

BYLAW 20427

Closure of Vehicular Access to Titled Parcel for Capital Line South Extension

RECOMMENDATION

That Executive Committee recommend to City Council:

That Bylaw 20427 be given the appropriate readings.

Purpose

The closure of vehicular access of the titled parcel is in support of the Capital Line South Extension (CLSE) LRT Project. This closure is outlined in detail in the attachments to this report.

Readings

Bylaw 20427 is ready for three readings

Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

Position of Administration

Administration supports this Bylaw.

Report Summary

This report requests City Council's approval of Bylaw 20427, which is for the closure of vehicle access to a titled parcel along the Capital Line South Extension LRT corridor.

REPORT

Bylaw 20427 proposed to remove vehicular access from the privately owned titled parcel listed in Attachment 1 in support of the Capital Line South Extension LRT project.

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Construction of the Capital Line South Extension LRT will transform some major roadways in South Edmonton to make room for the LRT. The access closure is necessary to reconfigure roads, add an LRT Station within the right of way, and ensure the safety of pedestrians, drivers, cyclists, and transit users.

The title parcel currently contains a gas station and car wash with accesses from 111 Street to the east and 9 Avenue to the south. After the closure, the site will be accessed from 9 Avenue.

The timing for the physical closure of the access will be determined once a contractor for the project is selected and construction schedules are finalized. Alternate access details or future use for each title are shown on the table in Attachment 1.

COMMUNITY INSIGHTS

Since May 2022, Administration has initiated communication and engaged with the property owner representatives regarding the required access closure. Communication efforts included phone calls, emails, information sharing, formal letter to owner and lessee, and requests for contacts to consider next steps (site modification design and construction coordination). To date, there has been limited feedback from the owner regarding the access closure.

Legal Implications

1. The proposed access closure must be carried out in accordance with the Alberta *Highways Development and Protection Act*.
2. Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means to access to or from a controlled street by passing a bylaw.
3. 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.
4. Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29 of the *Highways Development and Protection Act*.

ATTACHMENTS

1. Titled Parcel - Bylaw 20427
2. Bylaw 20427 - Closure of Vehicular Access to Titled Parcel for Capital Line South Extension

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor