

Bylaw 20345

To close a portion of road, Downtown

Purpose

To close the traffic lane within 102 Avenue, between 103 and 99 Street, for a period of one year.

Readings

Bylaw 20345 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Bylaw 20345 be considered for third reading.”

Advertising and Signing

This Bylaw was advertised in the Edmonton Journal on February 3, 2023, and February 11, 2023. The Bylaw can be passed following third reading.

Position of Administration

Administration does not support this Bylaw.

Previous Council/Committee Action

At the June 7, 2022, City Council meeting, the following motion was passed:

That Administration implement a pilot, as soon as possible, of the full closure of the traffic lane on 102 Avenue between 99 Street to 103 Street for the purpose of establishing a pedestrian-friendly corridor and that Administration prepare a road closure bylaw for the full closure of the traffic lane on 102 Avenue between 99 Street to 103 Street for a one year pilot, and work with the Downtown Business Association and stakeholders to utilize Downtown Vibrancy funding for activation.

Report Summary

The purpose of Bylaw 20345 is to satisfy one component of City Council’s motion by proposing to close the traffic lane within 102 Avenue, between 103 to 99 Street, for a period of one year. If approved, the attached bylaw will expire one year from the date it receives third reading. The closure area will remain open for pedestrians.

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REPORT

Though the proposal will allow for the further pedestrianization of this portion of 102 Avenue, notable constraints associated with this proposed closure area include:

- Active Edges and Streetscape Activity - Surrounding land uses are not conducive to creating a vibrant pedestrian corridor
- Design - The closure area is separated from sidewalks on the north and south side, which may cause confusion due to non-intuitive allocation of pedestrian space
- Local Access - Nearby roadway/intersection may experience capacity and operational challenges, including wayfinding issues
- Safety - New pedestrian crossing control challenges at intersections and increased potential for jaywalking across the bike lane or light rail transit (LRT) tracks

Administration will work with the Downtown Business Association and stakeholders to develop a project for activation and submit an application for Downtown Vibrancy funding, which is subject to approval of the Core Partners Committee.

Current Status of Traffic Lane

The cycle track along 102 Avenue was officially opened on July 21, 2022; however, the eastbound traffic lane from 103 Street to 99 Street remained closed. Administration authorized a temporary traffic lane closure to allow for programming of the space and placement of street furniture as deemed appropriate. The delay in the Valley Line Southeast LRT opening, coupled with ongoing deficiency repairs along 102 Avenue, resulted in temporary roadway barricades remaining along the corridor with no placement of street furnishings.

The closure area is considerably constrained as it is bound on the north by the LRT and the south by the cycle track. The available space is approximately three metres for the majority of the corridor, with a few areas such as between 102 Street and 103 Street where the width increases to 7.3 metres and just east of 101 Street where the width is 4.5 metres.

Space Activation

Interest from community stakeholders to activate the space has been limited and there have been no formal events or activations of any kind as of January 2023. While formal engagement has not occurred, anecdotal feedback indicates the lack of front-facing businesses has made it difficult to activate the space and that will continue until that significantly changes. Feedback also indicated that the closure has contributed to less desirable activities and that opening this space for vehicle traffic would contribute to vibrancy and support businesses more significantly.

Downtown Vibrancy Strategy implementation relies on collaboration and partnership with community stakeholders with a vested interest in the future of downtown, including the Core Partners Committee which consists of Administration and community stakeholders, such as the Downtown Business Association, Downtown Edmonton Community League, National Association for Industrial and Office Parks (NAIOP) and Explore Edmonton. The Committee evaluates funding applications and awards Downtown Vibrancy funding. Their feedback is invaluable as

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Administration continues to develop creative solutions to activate spaces and increase foot traffic, which contributes to both the vibrancy and safety of downtown.

Road Closure Impacts to Valley Line Stage 1 LRT

TransEd Partners General Partnership (“TransEd”), the Valley Line Stage 1 LRT contractor, is responsible under the project agreement for the construction, including testing and commissioning, as well as ongoing repair and maintenance (including snow removal) of 102 Avenue from 102 Street to 96 Street. TransEd is, therefore, interested in the type of activities and/or the placement of permanent or semi-permanent features along the roadway, any potential impact to both the continuing construction and testing, as well as the operations and maintenance. Changes to this area, which impacts TransEd’s ongoing construction and testing or future operations and maintenance, including changes that impact the speed at which vehicles could operate on the track, may have contract implications, which would be the responsibility of the City.

Further, TransEd and local utility companies were expecting that the travel lane would be available for occasional use by service vehicles. Should the road closure pilot be extended or become permanent, mechanisms would need to be in place to ensure this access can be made available when required.

Potential City Actions in 2023 During the Pilot Period

Should City Council approve this Bylaw, the eastbound travel lane would remain closed to vehicle traffic until the end of 2023. The existing temporary barricades would remain with some being replaced with flexible posts or semi-permanent concrete barriers or planters. The placement of any semi-permanent devices would be done to ensure they do not impede service or emergency access.

There is no funding in place for the placement of street furniture or other physical modifications. Downtown Vibrancy Strategy funding has evolved from a COVID-19 recovery lens to a more strategic, impactful and sustainable approach that is more focused on longer term and strategic investments, which does not strongly align with this temporary pilot. Should City Council wish to allocate funds towards this pilot, Administration suggests that an appropriate Service Package be brought forward for consideration.

Technical Considerations with a Potential Pilot Period

In addition to the stakeholder feedback noted in the Community Insights Section, there are technical considerations with the design and operation of the ongoing closure of the eastbound traffic lane. The layout and physical space available for programming is extremely limited and does not provide an area of sufficient size to provide an attractive programming environment. A more effective design that would provide a larger programming area for pedestrians would involve shifting the cycle track north to be directly adjacent to the LRT track. This would create a large contiguous pedestrian realm on the south side of the avenue. Such a change would require considerable permanent modifications to the signing, signaling and pavement currently in place for the cycle track and roadway. The impact of a potential permanent closure of 102 Avenue west

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of 103 Street would also need to be reviewed as it would require design changes to the Valley Line West project. There is no budget in place for the design or implementation for such changes.

LEGAL IMPLICATIONS

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. If the municipality and the claimant do not agree on the amount of compensation, the compensation must be determined by the Land and Property Rights Tribunal.

COMMUNITY INSIGHTS

Advance Notice was sent to surrounding property owners, the president of the Downtown Community League and the Edmonton Downtown Business Association on October 6, 2022. Five responses in opposition were received and are summarized below:

- Adjacent laneways have become unsafe due to vehicles rerouting to avoid closed portions of 102 Avenue. This proposed closure will prolong this issue.
- The decline in foot traffic and business activity in this area has contributed to an unsafe environment. Keeping the lane open to vehicles would create more natural surveillance and likely improve safety with more eyes on the area.
- With the further delay of the LRT, timing for this pilot is not ideal.

The engagement undertaken for this Bylaw was associated with the road closure component of Council's motion only. Should Council support this Bylaw, additional engagement will be undertaken with downtown stakeholders in pursuit of activating the closure area.

ATTACHMENTS

1. Bylaw 20345
2. Aerial Map

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor