

Bylaw 18418

Access closure to titled parcel at 10210 - 115 Avenue NW

Recommendation

That Urban Planning Committee recommend to City Council:

That Bylaw 18418 be given the appropriate readings.

Purpose

To close vehicular access to 115 Avenue NW from a titled parcel at 10210 115 Avenue NW. This closure will support the reclamation of 115 Avenue from a road to park space. Three alternate accesses to the property are available along 102 Street NW.

Readings

Bylaw 18418 is ready for three readings.

Bylaw 18418 is authorized under Section 28 of the *Highways Development and Protection Act*. A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 18418 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This report requests City Council’s approval of Bylaw 18418.

Report

Bylaw 18418 proposes to remove an existing vehicular access from a titled parcel, legally described as Lot 1, Block 2C, Plan 6134HW, to 115 Avenue NW in support of the Spruce Avenue Neighbourhood Renewal Project. The project involves the reconstruction of neighbourhood roadways, including replacement of sidewalks, curbs

and gutters, and presents an opportunity to facilitate design changes that will improve vehicle and pedestrian safety.

The Spruce Avenue Neighbourhood Renewal Project also includes the road closure of 115 Avenue, between 102 Street and 103 Street. The access in question is required to be closed in order to support the reclamation of the roadway into park space as outlined in the Spruce Avenue Park Master Plan (2007). The Master Plan identified a road closure, access closures and removal of the road bed, and replacement with turf, walkways, and plantings. The removal of the roadway will create a contiguous parkspace and improve pedestrian access to the recently constructed playground.

Currently, the access is in use; however, Administration is collaborating with adjacent property owners to arrange alternate access. Three alternate accesses are available along 102 Street NW.

The property owner supports the proposed 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)	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	2 - unlikely	3 - major	6 - low	Current design identifies removal of access, eliminating conflict and supporting the	If access is not closed now, the proposed 115 Avenue road closure may be delayed or not proceed.

					proposed 115 Avenue road closure.	
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Public Engagement

The Spruce Avenue Park Master Plan was developed in 2007. The Master Plan showed the closure and reclamation of the 115 Avenue roadway, as well as a new parking lot to the west of the Spruce Avenue community league building. The Master Plan was endorsed by the Spruce Avenue Community League, the community as a whole, and both school boards.

In order to progress the reclamation of 115 Avenue, the impacted property owner was asked if they supported the road access closure. The property owner supports the proposed access closure. The communications activities used to raise awareness of and promote the public engagement process included:

- Correspondence has occurred with the property owner since 2007.
- Direct meetings held with the property owner to discuss additional design considerations to reduce any impacts.
- Neighbourhood wide Spruce Avenue Neighbourhood Renewal meetings were held on September 27, 2016, April 5, 2017 and February 20, 2018.

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 18418 will advance the outcomes of the Spruce Avenue Neighbourhood Renewal Project. As part of the project, there is an opportunity to facilitate design changes that will improve vehicle and pedestrian safety. Closing the access supports

the 115 Avenue road reclamation to parkland, resulting in a safer environment for pedestrians and drivers. Currently the access is in use and Administration has provided alternate access along 102 Street for waste collection. This closure is supported by the property owner.

Attachment

1. Bylaw 18418

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, Acting Deputy City Manager, City Operations
- L. McCarthy, Deputy City Manager, Urban Form and Corporate Strategic Development