

# Bylaw 18061

## Closure of a portion of road east of 127 Street NW and north of 142 Ave NW, Baranow

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### Purpose

This Bylaw proposes to close a portion of road east of 127 Street NW and north of 142 Ave NW.

### Readings

Bylaw 18061 is ready for three readings.

This Bylaw is authorized under the section 22 of the *Municipal Government 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 18061 be considered for third reading."

### Advertising and Signing

This Bylaw was advertised in the Edmonton Journal on Saturday, June 17, 2017, and Saturday, June 24, 2017. The Bylaw can be signed and thereby passed following third reading.

### Position of Administration

Administration supports this Bylaw.

### Previous Council/Committee Action

At the July 5, 2017, Urban Planning Committee meeting, Bylaw 18061 was forwarded to City Council for the appropriate readings.

### Report Summary

**Bylaw 18061 proposes to close a portion of undeveloped road right of way to be sold and consolidated with the abutting property.**

### Report

The purpose of the application is to close a portion of undeveloped road right-of-way located east of 127 Street NW and north of 142 Ave NW.

Once closed, the applicant intends to consolidate the road with the adjacent property

at 14203 – 127 Street NW (Lot 31, Block 39, Plan 0824 352), which is the lot immediately to the northeast. The applicant's stated intent is to expand their site area for their commercial business. No information regarding the proposed site expansion has been provided at this time.

The road right of way was deemed surplus to City needs and there are no outstanding technical concerns or requirements.

All comments from affected City Departments and utility agencies have been addressed.

### **Policy**

This Bylaw is in accordance with Section 22 of the *Municipal Government Act*.

### **Corporate Outcomes**

This report supports the corporate outcome "The City of Edmonton has sustainable and accessible infrastructure", as it removes surplus road right-of-way from City inventory for a more optimal use.

### **Risk Assessment**

<b>Risk Element</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Score</b>	<b>Current Mitigations</b>	<b>Potential Future Mitigations</b>
Financial	A delay in this road closure application could hinder the development of the site.	2 (low)	1 (low)	2 (low)	Agreement is satisfactory to Administration and the purchaser/land owner.	
Public Perception	Stakeholders who have expressed concerns/object-tions to the closure may feel that they were not listened to.	2 (low)	1 (low)	2 (low)	Interested parties can register to speak in support of, or against, an item on a Committee agenda.	

### **Public Engagement**

A notification letter was sent to 125 recipients and included surrounding property owners, the Carlisle Community League, the Castle Downs Recreation Society Area Council, and the Cumberland/Oxford Community League on August 29, 2016. Two citizens contacted Planning Coordination in response to this notice to gain information on the intended use of the closure area, and to voice concern about traffic congestion and safety along 142 Ave NW and 127 Street NW. Transportation Planning and Engineering responded to the concerned citizen that both 142 Ave and 127 Street NW have adequate capacity and safety for vehicular traffic at this point in time.

### **Legal Implications**

- The proposed road closure must be carried out in accordance with the *Municipal Government Act*.
- Section 22 of the *Municipal Government Act* provides that City Council may close a road by passing a bylaw.
- Section 23 of the *Municipal Government Act* provides that any person who occupies, owns or has an interest in land that sustains damages through the closing of a road by bylaw must be compensated for the damages. Any unresolved claims are to be determined by the Land Compensation Board.

### **Metrics, Targets and Outcomes**

<b>Metrics</b>	<b>Targets</b>	<b>Outcomes</b>
Generation of Property Sales Revenues - \$30.814M in 2016	\$45M in 2017	The City of Edmonton has a resilient financial position.
<ul style="list-style-type: none"><li>• Surplus land is removed from City Inventory</li><li>• Size of road closure area</li></ul>	n/a	City inventory is properly managed and surplus land sold.
Increased tax revenue from sales and development of land	n/a	Developable land is increased, contributing to the tax base.

### **Justification of Recommendation:**

Bylaw 18601 is in accordance with the *Municipal Government Act* and the road right-of-way has been deemed surplus to City needs.

### **Attachments**

1. Bylaw 18061
2. Proposed Road Closure Area

### **Others Reviewing this Report**

- T. Burge, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- A. Laughlin, Deputy City Manager, Integrated Infrastructure Services
- R. Smyth, Deputy City Manager, Citizen Services
- C. Campbell, Deputy City Manager, Communications and Engagement
- D. Jones, Deputy City Manager, City Operations