

BYLAW 20092

Access Closures to Support 2022 Roadway Construction

RECOMMENDATION

That Urban Planning Committee recommend to City Council:

That Bylaw 20092 be given the appropriate readings.

Purpose

To close vehicular accesses along 124 Street (Inglewood), and within Neighbourhood Renewal projects in the Alberta Avenue, Calder and Malmo Plains neighbourhoods. Each titled parcel of land is subject to a vehicular access closure and has one alternate access (alley access).

Readings

Bylaw 20092 is ready for three readings.

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 20092 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This report requests that the Urban Planning Committee recommend to City Council that Bylaw 20092 be given the appropriate readings.

REPORT

Bylaw 20092 proposes to remove existing vehicular access from the titled parcels listed below in support of the 124 Street Renewal project, and Neighbourhood Renewal projects in the Alberta Avenue, Calder and Malmo Plains neighbourhoods. These access closures will improve the pedestrian realm along 124 Street, 116 Avenue, 129 Avenue, and 115 Street by reducing conflict

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points with vehicles, improving pedestrian visibility, and maintaining a level walking surface. Each titled parcel noted in this report will maintain alley access.

Position of Landowners

# of titles parcels affected	Titled Parcel (Municipal address)	Legal Description	Description of access closures	Benefits associated with closure	Alternate Access	Property Owner concurrence with closure
2	11217 124 Street NW	Lots 17,18, Block 10, Plan 4517AE	Existing access to parking lot approximately 3.58m wide located on the east side of 124 Street.	This closure will enhance pedestrian accessibility and safety along 124 Street and reduce conflict with vehicle traffic.	This parcel currently has access from the alley.	Yes
2	11507 124 Street NW	Lot 18, 19, Block 27, Plan RN46	Existing access to parking lot approximately 4.72m wide located on the east side of 124 Street.	This closure will enhance pedestrian accessibility and safety along 124 Street and reduce conflict with vehicle traffic.	This parcel currently has access from the alley.	Yes
2	11615 124 Street NW	Lots 17,18, Block 34, Plan RN46	Existing access to parking lot approximately 4.80m wide located on the east side of 124 Street.	This closure will enhance pedestrian accessibility and safety along 124 Street and reduce conflict with vehicle traffic.	This parcel currently has access from the alley.	Yes
2	12320 116 Avenue NW	Lot 19, 20, Block 34, Plan RN46	Existing access to parking lot approximately 4.80m wide located on the east side of 124 Street.	This closure will enhance pedestrian accessibility and safety along 124 Street and reduce conflict with vehicle traffic.	This parcel currently has access from the alley.	Yes
1	11601 95 Street NW	Lot 1, Block 32, Plan RN43	Existing access to private driveway approximately 3.00m wide located on the north side of 116 Avenue.	This closure will enhance pedestrian accessibility and safety along 116 Avenue and reduce conflict with vehicle traffic.	This parcel currently has access from the alley immediately adjacent to the private driveway.	No Response
1	11939 129 Avenue NW	Lots G, H, I, J, Block 12, Plan 6480BA	Existing access to parking lot approximately 6.20m wide located on the south side of 129 Avenue	A new shared use path will be constructed along the south side of 129 Avenue, This closure will enhance accessibility and safety and reduce conflict with vehicle traffic.	This parcel currently has access from 120 Street.	Yes

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# of titles parcels affected	Titled Parcel (Municipal address)	Legal Description	Description of access closures	Benefits associated with closure	Alternate Access	Property Owner concurrence with closure
1	4719 115 Street NW	Lot 42 Block 7 Plan 5591MC	Existing access to private driveway approximately 4.0m wide located on the east side of 115 Street.	This closure will allow the construction of a raised crosswalk adjacent to a school and will enhance pedestrian accessibility and safety along 115 Street.	This parcel currently has access from 48 Avenue and the back alley.	Yes

COMMUNITY INSIGHTS

Various means of correspondence for these projects were carried out with the property owners from 2020 to 2022. The property owners were advised of the proposed access closures primarily through mail correspondence, with follow-up questions and feedback discussed directly with Project Managers through email, phone and on-site meetings if required. Each property owner provided their concurrence as reflected in the above table.

After discussing and reviewing each titled parcel access closure with the respective property owners, all parties are in favor of the prospective closures, with the exception of one owner in Alberta Avenue who has had no response after multiple attempts of correspondence.

124 Street

- Administration sent letters to property owners on August 12, 2020, notifying the property owners of the proposed access closures.
- Administration sent a proposed access closure response form to the property owners for review and signature.
- Administration received signed response forms from November 5, 2020 to May 5, 2021, confirming the property owners have no objections to the access closures.

Alberta Avenue

- Administration sent a letter to the property owner on July 29, 2021, notifying the property owner of the proposed access closure.
- Administration sent a proposed access closure response form to the property owner for review and signature.
- Administration attempted to contact the property owner in-person on March 30, 2022, at the property but was not met with a response.
- Administration sent a follow-up notice to the property owner via registered mail the week of April 11, 2022. To date, no response has been received from the property owner on any correspondence.

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Calder

- Administration sent a letter to the property owner on July 29, 2021, notifying the property owner of the proposed access closure at 11939 129 Avenue.
- Administration had additional discussions with the property owner via email and over the phone occurring between August 19, 2021 and March 21, 2022.
- Administration sent a proposed access closure response form to the property owner for review and signature.
- Administration received a signed response form on March 21, 2022, confirming the property owner has no objection to the access closure.

Malmo Plains

- Administration mailed the property owner in June 2021, notifying the property owner of the proposed access closure at 4719 115 Street.
- Administration engaged in additional discussions with the property owner via in-person between June 2021 to August 2021.
- Administration received an email on July 3, 2021, confirming that the property owner had an objection to the access closure.
- Administration engaged in additional discussion with the property owner in-person in April 2022 , and the property owner confirmed that they have no objections to the access closure.

Legal Implications

1. The proposed access closures 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 of 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*.

ATTACHMENT

1. Bylaw 20092

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor