identified, future operating budget requests may come forward for Council consideration.

Financial Risks:

The most notable financial risks are associated with site contamination and related to the Rossdale Power Plant. The complete financial impacts of possible environmental liabilities are unknown at this time. Full remediation of contaminants has been estimated in the tens of millions of dollars, but the risk management approach recommended by the City's consultants and environmental scientists is to leave most of the contaminants in place and to manage them to protect the public and the river. Development of an updated risk management plan for the Touch the Water area and the development of new risk management plans for the remaining parcels being transferred to the City is roughly estimated at \$150,000. The estimate is uncertain due to ongoing discussion with Alberta Environment and Parks regarding the risk management requirements.

If a full renovation of the power plant were undertaken, the River Crossing Business plan estimated it would cost approximately \$100 million. As outlined in the River

Crossing Business Plan, reuse of historic industrial facilities is generally done incrementally. Administration’s strategy is to do limited, strategic renovations that will allow initial public uses to occur in the power plant and pump houses as the City establishes a permanent operator for the buildings. Future capital investments would become the responsibility of the operator. Numerous precedent case studies suggest that a long term, viable business plan for buildings of this nature will require multi-party investment, and combined partner funding from Federal, Provincial, Municipal and private sources.

Legal

Land Transfer Agreement

Under the 1995 master agreement, Edmonton Power Corporation agreed to assume the liability for the transferred assets, and any claims relating thereto, arising before and after the closing date, including a release of hazardous substances on the real property. Excluded from this assumption of liability were releases caused by a department other than Edmonton Power. Under the land transfer agreement, the City would assume all liability for the Returned Land, including for the period during which EPCOR had use and possession of the Returned Land.

Maintenance Agreement

As per the City Administration Bylaw 16620, agreements over \$500,000 that do not arise from a competitive procurement process must be approved by the appropriate Committee of Council.

The City is subject to trade agreements that require an open competitive process for procurements of this value, unless a trade agreement exemption applies. For this agreement with EPCOR, there is an exemption in each applicable trade agreement.

Public Engagement

Public engagement was not undertaken in the development of the land transfer agreement. Administration undertook public engagement and consultation in support of the River Crossing Business Plan, which identified the EPCOR parcels earmarked for transfer to the City as crucial components of the open space network. All public involvement was conducted in accordance with City Policy C513.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmontonians are connected to the city in which they live, work and play			
Outcome(s)	Measure(s)	Result(s)	Target(s)

Edmontonians are connected to the city in which they live, work and play	Edmontonians' Assessment: Connected to Community	47% (2017)	No target is currently set for this measure
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Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Legal/Regulatory	New contamination or information is discovered related to contaminant risk, thereby increasing financial liability or requiring unexpected remedial measures.	3 - Possible	3 - Major	9 - Medium	City has worked with EPCOR to incorporate a protocol for addressing environmental liabilities into the land transfer agreement.	City will continue to work with EPCOR and Alberta Environment on any additional work required to meet environmental requirements.
Legal/Regulatory	Alberta Environment and Parks does not approve the Risk Management Plan or imposes other remedial measures not planned by the City.	2-Unlikely	3 - Major	6 - Low	The City has submitted a Risk Management Plan to Alberta Environment which has received initial review.	City will continue to work with Provincial regulators to address requests for additional information and finalize risk management requirements.
Legal/Regulatory	The City cannot or does not comply with the historical designation requirements.	2 -Unlikely	2 - Moderate	4 - Low	The City understands obligations under the Historical Resources Act and has previously worked closely with the Province when undertaking renovations.	Continued collaboration with the Province to ensure that any future work undertaken in the buildings aligns with all relevant heritage requirements.

Public Perception	City may be perceived as not following through with plans for River Crossing and Touch the Water Promenade.	2- Unlikely	3 - Major	6 -Low	City has been working closely with EPCOR to address all outstanding issues and advance subdivision.	Continued work on all pending administrative and technical components of the subdivision in order to ensure that development plans for the area can be advanced.
Financial	Full costs associated with the City taking on ownership of buildings are unknown.	4 - Likely	3 - Major	12 - Medium	The City ensured that previous engineering estimates for building renovations were included in the River Crossing Business Plan to account for inflation.	City is in the process of hiring building engineering consultants to do a full, updated condition assessment of the buildings.
Financial	An energy audit will no longer be required as the building has been granted an exception to Policy C532. Cost of retrofitting the building to meet energy efficiency and GHG reduction targets of the City or of other potential partners is unknown.	5 - Almost Certain	2 - Moderate	10 - Medium	The City has identified the need to study energy efficiency options in heritage buildings.	City will work with any future partners to understand the cost and GHG implications of retrofitting and running these facilities.
Property Damage	Failure to adequately maintain Power Plant may result in significant damage to foundations.	3 - Possible	4 - Severe	12 - Medium	City has been contributing to maintenance and heating of Power Plant	Formal agreement for ongoing maintenance of Power Plant to ensure structural integrity.

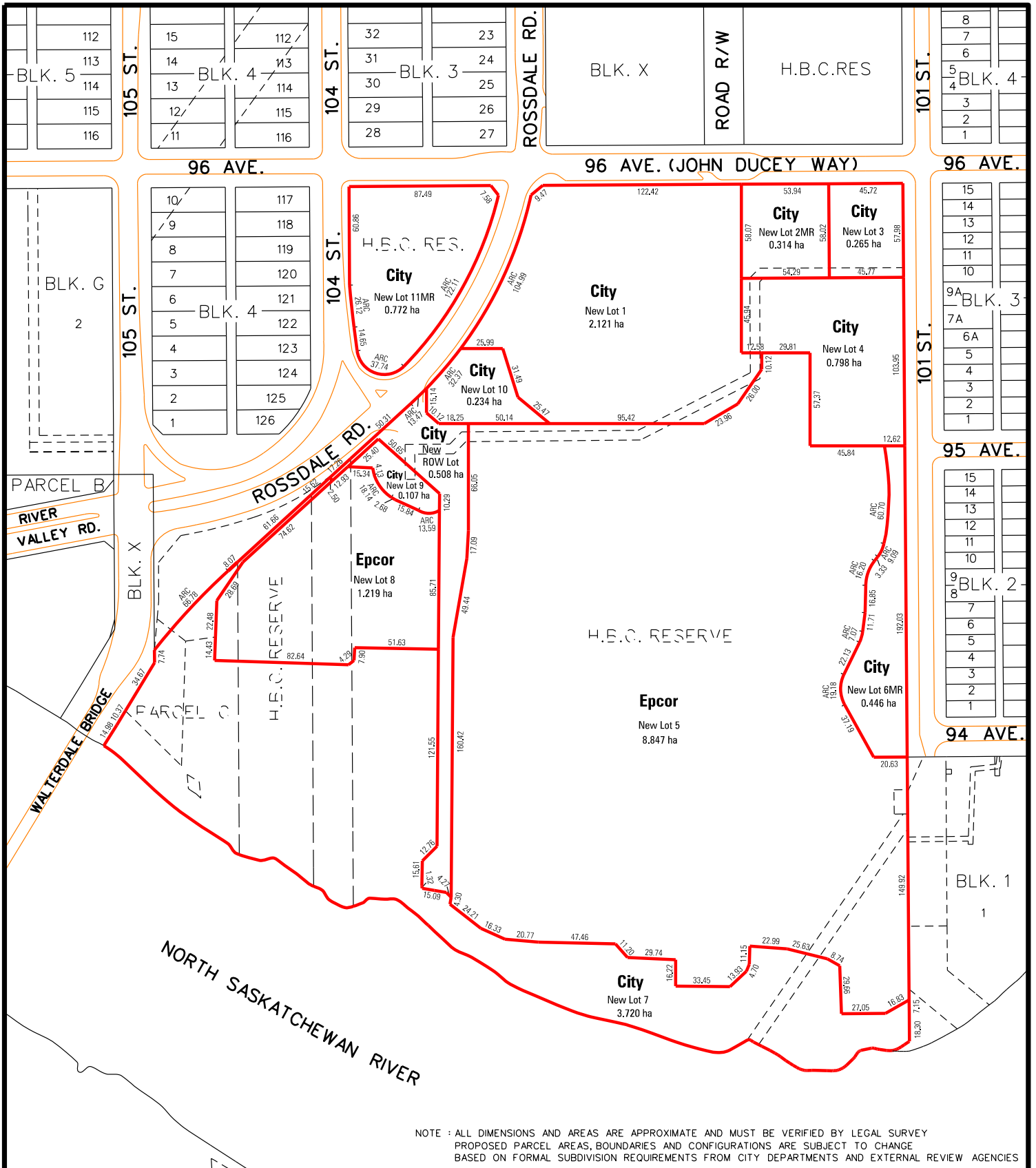
Attachments

1. Proposed Subdivision Boundaries
2. Proposed Public Access Easement
3. Terms for the Land Transfer Agreement between the City and EPCOR

4. Terms for the Maintenance Agreement between the City and EPCOR

Others Reviewing this Report

- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- J. Meliefste, Acting Deputy City Manager, Integrated Infrastructure Services
- R. Smyth, Deputy City Manager, Citizen Services
- B. Andriachuk, City Solicitor



NOTE : ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND MUST BE VERIFIED BY LEGAL SURVEY
 PROPOSED PARCEL AREAS, BOUNDARIES AND CONFIGURATIONS ARE SUBJECT TO CHANGE
 BASED ON FORMAL SUBDIVISION REQUIREMENTS FROM CITY DEPARTMENTS AND EXTERNAL REVIEW AGENCIES



REAL ESTATE
 FINANCIAL AND
 CORPORATE SERVICES



PROPOSED SUBDIVISION BOUNDARIES

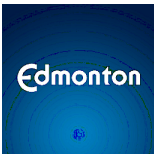
LEGAL:

ROSSDALE – PORTIONS OF
 BLOCK C, PLAN 3641CL; BLOCK OT, PLAN 5534KS
 AND BLOCKS OT, PLAN NB;





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REAL ESTATE
 FINANCIAL AND
 CORPORATE SERVICES



PROPOSED SUBDIVISION BOUNDARIES

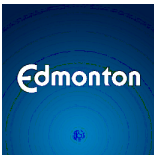
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 BLOCK C, PLAN 3641CL; BLOCK OT, PLAN 5534KS
 AND BLOCKS OT, PLAN NB;





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REAL ESTATE
 FINANCIAL AND
 CORPORATE SERVICES



PROPOSED SUBDIVISION BOUNDARIES



PROPOSED EASEMENT BOUNDARIES

LEGAL:

ROSSDALE – PORTIONS OF BLOCK C, PLAN 3641CL;
 BLOCK OT, PLAN 5534KS AND BLOCKS OT, PLAN NB



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Terms for the Land Transfer Agreement between the City and EPCOR

The land transfer agreement includes the following significant terms and conditions:

- The City will acquire the Returned Lands (including all buildings) for \$1.00 on a strictly “as is” basis.
- Responsibility for all taxes and ongoing costs associated with servicing (water, gas, fuel, electricity) will revert to the City.
- The City will become responsible for all operations and maintenance costs associated with the Returned Lands.
- The City becomes responsible for all costs, including maintenance costs for the historical buildings.
- Responsibility for the historical buildings includes the obligations associated with the historical designations implemented by the Province and the City.
- The City will be assuming all environmental obligations and liabilities for the Returned Lands.
- Environmental obligations and liabilities for the Returned Lands include indemnifying EPCOR for all environmental liabilities for the Returned Lands.
- Indemnification for environmental liabilities for the Returned Lands will be subject to the following:
 - Any work undertaken on the Returned Lands that requires remediation or removal of hazardous substances by order of a regulatory authority will be the responsibility of the party initiating the work.
 - If the City is the party initiating work on the Returned Lands and is therefore liable for remediation, it may still seek a contribution from EPCOR towards the cost of remediation.
 - The City will be able to request this contribution for a period of twenty years following the land transfer.
 - If the City and EPCOR cannot agree on the contribution, City Council becomes the ultimate arbiter on this matter.
 - The Alberta Environment and Parks Approval 1395-03-00 will be transferred to the City which details obligations related to the decommissioning and reclamation of the power plant site. The terms of the Approval will be amended once the land transfer takes place through discussion with AEP and EPCOR.
- The land transfer agreement will set out a series of easements that the City and EPCOR will grant to each other.

Terms for the Maintenance Agreement between the City and EPCOR

The maintenance agreement includes the following significant terms and conditions:

- The agreement will establish a set term for maintenance, not to exceed two years, which may be extended for one year terms, as required.
- The agreement will set a maximum yearly value for services and payments not to exceed \$500,000.00 per year.
- The \$500,000.00 maximum yearly value will also apply to any additional extensions to the agreement which may be required.
- There will be a set limit of \$20,000.00 for any distinct service provided under the maintenance agreement.
- The City's written approval will be required to undertake any service which may exceed the \$20,000.00 limit.
- The agreement will include a provision for ongoing maintenance of the decorative lighting program.
- The maintenance agreement will make no provision for significant repairs.
- If additional repairs are deemed essential during the term of the maintenance agreement, Administration will submit a capital budget request to Council.

Draft Amendments to Policy C595 Neighbourhood Renewal Program

Recommendation

That Executive Committee recommend to City Council:

That revised Neighbourhood Renewal Program Policy C595A, as set out in Attachment 1 of the October 1, 2020, Integrated Infrastructure Services report CR_7651, be approved.

Previous Council/Committee Action

At the September 30, 2019, Executive Committee meeting, the following motion was passed:

That Administration bring forward draft amendments to Policy C595 Neighbourhood Renewal Program, that incorporate Option 2, as outlined in the September 30, 2019, Integrated Infrastructure Services report CR_7433, with the effect of accelerating priorities for Business Improvement Area renewal.

Executive Summary

To support City Council's direction to accelerate the neighbourhood renewal within Business Improvement Areas, changes to Policy C595 Neighbourhood Renewal Program are required. Policy C595 governs the use of the neighbourhood renewal reserve and outlines the level of service targets for the Neighbourhood Renewal Program.

Policy C595 requires a non-statutory public hearing to be held prior to the policy being amended, exempted or revoked by City Council. City Council will hold a non-statutory public hearing on the proposed amendments recommended in this report on October 1, 2020.

In addition to proposing changes to Policy C595, Administration is also proposing additional changes to reflect current Council direction on the Alley Renewal Program and the integration of related programs such as Vision Zero, Complete Streets, and active modes (walking, cycling, etc.) within neighbourhoods, in keeping with the Building Great Neighbourhoods approach.

Updates to Policy C595 support the City's Corporate Objective that ensures the City of Edmonton's projects are well managed and assets are maintained to ensure accountable service delivery.

Report

Policy C595 Neighbourhood Renewal Program provides direction to Administration on the management of the Neighbourhood Renewal Program. Policy C595 helps provide clarity on the use of the dedicated tax levy funding via the Neighbourhood Renewal Reserve, collected over 10 years since 2008, which is the primary funding source of the Neighbourhood Renewal Program. The Policy, as approved by City Council in May 2017, includes overall program targets and expectations around the amount of non-renewal work that can be funded with the levy. Since that time, other decisions have necessitated policy revisions, including:

1. Increased level of service standards for the Alley Renewal Program. At the June 12/13, 2018, City Council meeting, the motion passed as a result of report CR_4842 Alley Renewal Accelerating Options, increased the alley renewal level of service standard to eliminate all alleys in F condition and raised the overall Condition Index target to 4.0 from 3.0.
2. An evolved mandate of the Building Great Neighbourhoods approach to better integrate capital infrastructure investment in the City's neighbourhood renewal program.
3. On September 30, 2019, in the motion resulting from report CR_7433 Prioritizing Street and Alley Renewal within and Adjacent to Business Improvement Areas - Options and Implications, Executive Committee requested policy amendments with the effect of accelerating neighbourhood renewal in Business Improvement Areas.

The proposed revisions to Policy C595, outlined in Attachment 1, reflect the necessary changes as a result of the decisions described above. Attachment 2 highlights the differences between the original Policy C595, as per Attachment 3, and the proposed revised policy.

Policy Changes

1. Policy Statement #5 was modified to clarify that the coordination and integration of other programs, such as Vision Zero, Active Modes and Complete Streets, within the Neighbourhood Renewal program is encouraged and not in violation of the policy's protection of the Neighbourhood Renewal Reserve. The rules regarding the use of the reserve have not changed in the policy.
2. Policy Statement #8 was modified to update the Level of Service targets for the Alley Renewal Program to reflect the current Council direction, as well as

adding overall Level of Service targets to accommodate the accelerated work within the Business Improvement Areas.

3. A Business Improvement Area definition was added to the policy in line with City Policy C462B Business Revitalization Zone Establishment and Operation.

Public Engagement

Administration met with the Business Improvement Area Council to discuss the program approach to prioritizing projects within Business Improvement Areas. Further engagement with the Business Improvement Areas will take place in Q4 2020 and Q1 2021 as the criteria for prioritization are developed and a finalized program implementation plan is developed. In addition, Administration will proceed with project-level engagement for each unique Business Improvement Area; this is consistent with the Building Great Neighbourhoods approach to public engagement.

Policy C595 requires a non-statutory public hearing to be held prior to the policy being amended, exempted or revoked by City Council. City Council will hold a non-statutory public hearing on the proposed amendments recommended in this report on October 1, 2020.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is attractive and compact.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmonton is attractive and compact.	Edmontonians' assessment: well-designed attractive city. A percentage that agrees or strongly agrees.	53% (2017)	55% (2018)
Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure.	Edmontonians' Assessment: Access to Infrastructure, Amenities and Services that improve quality of life.	68% (2017)	70% (2018)

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Financial	This initiative erodes the "asset condition"	3 - possible	3 - major	9 - medium	Adherence to Policy C595 and C598 to ensure	Robust conversations with Council to ensure

	first" approach to prioritization within the program. It sets a precedent wherein further erosion could occur to achieve objectives beyond the original mandate of the program.				proper identification of in-scope asset elements, and growth and renewal funding differentiators.	the implications of contemplated changes are fully understood from a financial, program sustainability, and service level perspective.
Commercial	Affected businesses are not happy with the results of the program.	3 - possible	2 - moderate	6 - low	Incorporating educational opportunities to manage expectations within stakeholder consultations. Outlining ways to supplement the program with other funding opportunities like Local Improvements.	Incorporating additional growth funding into the program to fund revitalization opportunities.

Attachments

1. Revised Policy C595A
2. Revised Policy C595A - Highlighted Changes
3. Original Approved Policy C595

Others Reviewing this Report

- G. Cebryk, Deputy City Manager, City Operations
- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- C. Owen, Deputy City Manager, Communications and Engagement
- B. Andriachuk, City Solicitor

POLICY NUMBER: C595A

REFERENCE:

ADOPTED BY:

City Council

SUPERSEDES:

C595

PREPARED BY: Integrated Infrastructure Services

DATE:

TITLE **Neighbourhood Renewal Program**

Policy Statement:

1. In compliance with this policy and the *Municipal Government Act*, the establishment of all Reserve accounts and the transfers to and from these accounts require City Council approval.
2. The Neighbourhood Renewal Reserve shall be managed in accordance with City Policy C217C, Reserve and Equity Accounts.
3. Prior to this Policy being amended, exempted or revoked by City Council, a non-statutory public hearing must be held.
4. The Neighbourhood Renewal Reserve will be funded from that portion of the operating budget that was created from successive Neighbourhood Renewal Tax Levy increases, which began in the 2009 Operating Budget and are expected to continue, in a reduced form after 2018, for purposes of cost escalation, fully funding the alley renewal program, and other additional elements as Council sees fit (the "Neighbourhood Renewal Funding"). All current and future revenues generated from Neighbourhood Renewal Tax Levy increases shall be placed into the Neighbourhood Renewal Reserve.
5. Use of Neighbourhood Renewal Funding will be limited solely to operating and capital expenditures related to the renewal of neighbourhood residential, industrial and commercial collector, local and alley road right of way surface assets (such as pavements, sidewalks, curbs and gutters, roadway lighting, traffic signals and other transportation-related infrastructure). Renewal of assets outside of this scope, for example, open space assets, can be incorporated into the program (and in fact are encouraged to be), provided appropriate alternative funding is found.
6. Assets will be renewed using Neighbourhood Renewal Funding to bring them to physical standards as defined by the currently adopted design standards of the City of Edmonton, and within the capacitive and functional standards of the day (i.e. Complete Streets, Cycle Facilities), where these enhanced costs are

generally in the order of 5% and not to exceed 10% of the overall program budget expended in any given 4-year capital cycle.

7. Coinciding with the regular capital and operating budget cycles, Administration will undertake an assessment of the Neighbourhood Renewal Funding with respect to progress towards the level of service standards. Adjustments to the Neighbourhood Renewal Funding should be considered to ensure the defined level of service standards can be achieved.
8. Level of service standards for the Neighbourhood Renewal Program is defined as follows:

Neighbourhood Renewal Objectives: Attain the acceptable level of performance within 30 years (2009 - 2038) including:

- For the collector and local sidewalks, and residential and industrial local roads:
 - a. Condition Index (C.I.) ≥ 3.50
 - b. %F+D (%Very Poor+Poor) = 0.00%
- For collector roads:
 - a. C.I. ≥ 3.00
 - b. %F+D = 0.00%
- For Neighbourhood Network (The Way We Move):
 - a. Road Renewal need backlog $\leq 20\%$
(as measured by Pavement Quality Index (RD PQI))

Alley Renewal (Residential, Industrial and Commercial Alleyways) Objectives: Attain the acceptable level of performance within 25 years (2019 -2043) including :

- Condition Index (C.I.) ≥ 4.0
- %F $\leq 0\%$

Business Improvement Areas: While still managing the overall asset portfolios within the level of service standards above, and pertaining to the asset types outlined in the policy, assets within Business Improvement Areas will be renewed under the following additional guidelines:

- Undertaking, by the end of 2030, the renewal of all assets rated “F” (Very Poor) and “D” (Poor), and any assets rated “C” (Fair) that will decay into “D” (Poor) by 2030.
- The above standard would not apply to any Business Improvement Area established after 2026, though reasonable attempts to achieve it should be undertaken.

The purpose of this policy is to:

1. Ensure clarity and consistency in the use of Neighbourhood Renewal Tax Levy dedicated to the Neighbourhood and Alley Renewal Programs.
2. Put measures in place to ensure changes to the funding of the Neighbourhood Renewal Program are considered with the opportunity for public input in the form of a non-statutory public hearing.
3. Guide the management of the Neighbourhood Renewal Program to ensure its

long term sustainability.

- DEFINITIONS

- 1.01 Business Improvement Area: pursuant to section 50 of the *Municipal Government Act, RSA 2000, c M-26* and established by bylaw in accordance with City Policy C462B.

POLICY NUMBER: C595A

REFERENCE:

ADOPTED BY:

City Council

SUPERSEDES:

C595

PREPARED BY: Integrated Infrastructure Services

DATE:

TITLE **Neighbourhood Renewal Program**

Policy Statement:

1. In compliance with this policy and the *Municipal Government Act*, the establishment of all Reserve accounts and the transfers to and from these accounts require City Council approval.
2. The Neighbourhood Renewal Reserve shall be managed in accordance with City Policy C217C, Reserve and Equity Accounts.
3. Prior to this Policy being amended, exempted or revoked by City Council, a ~~advertised~~ non-statutory public hearing must be held.
4. The Neighbourhood Renewal Reserve will be funded from that portion of the operating budget that was created from successive Neighbourhood Renewal Tax Levy increases, which began in the 2009 Operating Budget and are expected to continue, in a reduced form after 2018, for purposes of cost escalation, fully funding the alley renewal program, and other additional elements as Council sees fit (the "Neighbourhood Renewal Funding"). All current and future revenues generated from Neighbourhood Renewal Tax Levy increases shall be placed into the Neighbourhood Renewal Reserve.
5. Use of Neighbourhood Renewal Funding will be limited solely to operating and capital expenditures related to the renewal of neighbourhood residential, industrial and commercial collector, local and alley road right of way surface assets (such as pavements, sidewalks, curbs and gutters, roadway lighting, traffic signals and other transportation-related infrastructure). Renewal of assets outside of this scope, for example, open space assets, can be incorporated into the program (and in fact are encouraged to be), provided appropriate alternative funding is provided.
6. Assets will be renewed using Neighbourhood Renewal Funding to bring them to physical standards as defined by the currently adopted design standards of the City of Edmonton, and within the capacitive and functional standards of the day (i.e. Complete Streets, Cycle Facilities), where these enhanced costs are

generally in the order of 5% and not to exceed 10% of the overall program budget expended in any given 4-year capital cycle.

7. Coinciding with the regular capital and operating budget cycles, Administration will undertake an assessment of the Neighbourhood Renewal Funding with respect to progress towards the level of service standards. Adjustments to the Neighbourhood Renewal Funding should be considered to ensure the defined level of service standards can be achieved.
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 - a. Condition Index (C.I.) ≥ 3.50
 - b. %F+D (%Very Poor+Poor) = 0.00%
- For collector roads:
 - a. C.I. ≥ 3.00
 - b. %F+D = 0.00%
- For Neighbourhood Network (The Way We Move):
 - a. Road Renewal need backlog $\leq 20\%$
(as measured by Pavement Quality Index (RD PQI))

Alley Renewal (Residential, Industrial and Commercial Alleyways) Objectives: Attain the acceptable level of performance within 25 years (2019 -2043) including :

- Condition Index (C.I.) ≥ 4.0
- ~~%F+D $\leq 15\%$~~
- %F $\leq 0\%$

Business Improvement Areas: While still managing the overall asset portfolios within the level of service standards above, and pertaining to the asset types outlined in the policy, assets within Business Improvement Areas will be renewed under the following additional guidelines:

- Undertaking, by the end of 2030, the renewal of all assets rated “F” (Very Poor) and “D” (Poor), and any assets rated “C” (Fair) that will decay into “D” (Poor) by 2030.
- The above standard would not apply to any Business Improvement Area established after 2026, though reasonable attempts to achieve it should be undertaken.

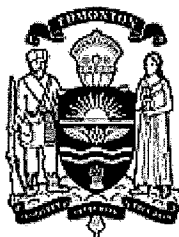
The purpose of this policy is to:

1. Ensure clarity and consistency in the use of Neighbourhood Renewal Tax Levy dedicated to the Neighbourhood and Alley Renewal Programs.
2. Put measures in place to ensure changes to the funding of the Neighbourhood Renewal Program are considered with the opportunity for public input in the form of an **advertised** non-statutory public hearing.

3. Guide the management of the Neighbourhood Renewal Program to ensure its long term sustainability.

- DEFINITIONS

- 1.01 Business Improvement Area: pursuant to section 50 of the *Municipal Government Act, RSA 2000, c M-26* and established by bylaw in accordance with City Policy C462B.



CITY POLICY

POLICY NUMBER: C595

REFERENCE:

ADOPTED BY:

City Council May 30, 2017

SUPERSEDES:

New

PREPARED BY: Integrated Infrastructure Services

DATE: May 23, 2017

TITLE **Neighbourhood Renewal Program**

Policy Statement:

1. In compliance with this policy and the *Municipal Government Act*, the establishment of all Reserve accounts and the transfers to and from these accounts require City Council approval.
2. The Neighbourhood Renewal Reserve shall be managed in accordance to City Policy C217C, Reserve and Equity Accounts.
3. Prior to this Policy being amended, exempted or revoked by City Council, an advertized non-statutory public hearing must be held.
4. The Neighbourhood Renewal Reserve will be funded from that portion of the operating budget that was created from successive Neighbourhood Renewal Tax Levy increases, which began in the 2009 Operating Budget and are expected to continue, in a reduced form after 2018, for purposes of cost escalation, fully funding the alley renewal program, and other additional elements as Council sees fit (the "Neighbourhood Renewal Funding"). All current and future revenues generated from Neighbourhood Renewal Tax Levy increases shall be placed into the Neighbourhood Renewal Reserve.
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6. Assets will be renewed using Neighbourhood Renewal Funding to bring them to physical standards as defined by the currently adopted design standards of the City of Edmonton,

This policy is subject to any specific provisions of the *Municipal Government Act* or other relevant legislation or Union Agreement.

and within the capacitive and functional standards of the day (i.e. Complete Streets, Cycle Facilities), where these enhanced costs are generally in the order of 5% and not to exceed 10% of the overall program budget expended in any given 4-year capital cycle.

7. Coinciding with the regular capital and operating budget cycles, Administration will undertake an assessment of the Neighbourhood Renewal Funding with respect to progress towards the level of service standards. Adjustments to the Neighbourhood Renewal Funding should be considered to ensure the defined level of service standards can be achieved.
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- For collector roads:
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- For Neighbourhood Network (The Way We Move):
 - a. Road Renewal need backlog $\leq 20\%$
(as measured by Pavement Quality Index (RD PQI))

Alley Renewal (Residential, Industrial and Commercial Alleyways) Objectives: Attain the acceptable level of performance within 25 years (2019 -2043) including :

- Condition Index (C.I.) ≥ 3.0
- %F+D $\leq 15\%$
- %F $\leq 5\%$

The purpose of this policy is to:

1. Ensure clarity and consistency in the use of Neighbourhood Renewal Tax Levy dedicated to the Neighbourhood and Alley Renewal Programs.
2. Put measures in place to ensure changes to the funding of the Neighbourhood Renewal Program are considered with the opportunity for public input in the form of an advertized non-statutory public hearing.
3. Guide the management of the Neighbourhood Renewal Program to ensure its long term sustainability.

This policy is subject to any specific provisions of the Municipal Government Act or other relevant legislation or Union Agreement.

Bylaw 19409

Closure of Vehicular Access to Titled Parcels for Valley Line West

Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19409 be given the appropriate readings.

Purpose

The closure of vehicular accesses is in support of the Valley Line West LRT Project. These closures are outlined in detail in the attachments to this report.

Readings

Bylaw 19409 is ready for three readings.

Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

Position of Administration

Administration supports this Bylaw.

Position of Landowner

Administration has initiated communications with the impacted landowners and residents and has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Report Summary

This report requests City Council's approval of Bylaw 19409, which is for the closure of vehicular access to titled parcels along the Valley Line West LRT corridor.

Report

Bylaw 19409 proposes to remove vehicular access from the privately or City owned, titled parcels listed in Attachment 1 in support of the Valley Line West LRT project.

Construction of the Valley Line West LRT will transform some major roadways in West Edmonton to make room for the LRT. These access closures are necessary to reconfigure roads and ensure the safety of pedestrians, drivers, cyclists and transit users.

The timing for the physical closure of accesses will be determined once a contractor for the project is selected and construction schedules are finalized. Alternate access details or future use for each title are shown on the table in Attachment 1.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Goods and services move efficiently.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Goods and services move efficiently	Travel time and reliability of goods and services movement (time in minutes and seconds to drive 10-km route)	10:09 - 50% of time	12:30 - 50% of time
		13:35 - 85% of time (2017)	16:00 - 85% of time (2018)
Corporate Outcome(s): Edmontonians use public transit and active modes of transportation.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmontonians use public transit and active modes of transportation	Transit ridership (rides per capita).	91.6 (2017)	105.0 (2018)
	Journey to work mode (percent of survey respondents who select auto passenger, transit, walk, cycle, or other)	26.1% (2016)	25.9% (2018)
Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' assessment: Access to infrastructure, amenities and services that improve quality of life (percent of survey respondents who agree / strongly agree)	68% (2017)	70% (2018)

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Liability- closure not approved	Potential pedestrian and vehicle conflicts within road right-of-way if the access remains	2 - Unlikely	3 - Major	6 - Low	Current design identifies removal of access, eliminating conflict	If access is not closed now, it would be reviewed through any future development permit and the developer could be required to remove access at that time.

Public Engagement

Since 2018, Administration has initiated communication and engaged with property owners regarding the required access closure(s) on their property. Engagement details for each owner depends on their individual situations and how the closure affects their property. This includes actions such as assigning direct contacts, conducting on site meetings, providing ongoing telephone and email communication and sending follow up letters that include information about their site, as well as updates on the Valley Line West LRT Project.

Administration has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Legal Implications

1. The proposed access closure(s) must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
2. Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means to access to or from a controlled street by passing a bylaw.
3. The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
4. Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

Attachments

1. List of Titled Parcels - Bylaw 19409

2. Bylaw 19409 - Closure of Vehicular Access to Titled Parcels for Valley Line West

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor

List of Titled Parcels - Bylaw 19409

# of Titles / Parcels Affected	Titled Parcel (Municipal Address)	Legal Description	Description of Access Closures	Benefits Associated with Closure	Alternate Access
1	13818 - 102 Avenue NW	Plan 2803AF Block 109 Lot 3	Refer to Schedule A1 of Bylaw 19409	The City has acquired the property and will be demolishing the building associated with this access in order to accommodate the LRT and roadway alterations. Consequently, the access is no longer required.	The parcel will become road right of way and requires no alternative access.
1	13808 Stony Plain Road NW	Plan 3875P Block 103 Lot 1	Refer to Schedule A2 of Bylaw 19409	The City has acquired the property and demolished the building associated with this access in order to accommodate the LRT and roadway alterations. Consequently, the access is no longer required.	The residual parcel has an existing back alley access.
1	10320 - 134 Street NW	Plan 2803AF Block 107 Lot 2	Refer to Schedule A3 of Bylaw 19409	The LRT and roadway alterations require the removal of this access. The resultant property line will interfere with the operation of this access.	The residual parcel has alternative back alley access at the southside of the property.
1	13210 Stony Plain Road NW	Plan 3875P Block 79 Lot 1	Refer to Schedule A4 of Bylaw 19409	This access is no longer used by the property owner and has been converted to a pedestrian access.	The residual parcel has an existing back alley access.

1	10340 - 133 Street NW	Plan 1820774 Block 90 Lot 3B	Refer to Schedule A5 of Bylaw 19409	The LRT and roadway alterations require the closure of this access. As the Stony Plain Road widened right of way will interfere with the operation of this access.	The parcel has an existing access from the road.
1	10446 Connaught Drive NW	Plan 2803AF Block 84 Lot 18	Refer to Schedule A6 of Bylaw 19409	This access is the driveway from a busy arterial road to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. This is a safety concern due to poor sightlines and the potential conflict with vehicles and pedestrians which will increase with the presence of the LRT.	The parcel has alternative access to the back alley.
1	10426 - 124 Street NW	Plan RN22 Block 31 Lot 13	Refer to Schedule A7 of Bylaw 19409	The City has acquired this property in full. LRT and roadway alterations require the removal of the parking lot served by these accesses. Consequently the accesses are no longer required.	The residual parcel has alternative access through the existing back alley lane.

Bylaw 19409

Closure of Vehicular Access to Titled Parcels for Valley Line West

WHEREAS the Municipal Council of the City of Edmonton may pass a Bylaw pursuant to Section 28 of the *Highways Development and Protection Act*, S.A. 2004, c. H-8.5 for the purpose of removing any access to a controlled street; and

WHEREAS City Council has considered the proposed closing and has agreed that it is in the public interest to pass this Bylaw;

NOW THEREFORE the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

1. All means of access to or from a controlled street generally as illustrated on the attached Schedules "A1" to "A7", are hereby closed.
2. This bylaw comes into force on November 1, 2021.

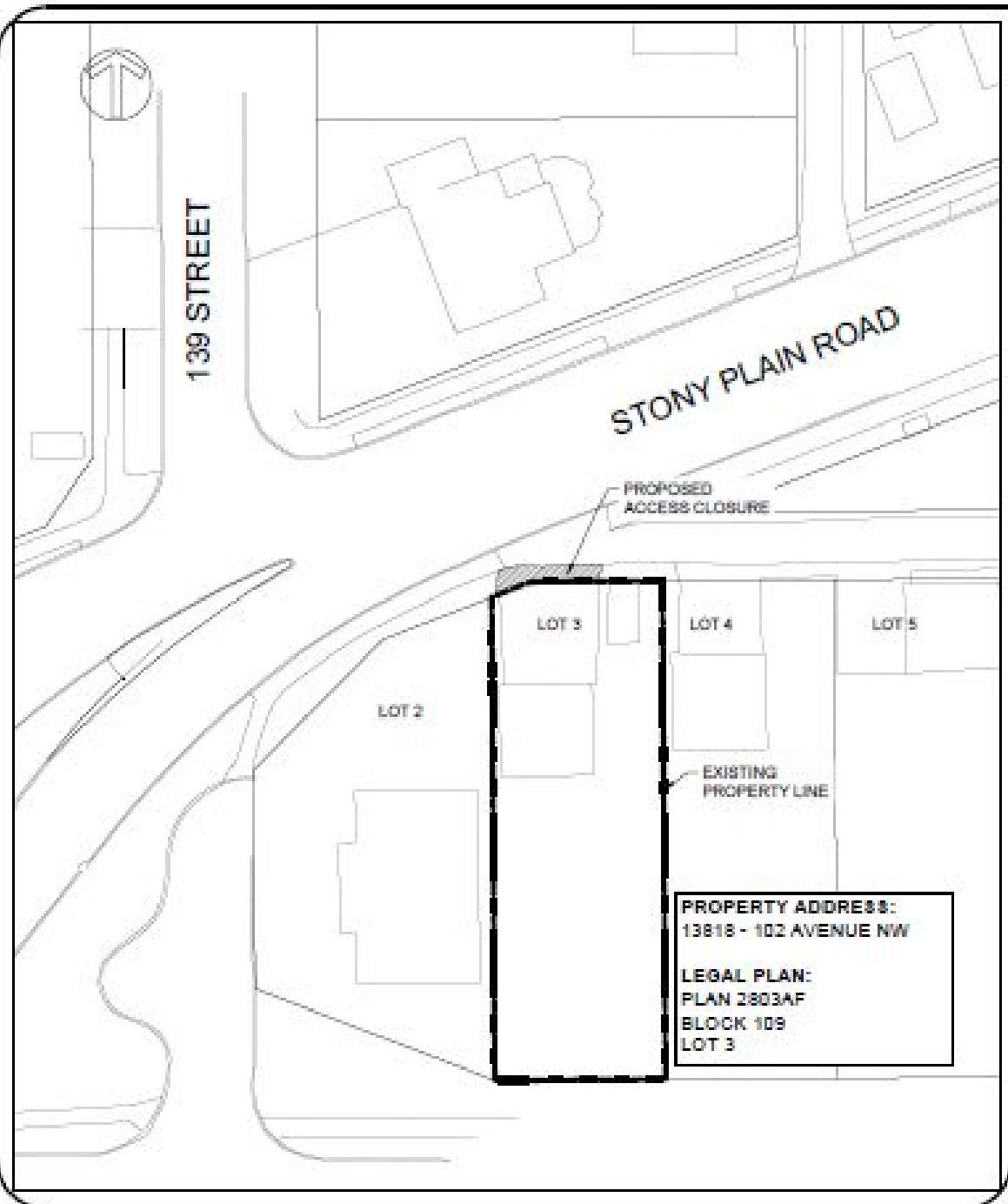
READ a first time this _____ day of _____, A.D. 2020;
READ a second time this _____ day of _____, A.D. 2020;
READ a third time this _____ day of _____, A.D. 2020;
SIGNED and PASSED _____ day of _____, A.D. 2020.
this _____

THE CITY OF EDMONTON

MAYOR

CITY CLERK
SCHEDULE "A1" TO BYLAW 19409

AMMO: 10/11/2020 11:00:00 AM 13818 - 102 AVENUE NW, VALLEY LINE WEST LRT, 2000 CADIZ COURT, RICHMOND, BC V6X 2G6, CANADA



Date Issued:
13-08-2020

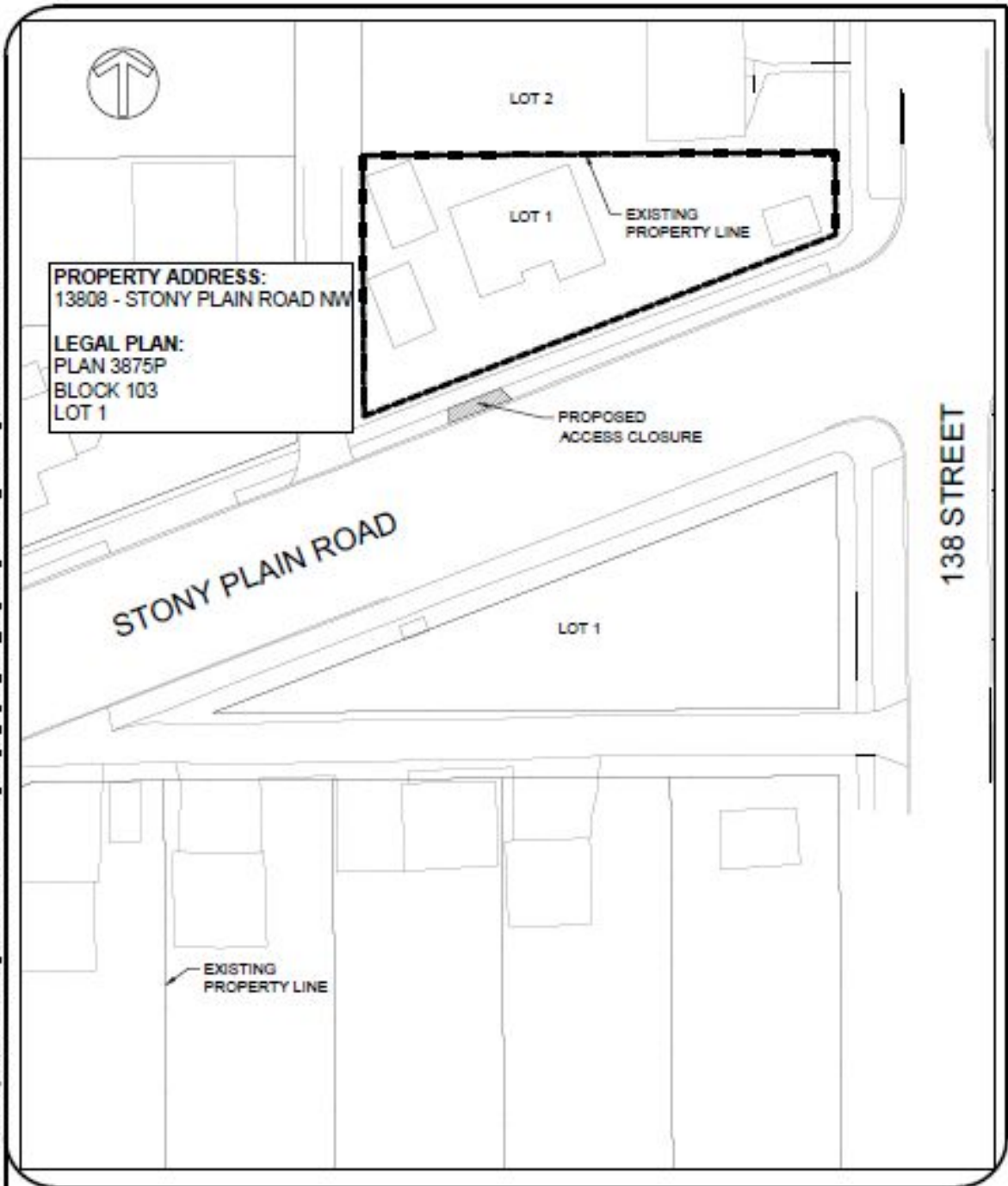
Drawing No:
VLW-129A-01

ROAD CLOSURE
13818 - 102 AVENUE NW



SCHEDULE "A2" TO BYLAW 19409

AMN001 / August 12, 2020 / HENRY / 13808 - STONY PLAIN ROAD NW - ROAD CLOSURE PLAN - PLAN 3875P



PROPERTY ADDRESS:
 13808 - STONY PLAIN ROAD NW

LEGAL PLAN:
 PLAN 3875P
 BLOCK 103
 LOT 1

138 STREET

VALLEY LINE WEST LRT



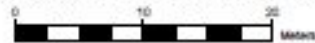
Date Issued:
13-08-2020

ROAD CLOSURE
13808 - STONY PLAIN ROAD NW



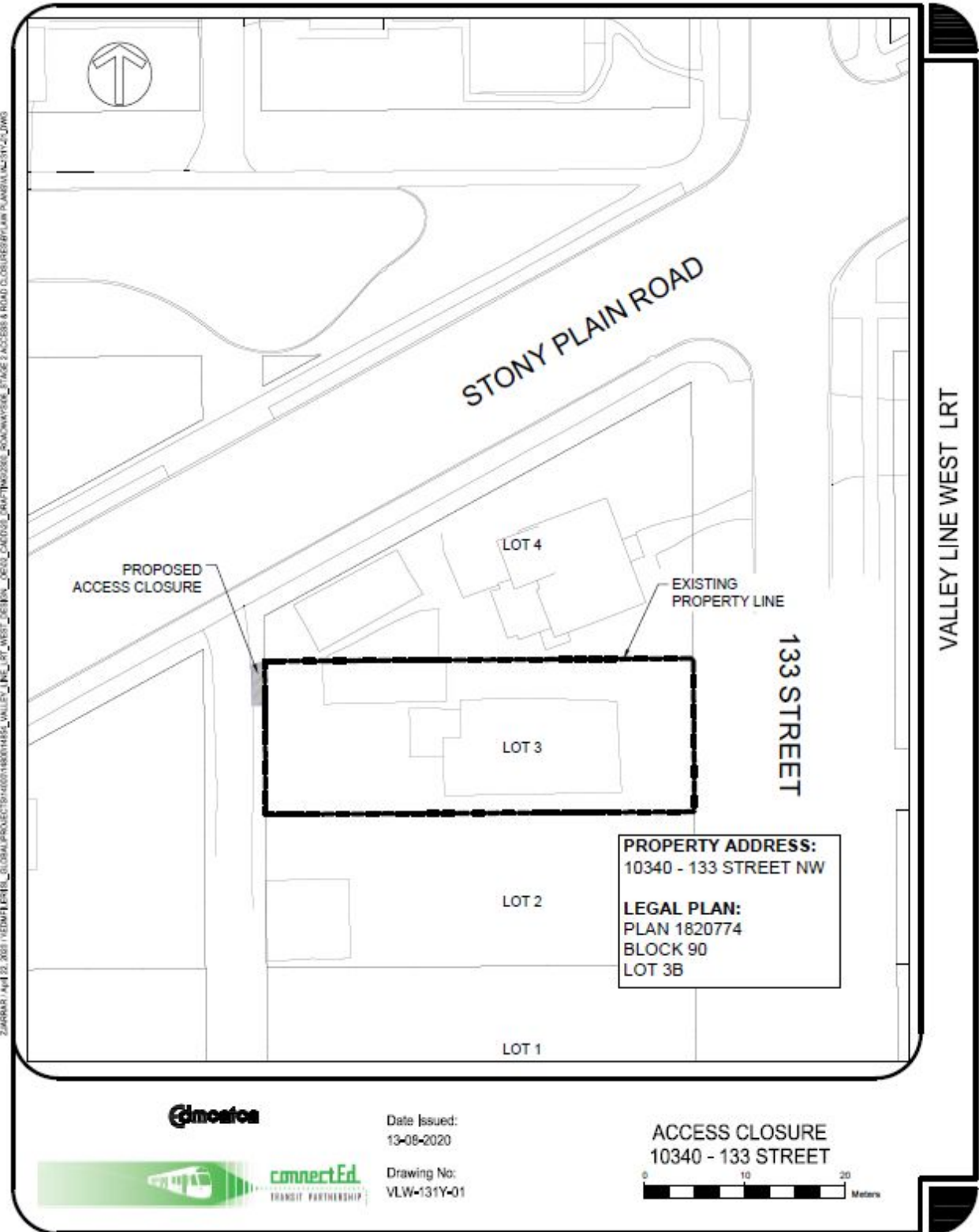
connectEd
TRUST PARTNERSHIP

Drawing No:
VLW-129D-01

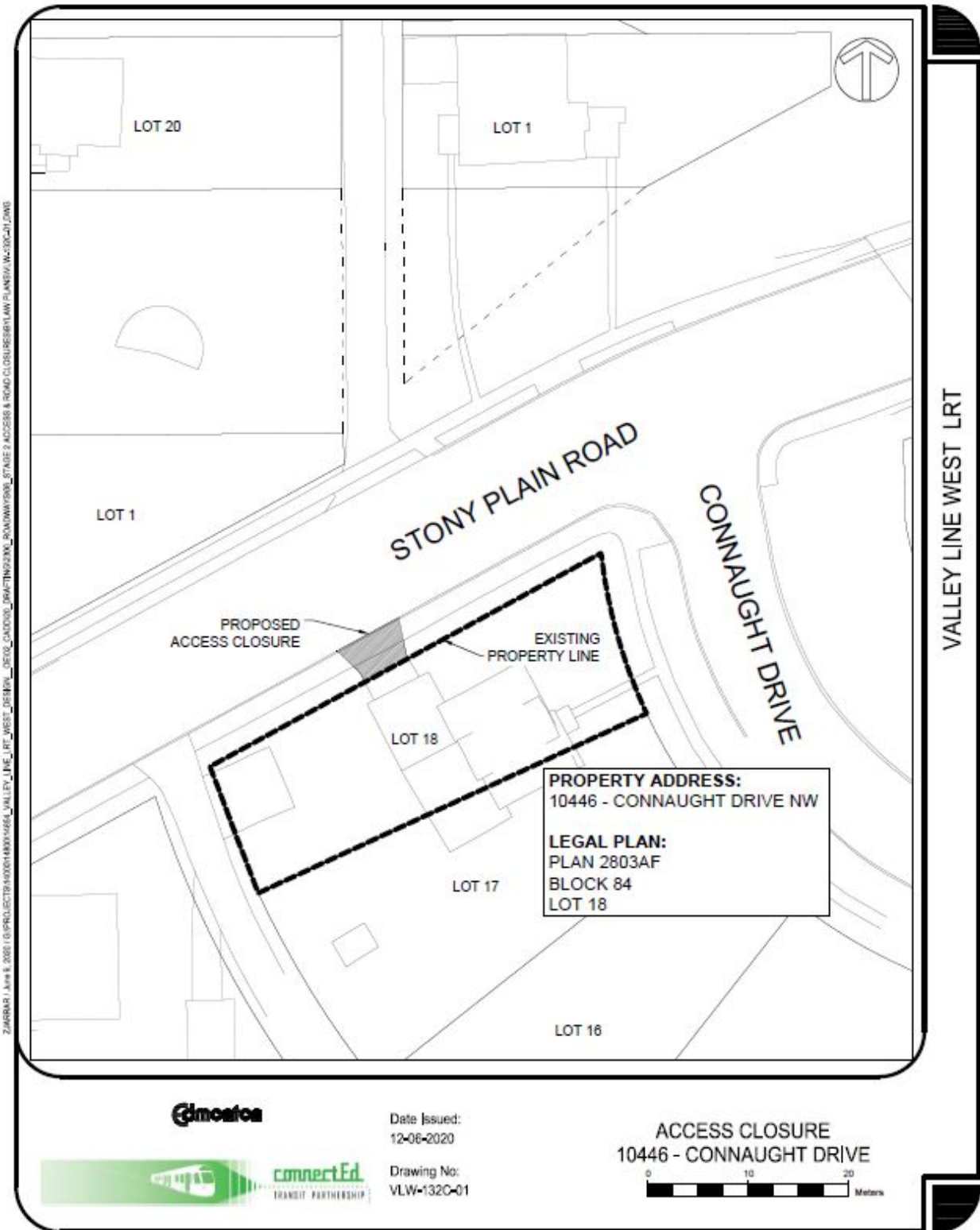


SCHEDULE "A3" TO BYLAW 19409

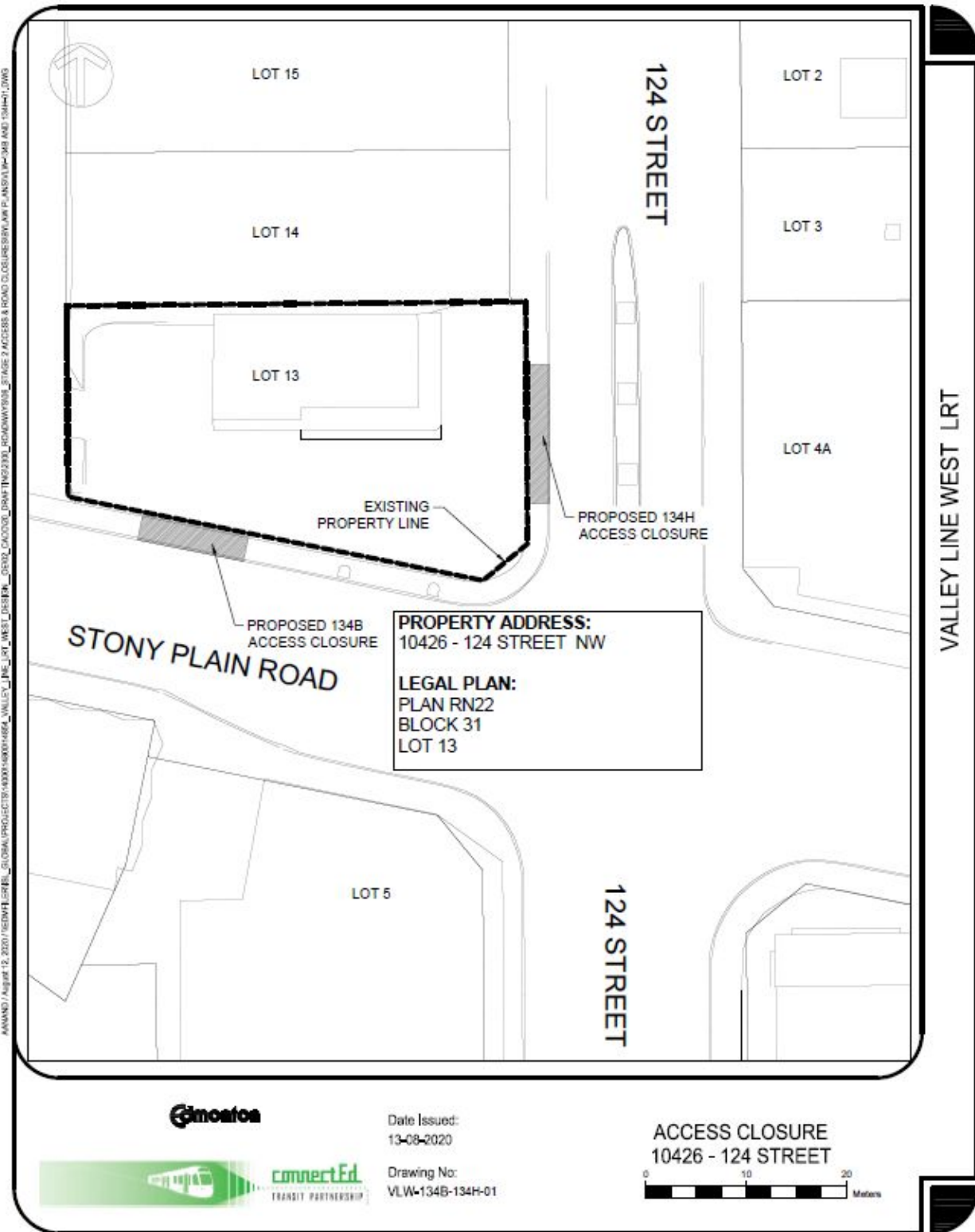
SCHEDULE "A5" TO BYLAW 19409



SCHEDULE "A6" TO BYLAW 19409



SCHEDULE "A7" TO BYLAW 19409



Bylaw 19410

Closure of Vehicular Access to Titled Parcels for Valley Line West

Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19410 be given the appropriate readings.

Purpose

The closure of vehicular accesses is in support of the Valley Line West (VLW) LRT Project. These closures are outlined in detail in the attachments to this report.

Readings

Bylaw 19410 is ready for three readings.

Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

Position of Administration

Administration supports this Bylaw.

Position of Landowner

Administration has initiated communications with the impacted landowners and residents and has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Report Summary

This report requests City Council's approval of Bylaw 19410, which is for the closure of vehicular access to titled parcels along the VLW LRT corridor.

Report

Bylaw 19410 proposes to remove vehicular access from the privately owned, titled parcels listed in Attachment 1 in support of the VLW LRT project.

Construction of the Valley Line West LRT will transform some major roadways in West Edmonton to make room for the LRT. These access closures are necessary to reconfigure roads and ensure the safety of pedestrians, drivers, cyclists and transit users.

The timing for the physical closure of accesses will be determined once a contractor for the project is selected and construction schedules are finalized. Alternate access details or future use for each title are shown on the table in Attachment 1.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Goods and services move efficiently.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Goods and services move efficiently	Travel time and reliability of goods and services movement (time in minutes and seconds to drive 10-km route)	10:09 - 50% of time	12:30 - 50% of time
		13:35 - 85% of time (2017)	16:00 - 85% of time (2018)
Corporate Outcome(s): Edmontonians use public transit and active modes of transportation.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmontonians use public transit and active modes of transportation	Transit ridership (rides per capita).	91.6 (2017)	105.0 (2018)
	Journey to work mode (percent of survey respondents who select auto passenger, transit, walk, cycle, or other)	26.1% (2016)	25.9% (2018)
Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' assessment: Access to infrastructure, amenities and services that improve quality of life (percent of survey respondents who agree / strongly agree)	68% (2017)	70% (2018)

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Liability- closure not approved	Potential pedestrian and vehicle conflicts within road right-of-way if the access remains	2 - Unlikely	3 - Major	6 - Low	Current design identifies removal of access, eliminating conflict	If access is not closed now, it would be reviewed through any future development permit and the developer could be required to remove access at that time

Public Engagement

Since 2018, Administration has initiated communication and engaged with property owners regarding the required access closure(s) on their property. Engagement details for each owner depend on their individual situations and how the closure affects their property. This includes actions such as assigning direct contacts, conducting on site meetings, providing ongoing telephone and email communication and sending follow up letters that include information about their site, as well as updates on the Valley Line West LRT Project.

Administration has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Legal Implications

1. The proposed access closure(s) must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
2. Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means to access to or from a controlled street by passing a bylaw.
3. The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
4. Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

Attachments

1. List of Titled Parcels - Bylaw 19410

2. Bylaw 19410 - Closure of Vehicular Access to Titled Parcels for Valley Line West

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor

List of Titled Parcels - Bylaw 19410

# of Titles / Parcels Affected	Titled Parcel (Municipal Address)	Legal Description	Description of Access Closures	Benefits Associated with Closure	Alternate Access
1	10004 - 156 Street NW 10008 - 156 Street NW	Plan 2586AZ Block 1C Lots 1, 2, 3	Refer to Schedule A1 of Bylaw 19410	The LRT and roadway alterations require the removal of these accesses. The access onto 156 Street will be immediately adjacent to the LRT trackway and the access onto 100 Avenue will interfere with the safe operations of the train and traffic through the adjacent intersection.	The parcel has alternative access through the existing back alley lane.
1	10035 - 156 Street NW	Plan 7921194 Block 2 Lot 11	Refer to Schedule A2 of Bylaw 19410	The LRT and roadway alterations require the removal of these accesses. The area remaining once the LRT and roadway have been constructed is not wide enough to accommodate the in and out accesses of the Disabled Adult Transit Service (DATS) parking loop configuration and therefore can no longer function	A layby for DATS will be provided in the same location
1	10050 - 156 Street NW	Plan 2918MC Block 1 Lot 6	Refer to Schedule A3 of Bylaw 19410	The LRT and roadway alterations require the removal of this access. This parcel is City owned.	The parcel has alternative access through the existing and proposed back alleys.

				The access onto 156 Street will be immediately adjacent to the LRT trackway. This access therefore can no longer function.	
1	10060 - 156 Street NW	Plan 5339NY Block 1 Lot 5A	Refer to Schedule A4 of Bylaw 19410	The LRT and roadway alterations require the removal of this access. The access onto 156 Street will be immediately adjacent to the LRT trackway. This access therefore can no longer function.	The parcel has alternative access through the existing and proposed back alleys.
1	15445 Stony Plain Road NW	Plan 6005BB Block 20 Lot 6	Refer to Schedule A5 of Bylaw 19410	This is currently a vacant lot. It is recommended that it be closed at this time to comply with access management guidelines for redevelopment and eliminate potential conflict with right of way operations on Stony Plain Road.	Alternative access for the parcel will be considered as part of the development process.
1	14740 Stony Plain Road NW	Plan 7601AE Block 7 Lots 32, 33, 34, 35, 36	Refer to Schedule A6 of Bylaw 19410	This is currently a vacant lot. To safeguard the future safe operation of the LRT and roadway when the parcel is redeveloped, it is recommended that it is closed.	Alternative access for the parcel will be considered as part of the development process.
1	14409 Stony Plain Road NW	Plan 0320999 Block G Lot 17	Refer to Schedule A7 of Bylaw 19410	This access is the driveway from a busy arterial road to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. This is a safety concern due to the potential conflict with vehicles and pedestrians which will increase with the presence of the LRT.	The residual parcel has an existing back alley access.

Bylaw 19410

Closure of Vehicular Access to Titled Parcels for Valley Line West

WHEREAS the Municipal Council of the City of Edmonton may pass a Bylaw pursuant to Section 28 of the *Highways Development and Protection Act*, S.A. 2004, c. H-8.5 for the purpose of removing any access to a controlled street; and

WHEREAS City Council has considered the proposed closing and has agreed that it is in the public interest to pass this Bylaw;

NOW THEREFORE the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

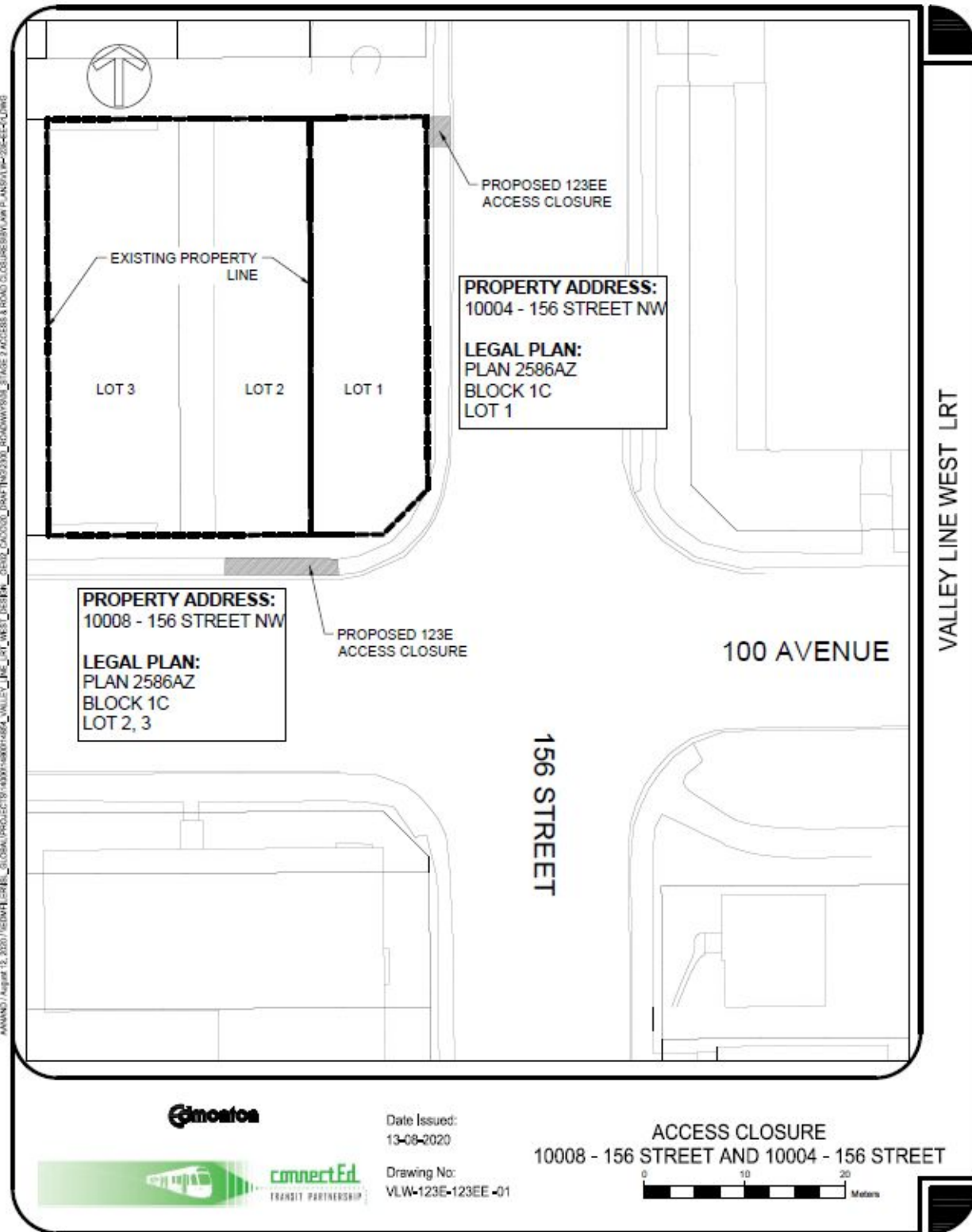
1. All means of access to or from a controlled street generally as illustrated on the attached Schedules "A1" to "A7", are hereby closed.
2. This bylaw comes into force on July 1, 2021.

READ a first time this _____ day of _____, A.D. 2020;
READ a second time this _____ day of _____, A.D. 2020;
READ a third time this _____ day of _____, A.D. 2020;
SIGNED and PASSED _____ day of _____, A.D. 2020.
this _____

THE CITY OF EDMONTON

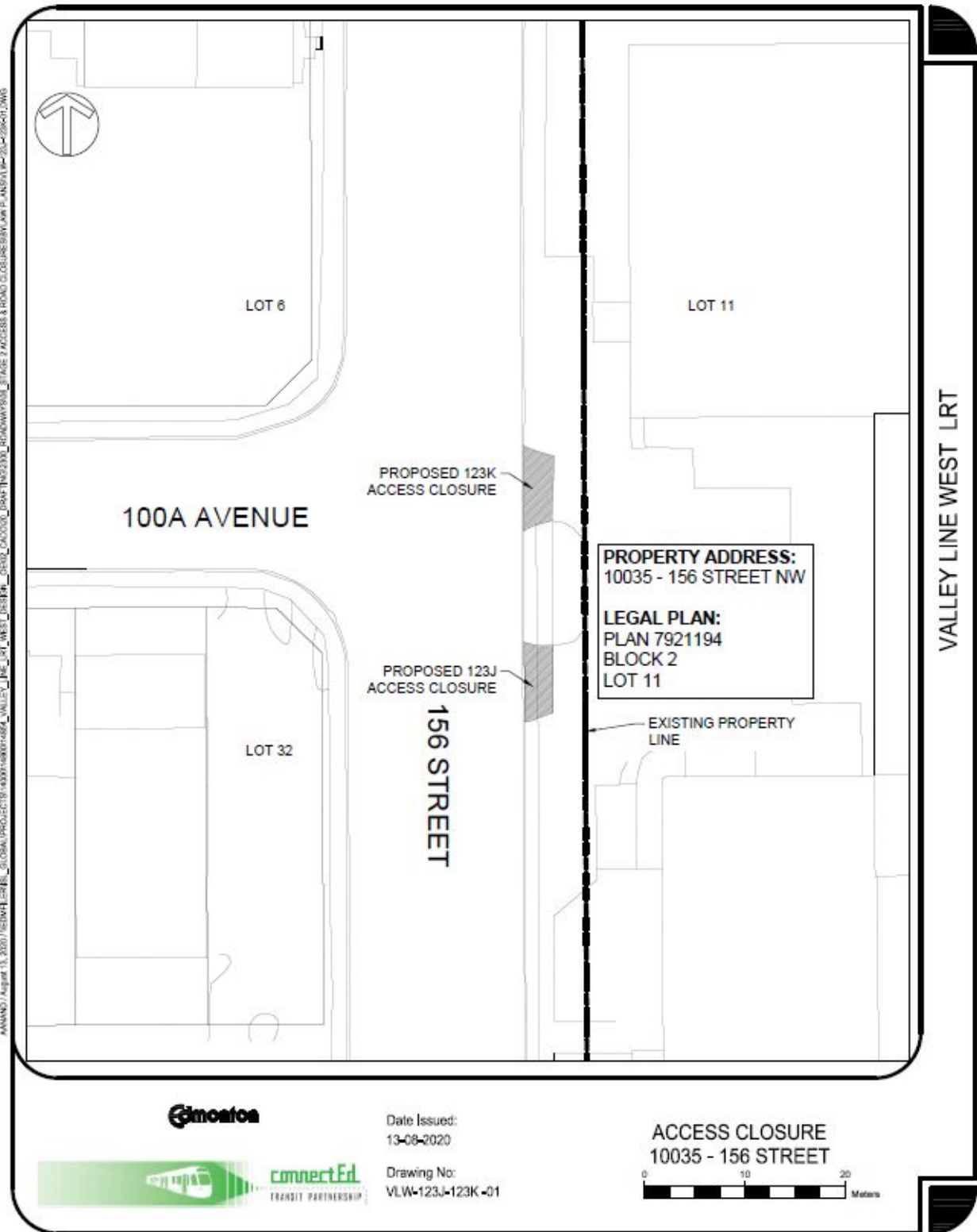
MAYOR

CITY CLERK
 SCHEDULE "A1" TO BYLAW 19410

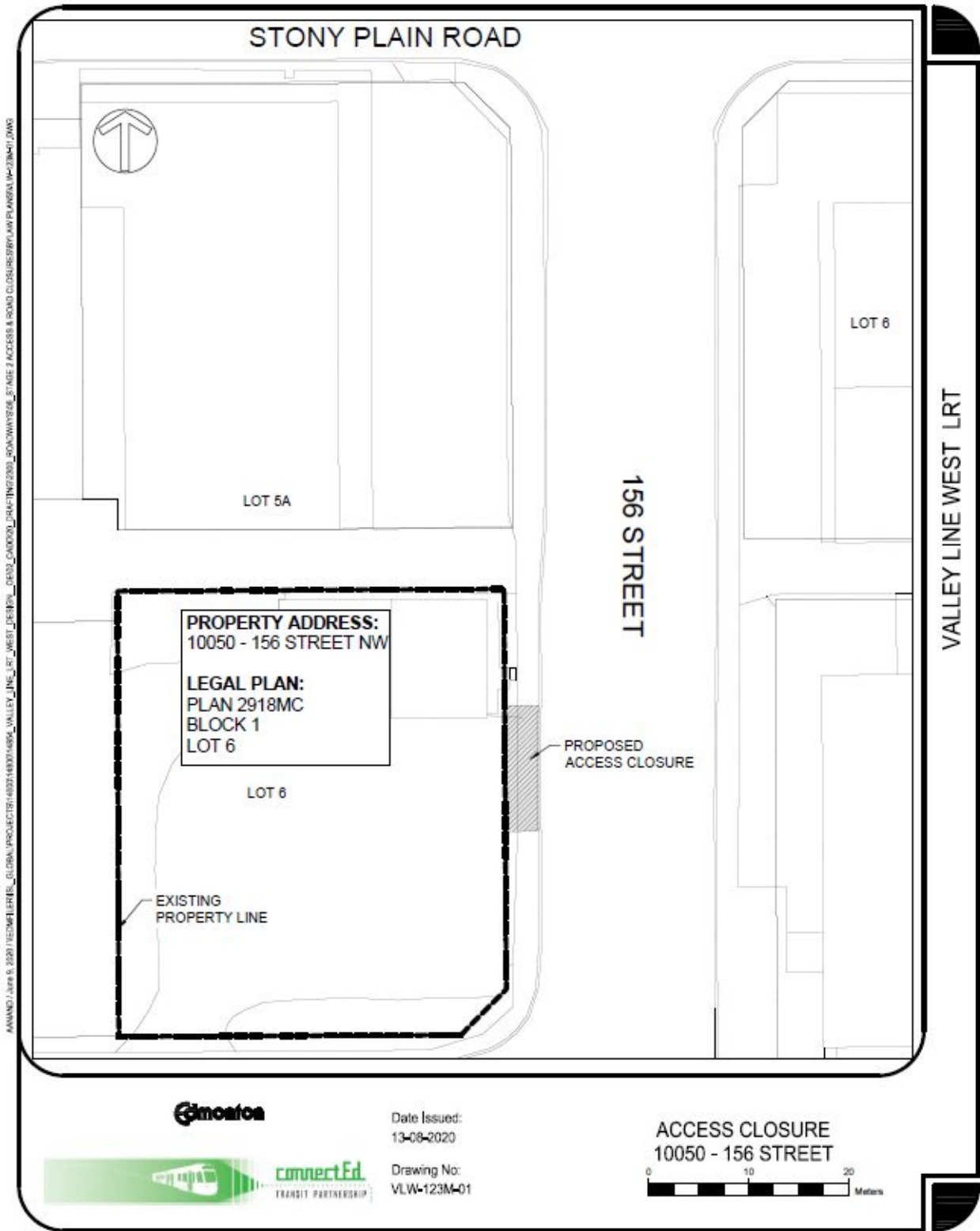


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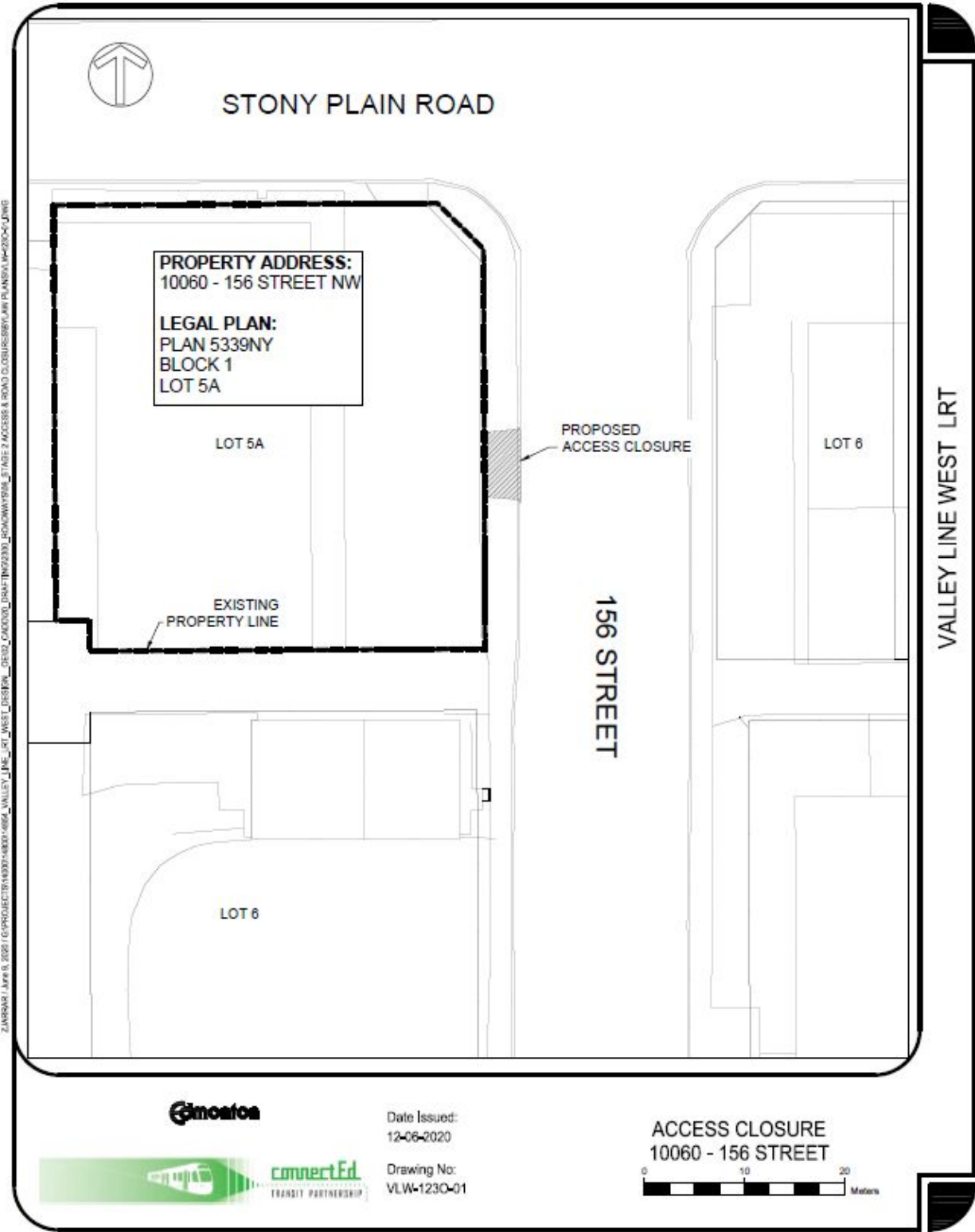
SCHEDULE "A2" TO BYLAW 19410



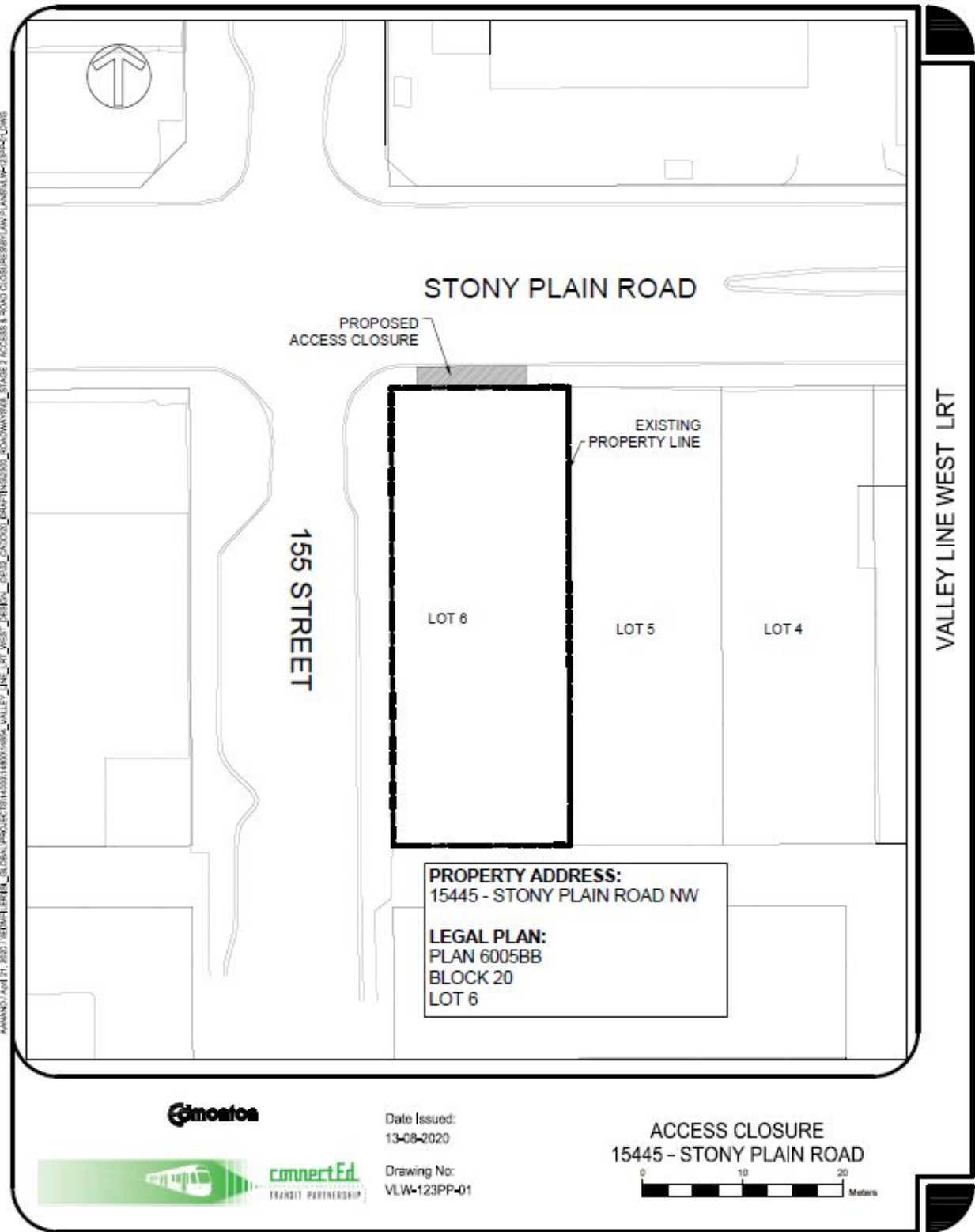
SCHEDULE "A3" TO BYLAW 19410



SCHEDULE "A4" TO BYLAW 19410



SCHEDULE "A5" TO BYLAW 19410



ANIMAG / ACT 21, 2021 / SEPT/LETRM_GLOBAL/PROJECTS/4452814893/AREA_VALLEY_LINE_WEST_DESPR_DES13_CASDOL_DRAWING/0000_P001MAN/0001_STAGE 2 ACCESS & ROAD CLOSURE/PPR/ANIP/ANDIA/14-035044.DWG

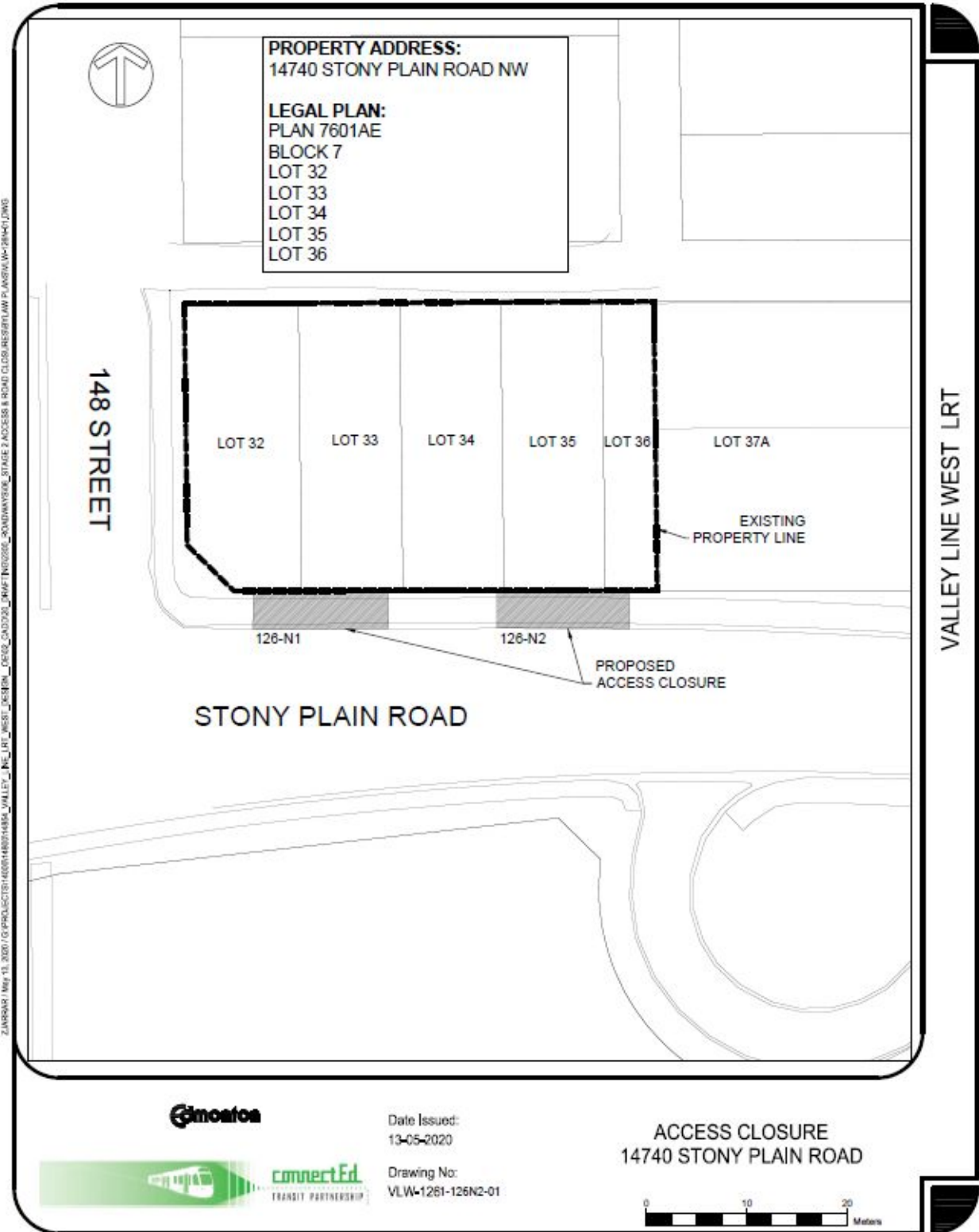


Date Issued:
13-08-2020

Drawing No:
VLW-123PP-01

ACCESS CLOSURE
15445 - STONY PLAIN ROAD

SCHEDULE "A6" TO BYLAW 19410



Z:\ROADS\1 May 13, 2020\10 PRODUCED\140014480\1480\1484\VALLEY_LINE_LRT_ACCESS_SCREEN_ACCESS_CLOSED_RESUBMIT_PLAN_NEW_VLW-20141.DWG

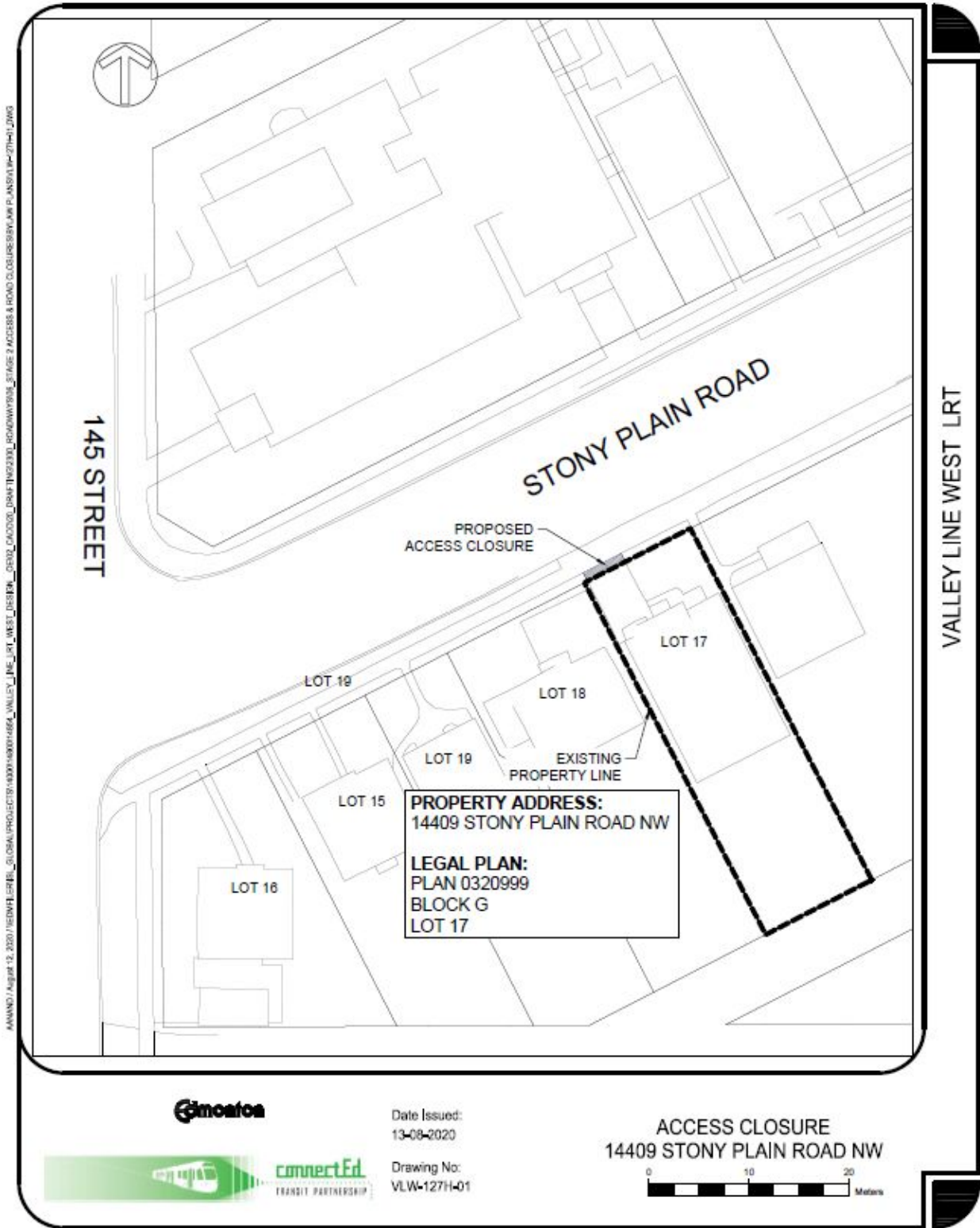


Date Issued:
13-05-2020



Drawing No:
VLW-1261-126N2-01

SCHEDULE "A7" TO BYLAW 19410



A:\MIND\August 12, 2020\1250\1250\1250\GLOBAL PROJECTS\4800\4800\4800\4800_VALLEY_LINE_LRT_WEST_DRAWING_0320_0320_0320_DRAFTING\0320_0320_0320_STAGE 2 ACCESS & ROAD CLOSURES\DWG PLAN\A7\A7-27H-1.dwg



Date Issued:
13-08-2020
Drawing No:
VLW-127H-01



Bylaw 19397

Closure of Vehicular Access to Titled Parcels for Valley Line West

Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19397 be given the appropriate readings.

Purpose

The closure of vehicular accesses is in support of the Valley Line West (VLW) LRT Project. These closures are outlined in detail in the attachments to this report.

Readings

Bylaw 19397 is ready for three readings.

Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

Position of Administration

Administration supports this Bylaw.

Position of Landowner

Administration has initiated communications with the impacted landowners and residents and has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Report Summary

This report requests City Council's approval of Bylaw 19397, which is for the closure of vehicular access to titled parcels along the VLW LRT corridor.

Report

Bylaw 19397 proposes to remove vehicular access from the privately owned, titled parcels listed in Attachment 1 in support of the VLW LRT project.

Construction of the Valley Line West LRT will transform some major roadways in West Edmonton to make room for the LRT. These access closures are necessary to reconfigure roads and ensure the safety of pedestrians, drivers, cyclists and transit users.

The timing for the physical closure of accesses will be determined once a contractor for the project is selected and construction schedules are finalized. Alternate access details or future use for each title are shown on the table in Attachment 1.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Goods and services move efficiently.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Goods and services move efficiently	Travel time and reliability of goods and services movement (time in minutes and seconds to drive 10-km route)	10:09 - 50% of time	12:30 - 50% of time
		13:35 - 85% of time (2017)	16:00 - 85% of time (2018)
Corporate Outcome(s): Edmontonians use public transit and active modes of transportation.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmontonians use public transit and active modes of transportation	Transit ridership (rides per capita)	91.6 (2017)	105.0 (2018)
	Journey to work mode (percent of survey respondents who select auto passenger, transit, walk, cycle, or other)	26.1% (2016)	25.9% (2018)
Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' assessment: Access to infrastructure, amenities and services that improve quality of life (percent of survey respondents who agree / strongly agree)	68% (2017)	70% (2018)

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Liability- closure not approved	Potential pedestrian and vehicle conflicts within road right-of-way if the access remains	2 - Unlikely	3 - Major	6	Current design identifies removal of access, eliminating conflict	If access is not closed now, it would be reviewed through any future development permit and the developer could be required to remove access at that time

Public Engagement

Starting in 2018, Administration initiated communication and engaged with property owners regarding the required access closure(s) on their property. Engagement details for each owner depended on their individual situation and how the closure affected their property. This included actions such as assigning direct contacts, conducting on site meetings, providing ongoing telephone and email communication and sending follow up letters that include information about their site, as well as updates on the Valley Line West LRT Project.

Administration will notify each property owner of this bylaw and will continue to engage and follow up with them as required.

Legal Implications

1. The proposed access closure(s) must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
2. Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means to access to or from a controlled street by passing a bylaw.
3. The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
4. Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

Attachments

1. List of Titled Parcels - Bylaw 19397

2. Bylaw 19397 - Closure of Vehicular Access to Titled Parcels for Valley Line West

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- E. Robar, Acting Deputy City Manager, City Operations
- K. Petrin, Acting Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor

List of Titled Parcels - Bylaw 19397

# of Titles / Parcels Affected	Titled Parcel (Municipal Address)	Legal Description	Description of Access Closures	Benefits Associated with Closure	Alternate Access
1	10344 - 119 Street NW	Plan 4423AJ Block 19 Lot 341	Refer to Schedule A1 of Bylaw 19397	This access is the driveway from a busy arterial road to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. This is a safety concern due to the potential conflict with vehicles and pedestrians which will increase with the presence of the LRT.	The parcel has an alternative access through the existing back alley lane.
1	11603 - 104 Avenue NW	Plan 7921610 Block 16 Lot 66A	Refer to Schedule A2 of Bylaw 19397	The LRT and roadway alterations require the removal of this access. This is a safety concern as the access will exit into a right turn lane immediately before a major intersection, resulting in potential unsafe weaving movements.	The parcel has an alternative access to 104 Avenue through the existing back alley lane, and direct access onto 116 Street.

Bylaw 19397

Closure of Vehicular Access to Titled Parcels for Valley Line West

WHEREAS the Municipal Council of the City of Edmonton may pass a Bylaw pursuant to Section 28 of the *Highways Development and Protection Act* , S.A. 2004, c. H-8.5 for the purpose of removing any access to a controlled street; and

WHEREAS City Council has considered the proposed closing and has agreed that it is in the public interest to pass this Bylaw;

NOW THEREFORE the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

1. All means of access to or from a controlled street generally as illustrated on the attached Schedule “A1” and Schedule “A2”, are hereby closed.
2. This bylaw comes into force on May 1, 2021.

READ a first time this _____ day of _____ , A.D. 2020;

READ a second time this _____ day of _____ , A.D. 2020;

READ a third time this _____ day of _____ , A.D. 2020;

SIGNED and PASSED _____ day of _____ , A.D. 2020.
this _____

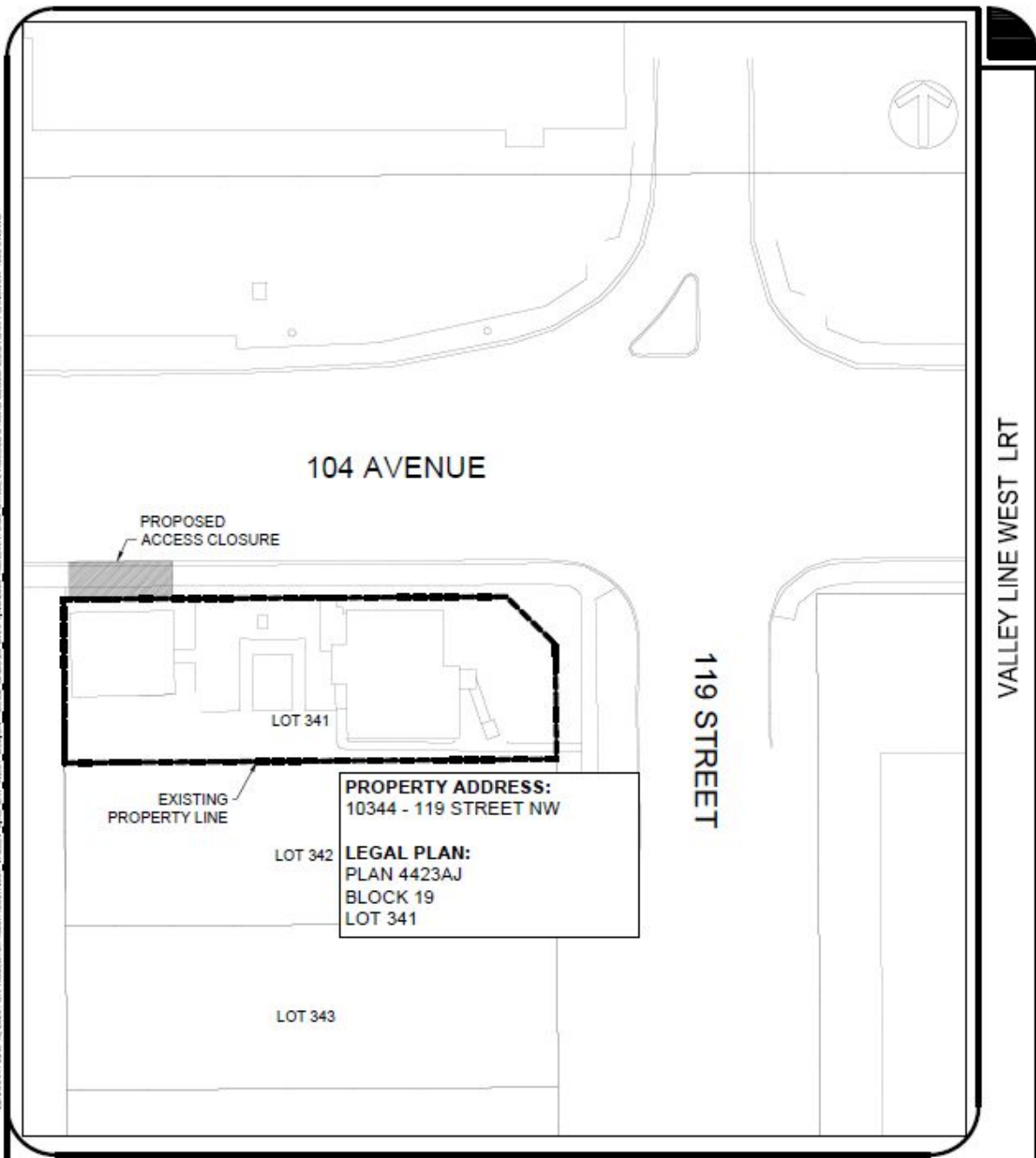
THE CITY OF EDMONTON

MAYOR

CITY CLERK

SCHEDULE “A1” TO BYLAW 19397

PROJECT: VALLEY LINE WEST LRT STATION ACCESS & ROAD CLOSURE DRAWING NO: VLW-135L-01



EXISTING PROPERTY LINE

LOT 341

PROPERTY ADDRESS:
10344 - 119 STREET NW

LOT 342

LEGAL PLAN:
PLAN 4423AJ
BLOCK 19
LOT 341

LOT 343

104 AVENUE

119 STREET

VALLEY LINE WEST LRT

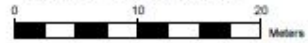


Date Issued:
12-06-2020

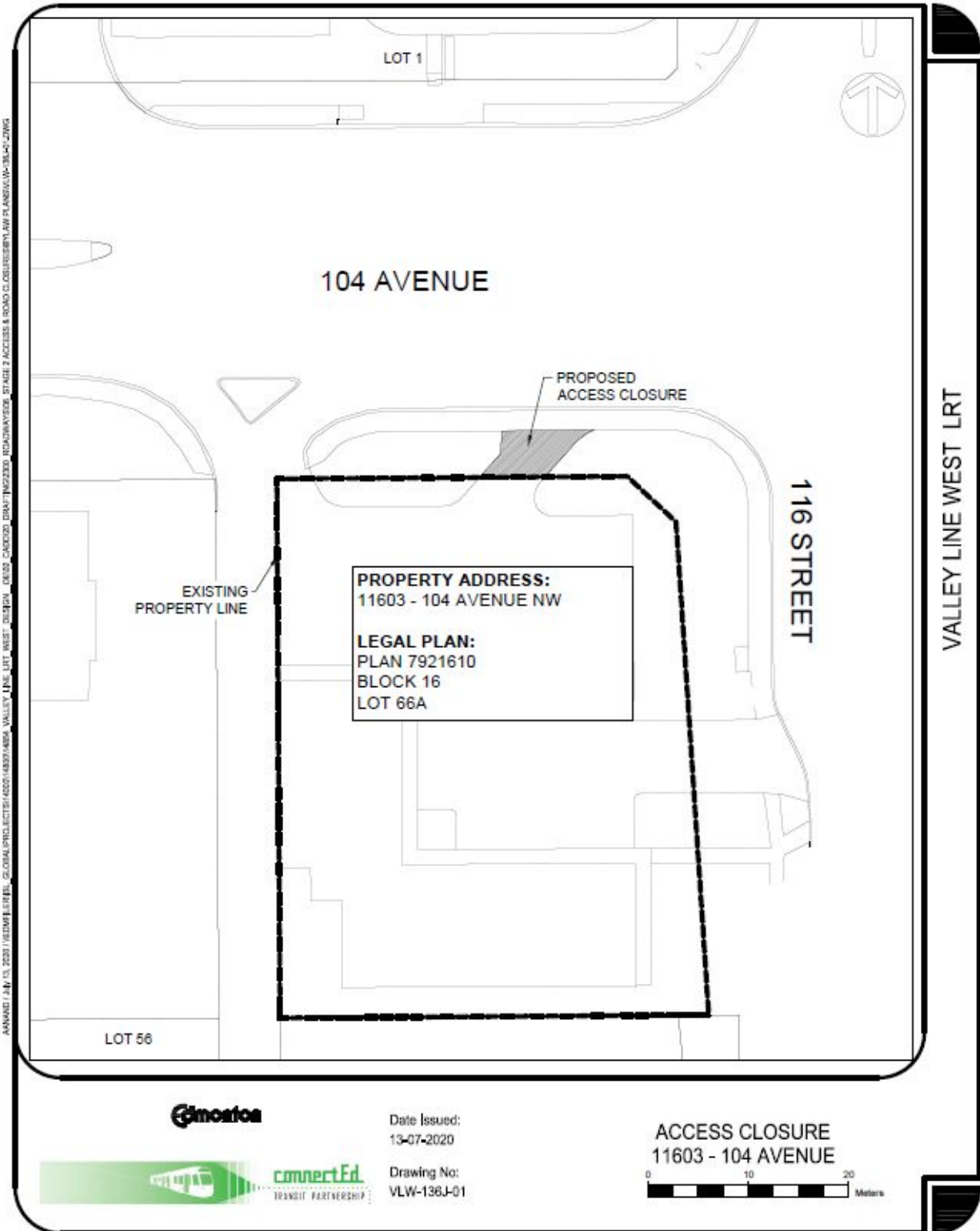
Drawing No:
VLW-135L-01



ACCESS CLOSURE
10344 - 119 STREET



SCHEDULE "A2" TO BYLAW 19397



Bylaw 19398

Closure of Vehicular Access to Titled Parcels for Valley Line West

Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19398 be given the appropriate readings.

Purpose

The closure of vehicular accesses is in support of the Valley Line West (VLW) LRT Project. These closures are outlined in detail in the attachments to this report.

Readings

Bylaw 19398 is ready for three readings.

Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

Position of Administration

Administration supports this Bylaw.

Position of Landowner

Administration has initiated communications with the impacted landowners and residents and has notified each property owner of this bylaw and will continue to engage and follow up with them, as required.

Report Summary

This report requests City Council's approval of Bylaw 19398, which is for the closure of vehicular access to titled parcels along the VLW LRT corridor.

Report

Bylaw 19398 proposes to remove vehicular access from the privately owned, titled parcels listed in Attachment 1 in support of the VLW LRT project.

Construction of the Valley Line West LRT will transform some major roadways in West Edmonton to make room for the LRT. These access closures are necessary to reconfigure roads and ensure the safety of pedestrians, drivers, cyclists and transit users.

The timing for the physical closure of accesses will be determined once a contractor for the project is selected and construction schedules are finalized. Alternate access details or future use for each title are shown on the table in Attachment 1.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Goods and services move efficiently.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Goods and services move efficiently	Travel time and reliability of goods and services movement (time in minutes and seconds to drive 10-km route)	10:09 - 50% of time	12:30 - 50% of time
		13:35 - 85% of time (2017)	16:00 - 85% of time (2018)
Corporate Outcome(s): Edmontonians use public transit and active modes of transportation.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmontonians use public transit and active modes of transportation	Transit ridership (rides per capita)	91.6 (2017)	105.0 (2018)
	Journey to work mode (percent of survey respondents who select auto passenger, transit, walk, cycle, or other)	26.1% (2016)	25.9% (2018)
Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' assessment: Access to infrastructure, amenities and services that improve quality of life (percent of survey respondents who agree / strongly agree)	68% (2017)	70% (2018)

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Liability- closure not approved	Potential pedestrian and vehicle conflicts within road right-of-way if the access remains	2 - Unlikely	3 - Major	6	Current design identifies removal of access, eliminating conflict	If access is not closed now, it would be reviewed through any future development permit and the developer could be required to remove access at that time.

Public Engagement

Since 2018, Administration has initiated communication and engaged with property owners regarding the required access closure(s) on their property. Engagement details for each owner depended on their individual situations and how the closure affected their property. This included actions such as assigning direct contacts, conducting on site meetings, providing ongoing telephone and email communication and sending follow up letters that include information about their site, as well as updates on the Valley Line West LRT Project.

Administration will notify each property owner of this bylaw and will continue to engage and follow up with them as required.

Legal Implications

1. The proposed access closure(s) must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
2. Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means to access to or from a controlled street by passing a bylaw.
3. The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
4. Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

Attachments

1. List of Titled Parcels - Bylaw 19398

2. Bylaw 19398 - Closure of Vehicular Access to Titled Parcels for Valley Line West

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor

List of Titled Parcels - Bylaw 19398

# of Titles / Parcels Affected	Titled Parcel (Municipal Address)	Legal Description	Description of Access Closures	Benefits Associated with Closure	Alternate Access
1	8660 - 182 Street NW	Plan 3498TR Block 15 Lot 1	Refer to Schedule A1 of Bylaw 19398	The LRT track will be located between the access and the roadway. This is a safety concern due to the potential conflict with LRT.	This access will remain open for emergency services only. The parcel has alternative access for regular vehicles from 182 Street.
1	16315 - 87 Avenue NW	Plan 582MC Block 19 Lot 21	Refer to Schedule A2 of Bylaw 19398	This access is the driveway to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. The existing service road is being repurposed to allow for the LRT and traffic lanes. This is a safety concern due to the potential conflict with vehicles, the LRT, and pedestrians on the arterial road right of way.	The parcel has alternative access through the existing back alley lane.
1	16301 - 87 Avenue NW	Plan 582MC Block 19 Lot 14	Refer to Schedule A3 of Bylaw 19398	This access is the driveway to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. The existing service road is being repurposed to allow for the LRT and traffic lanes. This is a safety concern due to	The parcel has alternative access through the existing back alley lane.

				the potential conflict with vehicles, the LRT, and pedestrians on the arterial road right of way. Furthermore, the access is in the middle of a signalized intersection which poses an additional safety concern.	
1	8606 - 164 Street NW	Plan 6581MC Block 17 Lot 52	Refer to Schedule A4 of Bylaw 19398	This access is the driveway to a private dwelling with no space to turn around. Using this access requires at least one manoeuvre in reverse. The existing service road is being repurposed to allow for the LRT and traffic lanes. This is a safety concern due to the potential conflict with vehicles, the LRT, and pedestrians on the busy arterial road right of way.	The residual parcel has an existing access from 164 Street

Bylaw 19398

Closure of Vehicular Access to Titled Parcels for Valley Line West

WHEREAS the Municipal Council of the City of Edmonton may pass a Bylaw pursuant to Section 28 of the *Highways Development and Protection Act*, S.A. 2004, c. H-8.5 for the purpose of removing any access to a controlled street; and

WHEREAS City Council has considered the proposed closing and has agreed that it is in the public interest to pass this Bylaw;

NOW THEREFORE the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

1. All means of access to or from a controlled street generally as illustrated on the attached Schedule "A1", Schedule "A2", Schedule "A3", and Schedule "A4", are hereby closed.
2. This bylaw comes into force on March 1, 2021.

READ a first time this _____ day of _____, A.D. 2020;
 READ a second time this _____ day of _____, A.D. 2020;
 READ a third time this _____ day of _____, A.D. 2020;
 SIGNED and PASSED _____ day of _____, A.D. 2020.
 this _____

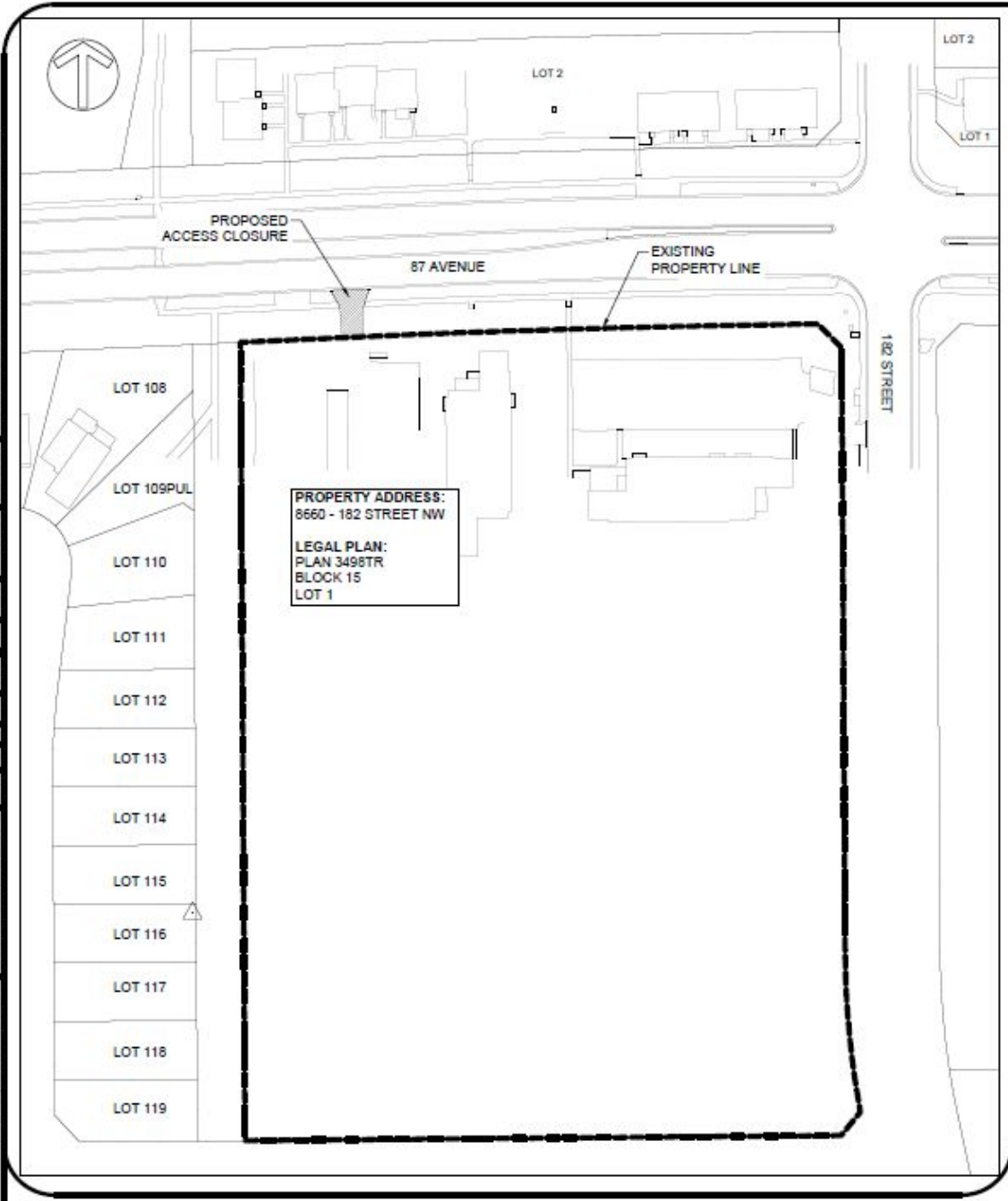
THE CITY OF EDMONTON

MAYOR

CITY CLERK

SCHEDULE "A1" TO BYLAW 19398

AMANDA J. JAY, P.E. - GLOBAL PROJECTS INC. 4800 148TH AVENUE S.W. SUITE 1000 - RICHMOND, BC V6X 2C6 CANADA



VALLEY LINE WEST LRT

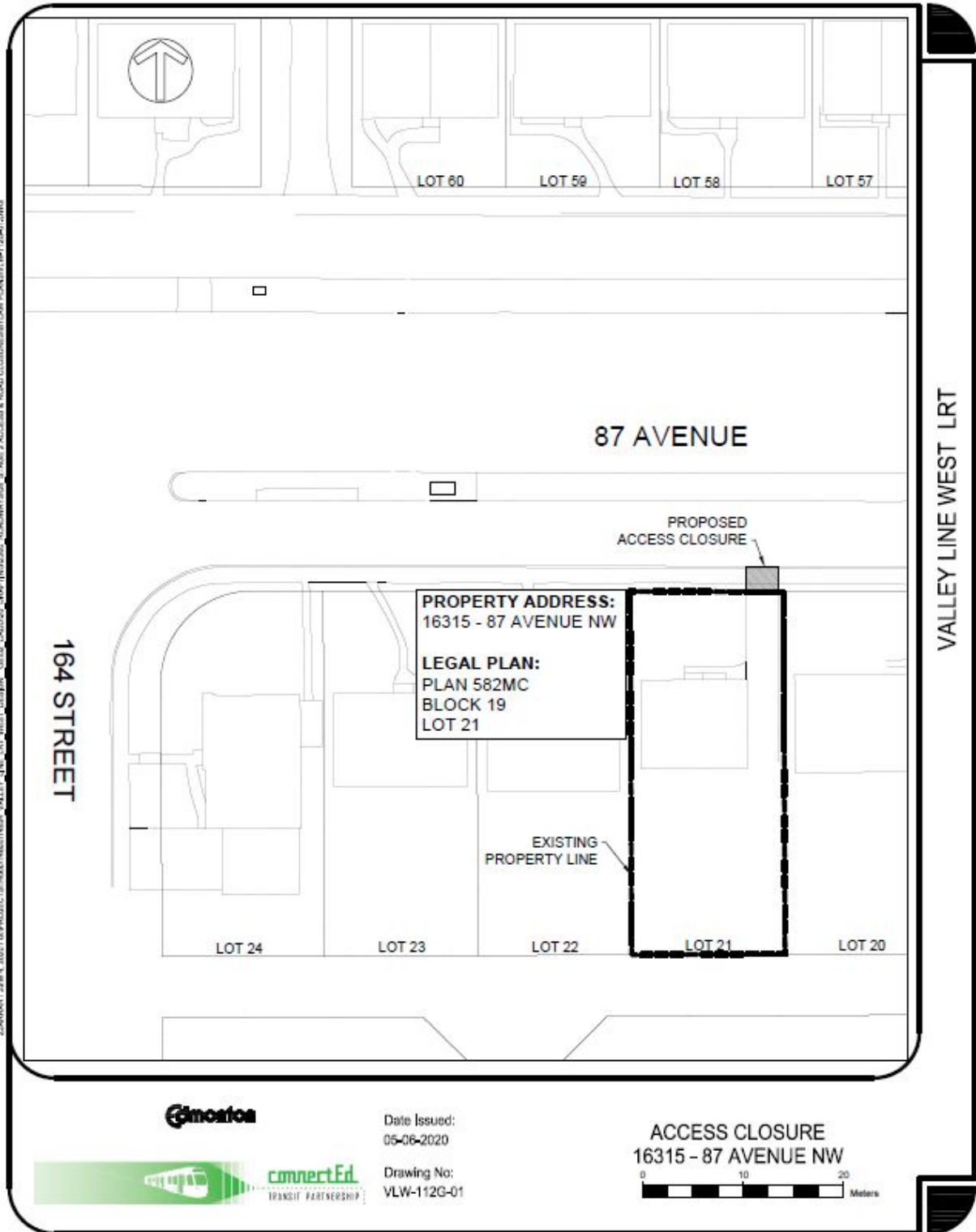


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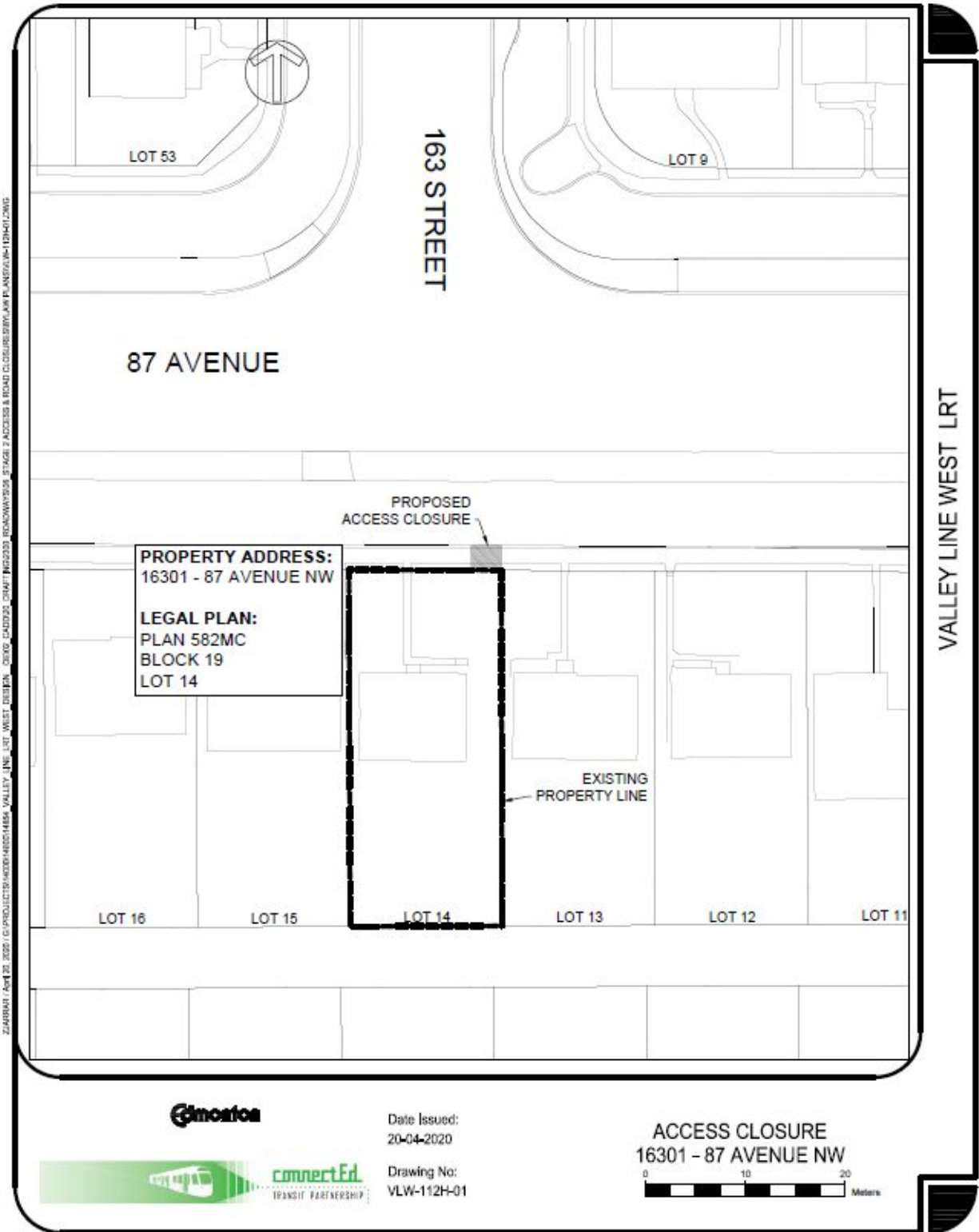
ACCESS CLOSURE
8660 - 182 STREET NW



SCHEDULE "A2" TO BYLAW 19398



SCHEDULE "A3" TO BYLAW 19398



SCHEDULE "A4" TO BYLAW 19398

