

## Bylaw 17985

### Closure of a portion of Road Right-of-Way, 19<sup>th</sup> Avenue, west of 102 Street

---

**Recommendation:**

That Urban Planning Committee recommend to City Council:

That Bylaw 17985 be given the appropriate readings.

**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.

**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**

<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	<b>Road Closure is not approved.</b> 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**

<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
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