

Bylaw 17888

Closure of a Portion of Road Right-of-Way Adjacent to 12418 - 102 Avenue NW, Westmount

Recommendation:

That Urban Planning Committee recommend to City Council:
That Bylaw 17888 be given the appropriate readings.

Purpose

This Bylaw proposes to close a portion of the undeveloped road right-of-way north of 102 Avenue and east of 125 Street.

Readings

Bylaw 17888 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 17888 be considered for third reading.”

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, April 21, 2017, and Thursday, April 27, 2017. The Bylaw can be signed and thereby passed following third reading.

Position of Administration

Administration supports this Bylaw.

Report Summary

Bylaw 17888 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 north of 102 Avenue and east of 125 Street.

The intent is to consolidate the area with adjacent properties to the north and south, which are owned by the same person, who is the applicant.

The road right-of-way has been deemed surplus to City needs and there are no outstanding technical concerns or requirements. An identified mature elm tree on site has been valued and will be preserved through conditions in the Sales Agreement.

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” by optimizing infrastructure and removing surplus road right-of-way from City inventory.

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score	Current Mitigations	Potential Future Mitigations
Public perception	Road closure is approved. Stakeholders who have expressed concerns/objections to the closure may feel they were not listened to.	2 - Unlikely	1 - Minor	2 - Low	Interested parties can register to speak in support of, or against, an item on a Committee agenda.	

Public Notification

A notification letter was sent to surrounding property owners on December 21, 2015. Several residents contacted Planning Coordination in response to this notice to gain information on the intended use of the closure area, and to object to the closure if it is to be used for parking.

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 17888 is in accordance with the *Municipal Government Act* and the right-of-way has been deemed surplus to City needs.

Attachments

1. Bylaw 17888
2. Proposed Closure Area

Others Reviewing this Report

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