

Bylaw 18742

Access closure to titled parcels at 10576 - 101 Street NW, 10604 - 101 Street NW, 10524 - 106 Avenue NW

Purpose

The purpose of Bylaw 18742 is to close vehicular accesses to 106 Avenue NW from titled parcels located at 10604 - 101 Street NW, 10576 - 101 Street NW and 10524 - 106 Avenue NW.

Readings

Bylaw 18742 is ready for three readings.

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 18742 be considered for third reading.”

Advertising and Signing

Advertising is not required for this Bylaw.

Position of Administration

Administration supports this Bylaw.

Previous Council Committee Action

At the April 9, 2019, Urban Planning Committee meeting, Bylaw 18742 was forwarded to City Council for the appropriate readings.

Report Summary

This report requests City Council’s approval of Bylaw 18742.

Report

Bylaw 18742 recommends closing existing vehicular accesses from the titled parcels, legally described as:

- 1) Lot 263, Block 1, Plan B3 to 106 Avenue at 10576 - 101 Street NW,
- 2) Lot 262, Block 1, Plan B3 to 106 Avenue at 10604 - 101 Street NW,
- 3) and Lot 209, Block 5, Plan B3 to 106 Avenue at 10524 - 106 Street NW.

The access closures are required in advance of the reconstruction of 106 Avenue between 101 Street and 109 Street. This project presents an opportunity to facilitate design changes that are more compatible with the current land use and operation, and comply with the new City design standards and guidelines.

The right-in/right-out access for location 10576 - 101 Street NW is located along the south side of 106 Avenue approximately 6 metres west of 101 Street. Currently, the access is closed off by concrete barriers and is not in use. Alternate accesses to the property are available from 101 Street and the alley on 106 Avenue.

The right-in/right-out accesses for location 10604 - 101 Street NW are located along the north side of 106 Avenue, approximately 7 metres and 18 metres west of 101 Street. Alternate accesses to the property are available from 101 Street and the alley on 106 Avenue.

The access for location 10524 - 106 Avenue leads to an undeveloped lot and is currently not in use. The access is approximately 20 metres east of the 106 Avenue and 106 Street intersection. Alternate access location to this lot will be further determined and evaluated once re-development of this site occurs.

The existing accesses mentioned above do not meet the City's Access Management Guidelines. These closures will reduce the number of direct access points to a major arterial road in close proximity to intersections, improve traffic flow and enhance safety for all road users along the corridor.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is attractive and compact			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmonton is attractive and compact)	Edmontonians' assessment: well-designed attractive city	53% (2017)	55% (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 road right-of-way if the 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 re-development permit and the developer could be required to remove access at that time

Public Engagement

Administration initiated contact with the three property owners regarding the proposed access closures in October 2018. The two property owners at 10576 - 101 Street NW and 10604 - 101 Street NW, both provided written consent for the proposed access closures.

The notification letter mailed to the property owner at 10524 - 106 Avenue, using registered mail service, was not picked up. As a result, it was returned to the City of Edmonton. A second letter was mailed on February 22, 2019, also by registered mail, informing the property owner of the date this access closure bylaw report would be presented to Urban Planning Committee.

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*.

Attachments

1. Bylaw 18742

Others Reviewing this Report

- G. Cebryk, Deputy City Manager, City Operations
- R. Kits, Acting Deputy City Manager, Financial and Corporate Services
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- C. Owen, Deputy City Manager, Communications and Engagement
- R. Smyth, Deputy City Manager, Citizen Services
- B. Andriachuk, City Solicitor