

## Bylaw 17976

### Closure of vehicular access to titled parcel at 10350 - 61 Avenue NW, from 61 Avenue NW, Access #3

#### Recommendation:

That Urban Planning Committee recommend to City Council:

That Bylaw 17976 be given the appropriate readings.

#### Purpose

Bylaw 17976 is to close vehicular access to 61 Avenue NW from a titled parcel located at 10350 61 Avenue NW. Alternate access to the parcel is available.

#### Readings

Bylaw 17976 is ready for three readings.

This Bylaw is authorized under Section 28 of the *Highways Development and Protection 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 17976 be considered for third reading.”

#### Advertising and Signing

Advertising is not required for this Bylaw.

#### Position of Administration

Administration supports this Bylaw.

#### Report Summary

**Bylaw 17976 is to close vehicular access to 61 Avenue NW from a titled parcel located at 10350 61 Avenue NW. Alternate access to the parcel is available.**

#### Report

Bylaw 17976 proposes to remove the existing vehicular access from a titled parcel, legally described as Plan 4663NY, Block 79A, Lot 12A, to 61 Avenue NW in support of the 61 Avenue Rehabilitation project. The rehabilitation project presents an opportunity to facilitate design changes that will improve vehicle and pedestrian safety.

The proposed access closure is located on the north side of 61 Avenue. The existing access does not provide safe and orderly access consistent with the operational requirements of public roads. Alternate access to the subject parcel is available from 61 Avenue.

**Policy**

*The Way We Grow*, Municipal Development Plan:

- 3.5.2.1 Support neighbourhood revitalization that contributes to the livability and adaptability of mature neighbourhoods.
- 5.7.1 Ensure that streets, sidewalks and boulevards are designed to perform their diverse roles and to enable safe access for all users.

*The Way We Move*, Transportation Master Plan:

- 4.1 The City will integrate land use planning and transportation decisions to create an accessible, efficient and compact urban form
- 4.3 Community Building, Transportation Mobility and Access.
- 6.1 The City will create a walkable environment.
- 7.3 e. Undertaking roadway and intersection improvement projects to address safety concerns, transit priority or good and services movement.

**Corporate Outcomes**

The closure of the access and addition of a sidewalk will improve pedestrian safety by removing conflict points with vehicles. This supports the following corporate outcomes:

- Edmonton has sustainable infrastructure that fosters and supports civic and community needs'
- The transportation system is integrated, safe and gives citizen choice to their mode of movement and
- Citizens use public transit and active modes of transportation.

**Risk Assessment**

Risk Element	Risk Description	Likelihood	Impact	Risk Score	Current Mitigations	Potential Future Mitigations
Customers/ Citizens	Property owner redevelops property and requires original accesses	2 - Unlikely	1 - Minor	2 - Low	Application for redevelopment will limit accesses and locations, as per Access Management Guidelines	N/A

### Public Engagement

- A letter was sent through registered mail to the property owner on November 10, 2016, which included project background information, justification for the access closure and City contact information for any questions and/or concerns.
- No response was received from the property owner.
- It is unknown if the property owner is in support of the subject access closures.

### Legal Implications

- The proposed access closure must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
- Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means of access to or from a controlled street by passing a bylaw.
- The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
- Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

### Metrics, Targets and Outcomes

Metrics	Targets	Outcomes
Aligning with current access management guidelines	Access management guidelines require an access to be the junction of a private driveway and a public road	The closure will remove an unusable access and improve the safety of the roadway for drivers and pedestrians

#### Justification of Recommendation:

Bylaw 17976 will advance the outcomes of the 61 Avenue Rehabilitation project. Current access does not meet the City's Access Management Guidelines requirements. Closing the access provides a safer environment for pedestrians and drivers parking on the roadway.

**Attachment**

1. Bylaw 17976

**Others Reviewing this Report**

- T. Burge, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- R. G. Klassen, Deputy City Manager, Sustainable Development