

# Bylaw 18400

## Access closure to titled parcel at 10571 - 114 Street NW

### Purpose

To close the vehicular access to 106 Avenue NW from a titled parcel located at 10571-114 Street NW, onto 106 Avenue NW. There is an existing alley on the east which can be used as an alternate access to the parcel.

### Readings

Bylaw 18400, Attachment 1, is ready for three readings.

### Advertising and Signing

Advertising is not required for this Bylaw.

### Position of Administration

Administration supports this Bylaw.

### Previous Council/Committee Action

At the June 19, 2018, Urban Planning Committee meeting, Bylaw 18400 was forwarded to City Council for the appropriate readings.

### Report Summary

This report requests City Council's approval of Bylaw 18400.

### Report

Bylaw 18400 proposes to remove an existing vehicular access from a titled parcel, legally described as Lot 194, Block 13, Plan B4 to 106 Avenue in support of the rehabilitation of 106 Avenue between 117 Street and 109 Street. The reconstruction project presents an opportunity to facilitate design changes that are more compatible with the current use and operation.

Closure of this access will reduce the number of direct accesses to an arterial road in proximity to intersection and permit a safer operation. The current access does not meet the City's Access Management Guidelines. The access location is in proximity to the existing access to the east. There is an existing alley on the east side which can

also be used to access the property. The separation distance between the two existing accesses to 106 Avenue is not sufficient to allow this access to be maintained.

The property owner has agreed to this access closure.

## Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a Safe City			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Vision zero (Zero fatalities and Major Injuries in Edmonton)	Vehicle collision Rate (Collisions per 1,000 population), as of February 2018	16.1 (Feb 2018)	Less than 13.5 by Dec 2020

## 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	1 - rare	1 - minor	1 - low	Current design identifies removal of access, eliminating conflict	If access is not closed now, it would be reviewed through future development permit and the developer could be required to remove access at that time

## Public Engagement

The property owner was contacted regarding the access closure proposal in March 2018. Further conversations occurred to discuss the rationale for the closure. The owner has agreed to the closure.

### Legal Implications

- The proposed access closure must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
- Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means of access to or from a controlled street by passing a bylaw.
- 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.
- 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*.

### Justification of Recommendation:

Bylaw 18400 will advance the outcomes of the 106 Avenue Road Rehabilitation Project between 117 Street and 109 Street . As part of the 106 Avenue rehabilitation, there is an opportunity to adjust and reduce conflict points between road users and remove redundant accesses along the corridor in accordance with the City's Access Management Guidelines. Closing the access provides a safer environment for pedestrian and drivers. An alternate access exists on the east side of the property.

### Attachments

1. Bylaw 18400
2. Proposed Access Closure Plan

### Others Reviewing this Report

- S. Padbury / R. Kits, Acting Deputy City Managers, Financial and Corporate Services
- C. Campbell, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- L. McCarthy, Deputy City Manager, Urban Form and Corporate Strategic Development