

DATE OF MEETING November 4, 2024

AUTHORED BY NANCY SKEELS, ACTING MANAGER, REAL ESTATE

SUBJECT POTENTIAL ROAD CLOSURE AND LAND EXCHANGE – 2209 BOWEN ROAD

OVERVIEW

Purpose of Report

To obtain Council approval to close an unnamed lane adjacent to 2209 Bowen Road and obtain approval to enter into a Land Exchange Agreement with the owner of 2209 Bowen Road to dedicate a part of their property for road in exchange for the road closure area.

Recommendation

That:

1. Council authorize the road closure and disposition of an unnamed lane adjacent to 2209 Bowen Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement;
2. “Highway Closure and Dedication Removal Bylaw 2024 No. 7376” (to provide for highway closure and dedication removal of an unnamed lane adjacent to 2209 Bowen Road) pass first reading;
3. “Highway Closure and Dedication Removal Bylaw 2024 No. 7376” pass second reading; and
4. Council direct Staff to proceed with public notice for the closure and disposition of an unnamed lane adjacent to 2209 Bowen Road.

BACKGROUND

The Midtown Gateway Project (the “Project”) is an important capital works project which includes restoring a wetland area to a brownfield site and creating a revitalized neighbourhood gateway with a new transportation network. The Project will improve the safe flow of goods and people, add natural areas and walking trails, as well as improve public access to the many amenities of Beban Park. Construction of the Project is expected to be complete by summer 2025.

The Project requires improvements at the intersection of Bowen and Northfield Road. To facilitate a new crosswalk, bike lane and the signalized lights at the intersection, a portion of the 2209 Bowen Road (the “Property”) is required to be dedicated as road. The Property is located on the northwest corner of Bowen Road and Northfield Road, is zoned COR3 – Community Corridor and is 0.14ha (0.35 acres) in size. A Super Save Gas service station and convenience store has operated on the Property since the late 1990s.

The owners of the Property have agreed to enter into a land exchange agreement where the City will acquire a portion of the Property and in exchange the City will close a portion of an unnamed lane and will transfer it to the Owner for consolidation with the Property. The Owner

will also grant the City a statutory right-of-way agreement (“SRW”) for the waterline that is located within the proposed road closure area that services property at 2221 Bowen Road.

DISCUSSION

Road Closure and Land Exchange Proposal

Under the proposed Land Exchange, the City will receive 185m² from the Property and the Owner will receive 250.9m² from the City’s road right-of-way as shown on Attachment A. The market value of the road closure is \$152,000 and the portion of the owners Property and the granting the SRW to the City has a value of \$152,000. As the exchange in valuations are equal there is no compensation due to the owner or to the City.

Staff have reviewed the proposed road closure against all City standards and have confirmed that the unnamed lane road right-of-way adjacent to the Property is deemed to be surplus to City requirements.

Staff are seeking Council’s authorization for the Road Closure and Land Exchange Agreement and for Council to provide first and second reading to “Highway Closure and Dedication Removal Bylaw 2024 No. 7376”.

Next Steps

If Council provides first and second reading of “Highway Closure and Dedication Removal Bylaw 2024 No. 7376”, the next steps will occur:

1. a Notice of Disposition will be published, as required by Sections 40 and 94 of the *Community Charter*;
2. after publication of the Notice, Bylaw No. 7376 will be brought back to Council for their consideration of third reading; and
3. if Third Reading of Bylaw No. 7376 is passed, the Bylaw will be scheduled for Final Adoption at a forthcoming Council meeting. |

OPTIONS

1. That:

1. Council authorize the road closure and disposition of an unnamed lane adjacent to 2209 Bowen Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement;
2. “Highway Closure and Dedication Removal Bylaw 2024 No. 7376” (to provide for highway closure and dedication removal of an unnamed lane adjacent to 2209 Bowen Road) pass first reading;
3. “Highway Closure and Dedication Removal Bylaw 2024 No. 7376” pass second reading; and
4. Council direct Staff to proceed with public notice for the closure and disposition of an unnamed lane adjacent to 2209 Bowen Road.
 - The advantages of this option: The City will meet road dedication requirements that are part of the Project upgrades.
 - The disadvantages of this option: None identified.

- Financial Implications: The 2024-2028 Financial Plan will be amended to include the land exchange purchase. The City will be responsible for surveying, land title and legal costs estimated at \$40,000 which will be paid out of the 2024 Property Acquisition budget.
2. That Council deny the road closure and disposition of the unnamed lane adjacent to 2209 Bowen Road.
- The advantages of this option: None identified.
 - The disadvantages of this option: Should Council deny the road closure the City will not meet road dedication requirements that are part of the Project upgrades.
 - Financial Implications: Costs will be incurred to re-design the road works to exclude the road closure area. The amount of the cost is unknown. |

SUMMARY POINTS

- The Midtown Gateway Project (the “Project”) is an important capital works project which includes restoring a wetland area to a brownfield site and creating a revitalized neighbourhood gateway with a new transportation network.
- The Project requires improvements at the intersection of Bowen and Northfield Road. To facilitate a new crosswalk, bike lane and the signalized lights at the intersection, a portion of 2209 Bowen Road is required to be dedicated as road. The Owner has agreed to enter into a land exchange agreement where the City will acquire a portion of the Property and in exchange the City will close a portion of an unnamed lane and will transfer it to the Owner for consolidation with the Property.
- The proposed road closure (unnamed lane) is deemed to be surplus to City requirements.
- Staff are seeking Council’s authorization of the Road Closure and Land Exchange Agreement and for Council to provide first and second reading to “Highway Closure and Dedication Removal Bylaw 2024 No. 7376”.
- If Council provides first and second reading of the bylaw a Notice of Disposition will be published, and Bylaw No. 7376 will be brought back to Council for their consideration of third reading.

ATTACHMENTS:

ATTACHMENT A: Location Plan – Road Closure and Road Dedication
“Highway Closure and Dedication Removal Bylaw 2024 No. 7376”

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