

Bylaw 17985

Closure of a portion of Road Right-of-Way, 19th Avenue, west of 102 Street

Purpose

This Bylaw proposes to close a portion of the 19 avenue road right-of-way, west of 102 Street.

Readings

Bylaw 17985 is ready for three readings.

This Bylaw is authorized under 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 17985 be considered for third reading."

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Wednesday, April 19, 2017, and Tuesday April 25, 2017. The Bylaw can be signed and thereby passed following third reading.

Administration

Administration supports this Bylaw.

Report Summary

Bylaw 17985 proposes to close a portion of the 19 Avenue road right-of way, to be sold and consolidated with the privately owned parcel to the north.

Previous Council/Committee Action

At the May 3, 2017, Urban Planning Committee meeting, Bylaw 17985 was forwarded to City Council for the appropriate readings.

Report

This road closure is being pursued to fulfill an existing agreement with the purchaser, the owner of the abutting parcel, from when the road right-of-way was initially assembled by the City of Edmonton that outlines that if the road right-of-way was deemed surplus, it would be offered back to the owner. Once approved, the closure

area will be consolidated with the abutting parcel to the north.

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

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 enables the City to optimize public infrastructure and utilizes the road closure process to transform surplus land into productive use.

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score	Current Mitigations	Potential Future Mitigations
Financial	Road Closure is not approved. The purchaser will have to be compensated in another form to fulfill previous agreement.	1 - Rare	3 - Major	3 - Low	Agreement is satisfactory to Administration and the purchaser/land owner.	

Public Notification

A notification letter was sent to surrounding property owners on October 17, 2016. No responses were received.

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

Metrics	Targets	Outcomes
Generation of Property Sales Revenues - \$30.814M in 2016	\$45M in 2017	The City of Edmonton has a resilient financial position
Surplus land is removed from City Inventory	n/a	City inventory is properly managed and surplus land sold
Increased tax revenue from sale and development of land	n/a	Developable land is increased, contributing to the tax base

Justification of Recommendation:

Bylaw 17985 is in accordance with the Municipal Government Act and the right-of-way has been deemed surplus to City needs.

Attachments

1. Bylaw 17985
2. Proposed Road Closure Area

Others Reviewing this Report

- T. Burge, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services