

Proposed Closure of Right-of-Way – Portion of Lane 500 Block 8th Street East and 1100 Block Broadway Avenue – Buena Vista Neighbourhood

ISSUE

Administration requests approval to close a portion of lane adjacent to 1100, 1104, 1106, 1110 Broadway Avenue and 528 8th Street East. The closed portion of lane would then be sold and transferred to Saska Land Development Holdings Corp. (SLDHC). The portion of lane will be consolidated with adjacent properties owned by SLDHC to form one larger site for future development.

RECOMMENDATION

1. That City Council consider Bylaw No. 9882 - The Street Closing Bylaw, 2023 (No. 2);
2. That after closure, the former right-of-way be sold to Saska Land Development Holdings Corp. for \$125,000.00 + GST;
3. That all costs associated with closure be paid by the applicant, including Solicitor's fees and disbursements.

BACKGROUND

Acquiring the portion of lane was deemed necessary by the developer to fully develop the site. It will be consolidated with adjacent properties currently owned by the developer. The purpose of the consolidation is to accommodate a rezoning and development of a future mixed-use building on the site.

DISCUSSION/ANALYSIS

The following steps, in chronological order, have been completed as detailed in Table 1.

Table 1 – Proposed closure of right-of-way process summary

| Date | Action | Comments |
|---------------|---|---|
| July 2022 | Plan of Proposed Road Closure drawing is submitted. | Total area to be closed is 0.06 acres or approximately 232 square metres. |
| August 2022 | Review comments dated August 10, 2022 from Ministry of Highways. Ministry of Highways requires no compensation and does not object. | Webb Surveys initiated the circulation of the Plan of Proposed Closure drawing to Ministry of Highways, a required action under Section 13 of <i>The Cities Act</i> . |
| December 2022 | Proposed subdivision is approved by Planning and Development. | Subdivision No. 36/22 |
| April 2023 | Public Notice, Bylaw and City Council Report. | None. |

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To complete this transaction, the Administration requires that City Council approve Bylaw No. 9882 - The Street Closing Bylaw, 2023 (No. 2) (Appendix 1).

A dead-end situation will not be created.

Utility agencies have been contacted with respect to the closure. SaskEnergy and SaskTel require easements.

All property owners in this block were contacted with the proposal in July 2022. A map indicating all properties contacted is included as Appendix 2. Four property owners indicated preliminary opposition to the lane closure. Comments specific to the lane closure received from these property owners were concerns about an increase in vehicle traffic in the lane that would remain open. Other concerns were more specific to the potential impact of the development (increased traffic in the neighbourhood, more speeding vehicles, more noise, less available street parking, etc.).

Communication activities are included with the requirement for Public Notice. No other communication activities are required.

FINANCIAL IMPLICATIONS

If approved, the closure of the right-of-way will be sold for \$125,000.00 + GST to Saska Land Development Holdings Corp. These funds are put in the Dedicated Roadway Reserve as part of Bylaw No. 6774, The Capital Reserve Bylaw. The purpose of the Dedicated Roadway Reserve is as follows:

“The purpose of the Dedicated Roadway Reserve is to fund the purchase of property required for the construction or reconstruction of roadways in previously developed areas of the City.”

OTHER IMPLICATIONS

Public Notice is required for consideration of this matter, pursuant to Section 3 (subsection b) of Policy No. C01-021, The Public Notice Policy. The following notice was provided:

- Eighteen nearby property owners sent notification of the proposed closure on July 13, 2022;
- Eighteen nearby property owners were sent copies of the public notice advertising and the closure details including the date and time of Public Hearing meeting on April 4, 2023;
- Advertised in The StarPhoenix on April 15, 2023 and April 17, 2023 (Appendix 3);
- Posted on the City Hall Notice Board on April 14, 2023; and
- Posted on the City of Saskatoon website on April 14, 2023.

There are no social or environmental implications identified.

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APPENDICES

1. Bylaw No. 9882 - The Street Closing Bylaw, 2023 (No. 2)
2. Property Owners Mailed Proposal and Public Hearing Notice
3. Public Notice – Proposed Lane Closure 500 Block 8th Street East and 1100 Block Broadway Avenue

Report Approval

Written by: Chris Helt, Special Projects Manager, Transportation

Reviewed by: Jay Magus, Director of Transportation

Approved by: Terry Schmidt, General Manager, Transportation and Construction

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