

Bylaw 18401

Access closure to titled parcel at 10540 - 112 Street NW

Purpose

To close two of three existing vehicular accesses to 106 Avenue NW from a titled parcel located at 10540 - 112 Street NW. These accesses are currently not in use. The third existing access to 106 Avenue will be reconstructed as part of the roadway rehabilitation work. Additional accesses to the parcel are also available from 113 Street and 112 Street.

Readings

Bylaw 18401 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 18401 was forwarded to City Council for the appropriate readings.

Report Summary

This report requests City Council's approval of Bylaw 18401.

Report

Bylaw 18401 proposes to remove two existing, but unused vehicular accesses from a titled parcel, legally described as Lot A, Block 12, Plan B4, to 106 Avenue in support of the rehabilitation of 106 Avenue between 116 Street and 109 Street.

The right-in/right-out accesses in question are located along the south side of 106 Avenue approximately 40 metres east of 112 Street. Currently, the accesses are fenced off. The third access to 106 Avenue will be reconstructed.

Closure of these accesses will remove existing direct accesses in proximity to an existing intersection and will thereby improve the level of safety for all users. The current accesses do not meet the City's Access Management Guidelines. Alternate accesses to the parcel are available from 112 Street and 113 Street.

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 any future re-development permit and the developer could be required to remove access at that time

Public Engagement

Administration first notified the property owner of the project in March 2018. Through further discussion, the owner's representative was advised of the proposed access closure. In April 2018 and May 2018, additional follow up was completed with the property owner to confirm that there was no objection to the access closure. The owner does not object 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 to 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 18401 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 two (2) accesses provides an enhanced environment for pedestrian and drivers. Currently, the subject accesses are not in use.

Attachments

1. Bylaw 18401
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