

Bylaw 18788 - Revision to Bylaw 18380, Closure of a Portion of Road Right-of-way West of Meridian Street and North of 69 Avenue, Adjacent to 104-69 Avenue, Maple Ridge Industrial

Purpose

To correct a typographical error in the legal description of the closed road in Bylaw 18380 and to correct a typographical error in the municipal description of the lands adjacent to the closed road in the title of Bylaw 18380.

Readings

Bylaw 18788 is ready for three readings.

A majority vote of Council on all three readings is required for passage of Bylaw 18788.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 18788 be considered for third reading."

Advertising, Public Hearing and Signing

Bylaw 18788 does not require advertising or a public hearing as the revisions proposed are non-substantive in nature. Bylaw 18788 can be signed and thereby passed following third reading.

Position of Administration

Administration supports this Bylaw.

Report Summary

Bylaw 18380 (Attachment 1) closed a portion of road right of way (located west of Meridian Street and North of 69 Avenue), to consolidate with the adjacent westerly parcel (6910 Meridian Street) and facilitate the development of Industrial Business uses. Since Bylaw 18380 was passed, non-substantive revisions have been identified to correct typographical errors regarding the legal description of the road closure lands in Attachment 1 to Bylaw 18380 and to correct the municipal description of the lands adjacent to the road closure lands in the title of Bylaw 18380 (see Attachment 2 for more information).

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Report

Bylaw 18380 closed a portion of road right of way (located west of Meridian Street and North of 69 Avenue). The purpose of the road closure was to facilitate the sale of the closed road to 7707 Investments Ltd. and consolidate it with the adjacent westerly parcel (6910 Meridian Street). Future development of the consolidated site under current zoning will allow for Industrial Business uses, in conformance with the Maple Ridge Industrial Area Structure Plan.

Bylaw 18380 was submitted to the Land Titles Office for the purposes of registration and issuance of a certificate of title for the road closure land. In January 2019, the Land Titles Office informed Administration that it had rejected the registration request for Bylaw 18380 because it did not include the correct legal description for the road closure land.

Administration has determined that as a result of a typographical error on the road closure survey, there is a need for non-substantive revisions to Bylaw 18380. Administration has also determined that a non-substantive revision is required for the title of Bylaw 18380. The reference to 104-69 Avenue in the title of Bylaw 18380 should be replaced with 6910 Meridian Street, which is the correct municipal address for the lands adjacent to the road closure lands.

Corporate Outcomes and Performance Management

Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure			
Outcome(s)	Measure(s)	Result(s)	Target(s)
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' Assessment: Access to Amenities and Services that Improve Quality of Life	To be determined	To be determined

Legal Implications

Due to amendments to the *Municipal Government Act* that came into force in 2017, there is a new process for making non-substantive changes to bylaws. Prior to the amendments, the City Manager could make minor revisions to bylaws, which were

subsequently adopted by Council by bylaw. The current process allows only City Council to make revisions to its bylaws, and such revisions must be done by bylaw. In addition, prior to the first reading of the revision bylaw, the City Manager must certify that the revisions were prepared in accordance with the *Municipal Government Act*. This certification is provided in Attachment 3.

Provisions of a revised bylaw that replace a previous bylaw, when they have the same effect, operate retrospectively as well as prospectively, and revisions made to bylaws using the prescribed process are deemed to have been made in accordance with all requirements, such as advertising and public hearings.

Once a bylaw is revised using this process, the title of the bylaw must include the words “revised bylaw”.

Attachments

1. Signed Bylaw 18380
2. Revision Bylaw 18788
3. City Manager Certification

Others Reviewing this Report

- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development