

# Bylaw 18807

## Access closure to titled parcel at 8550 Yellowhead Trail NW

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### Recommendation

That Urban Planning Committee recommend to City Council:

That Bylaw 18807 be given the appropriate readings.

### Purpose

To close vehicular access to 85 Street from a titled parcel at 8550 Yellowhead Trail NW. Excluding the additional access to the parcels recommended for closure through CR\_7016 Bylaw 18807, there are three alternative accesses to the parcel available.

### Readings

Bylaw 18807 is ready for three readings.

### Advertising and Signing

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

### Position of Administration

Administration supports this Bylaw.

### Report Summary

This report requests City Council's approval of Bylaw 18807.

### Report

Bylaw 18807 proposes to remove an existing vehicular access from a titled parcel, legally described as Lot 14, Block 59A, Plan 1822805 to 85 Street. As part of the Yellowhead Trail Freeway Conversion Program which includes the removal of the 89 Street intersection to Yellowhead Trail, modifications are required along 125A Avenue to accommodate the movement of large trucks within the Delton Business Area. Curb alignment modifications to improve cornering maneuverability at the northwest corner of 85 Street and 125A Avenue place the existing access too close to the intersection.

Bylaw 18807 will advance the outcomes of the 125A Avenue project between 97 Street and 82 Street and the removal of the signalized intersection at 89 Street and Yellowhead Trail. Closing the access provides a safer environment for vehicles. Alternative accesses to the property do exist. . The property owner does not object to the proposed access closure.

**Corporate Outcomes and Performance Management**

<b>Corporate Outcome(s):</b> Goods & services move efficiently			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Goods & services move efficiently	Travel time and reliability for goods and services movement	10:09 - 50% of time 13:35 - 85% of time (2017)	12:30 - 50% of time 16:00 - 85% of time % (2018)

**Risk Assessment**

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Liability - closure not approved	Potential pedestrian and vehicle conflicts within the road right of way if access remains	1 - rare	1 - minor	1 - low	Current design identifies removal of access eliminating conflict	If access is not closed now, it would be reviewed through any future development permit and the developer could be required to remove access at that time

**Public Engagement**

Administration engaged with the property owner during a land exchange to facilitate the road right of way requirements and change in access.

**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.
- Provide 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*.

### **Attachments**

1. Bylaw 18807- Access closure to titled parcel at 8550 Yellowhead Trail NW

### **Others Reviewing this Report**

- G. Cebryk, Deputy City Manager, City Operations
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor