

## University of Alberta - Right of Way Consent and Access Agreement Term Extension

### Recommendation:

That Amending Agreements extending the terms of two existing Right-of-Way Consent and Access Agreements issued to The Governors of the University of Alberta from ten years to the life of the utilidor structures as outlined in the March 23, 2016, City Operations report CR\_3335, be approved, and that such amendments be in form and content acceptable to the City Manager.

### Report Summary

This report requests that amendments be made to the two existing Right-of-Way Consent and Access Agreements issued to The Governors of the University of Alberta in respect to Utilidor Connections. The University of Alberta is seeking extension of a five year term with a five year renewal term to a term matching the lifetime of the utilidor structures. Administration is seeking approval of the proposed extension as it exceeds the authority provided to the City Manager pursuant to Section 12(a)(i) of Bylaw 12005, the City Administration Bylaw.

### Report

The University of Alberta has installed a series of utility corridors (utilidors) throughout their North Campus area. A utilidor structure is a concrete structure with a number of utilities placed within it. Most of these aforementioned corridors are within roadways under the University's ownership, control, and management, or under roadways owned by Alberta Health Services. Some of the corridors were constructed decades ago within City road rights-of-way and their existence has been known to the City for quite some time.

Redevelopment and expansion of the University's facilities has, over the past two years, necessitated the connection of the new buildings to the existing utilidor that was installed within the 114 Street road right-of-way, north of 87 Avenue. These extensions have been authorized by two Right-of-Way Consent and Access Agreements as required under the Regulation of Work and Equipment Installation on City Lands Bylaw 12846. The agreements commenced on September 5, 2013, and September 22, 2014, to connect the utilidors to the Physical Activity and Wellness Centre and the St. Joseph's College Women's Residence located on University lands on either side of 114 Street.

If these amendments are not approved these two agreements will be required to be renewed on a ten year term or less on an ongoing basis and therefore the University has asked that the terms of these two agreements be extended by amending agreement. Approving an extension of the terms to match the life of the utilidor structures will allow the University the certainty of maintaining utility connections to their buildings.

**Policy**

- City Administration Bylaw 12005
- Regulation of Work and Equipment Installation on City Lands Bylaw 12846

**Corporate Outcomes**

This report supports the corporate outcome of Edmonton having a globally competitive and entrepreneurial business climate. This is achieved through the City of Edmonton continuing our successful collaboration with the University of Alberta, allowing for redevelopment and sustained utility servicing associated with new facilities that supports the overall viability of this post secondary institution.

**Justification of Recommendation**

Both Administration and the University of Alberta support a term greater than ten years for the two Right-of-Way Consent and Access Agreements given the permanent nature of the utility connections. However, such amendments exceed City Administration's authority and require Committee approval to proceed.

**Others Reviewing this Report**

- T. Burge, Chief Financial Officer and Treasurer and General Manager, Financial & Corporate Services