

Amendment of the Highway Transfer Agreement

Recommendation:

That Transportation and Infrastructure Committee recommend to City Council:

That the amendment to the Highway Transfer Agreement between the City of Edmonton and the Province of Alberta, to capture the implementation of the final northeast leg of Anthony Henday Drive, be approved, and that the amending agreement be, in form and content, acceptable to the City Manager.

Report Summary

This report recommends that the existing Highway Transfer Agreement, between the City of Edmonton and the Province of Alberta, be amended to capture the implementation of the northeast leg of Anthony Henday Drive.

Report

- In March 2005, May 2008, and July 2010, Highway Transfer Agreements between the City and the Province were implemented to capture other legs of the Anthony Henday Drive. This Highway Transfer Agreement will capture the final leg.
- This Highway Transfer Agreement, between the City of Edmonton and the Province of Alberta, must be amended to accommodate the construction of the final northeast leg of the Anthony Henday Drive.
- This is the fourth amendment to this Agreement and the Province of

Alberta will assume responsibility for the remainder of Anthony Henday Drive within city limits including some sections of the penetrator highways and roads and road allowances within the Transportation Utility Corridor between Manning Drive and Highway 14.

- This amendment also transfers roads within the city that eventually link to the Anthony Henday Drive including portions of the Sherwood Park Freeway, Meridian Street, and 76 Avenue. Some of these roadways are transferred only for the duration of construction of Northeast Anthony Henday Drive and will be transferred back to the City of Edmonton after construction has been completed and right-of-way limits have been defined.
- The Province hopes to start construction in spring 2012 and complete in 2016.

Policy

The content of this report relates to the *Municipal Government Act*.

Legal Implications

- Under section 16(2) of the *Municipal Government Act*, the title to all roads in a city is vested in the city unless another Act or agreement provides otherwise. The Highway Transfer Agreement is the agreement contemplated by section 16(2) that will transfer legal title to these roads to the Province.
- Upon transfer of title, direction, control, and management of these roads, the Province will assume liability for the closure of these roads.

Justification of Recommendation

Approval of the Amendment to the Highway Transfer Agreement is required to formally transfer roads from the City of Edmonton to the Province of Alberta, for the construction by the Province of the final leg of Anthony Henday Drive.

Others Reviewing this Report

- D. H. Edey, General Manager,
Corporate Services