

10.3

Report to / Rapport au:

**Ottawa Public Library Board
Conseil d'administration de la Bibliothèque publique d'Ottawa**

September 9, 2025 / 9 septembre 2025

Submitted by / Soumis par:

Sonia Bebbington, Chief Librarian and Chief Executive Officer / Bibliothécaire en chef et Directrice générale

Contact Person / Personne ressource:

*Craig Ginther, Division Manager, Facility and Technology Services/ Directeur, Services des installations et des technologies
(613) 580-2424 x41490, Craig.Ginther@BiblioOttawaLibrary.ca*

File Number/Numéro du dossier: OPLB-2025-0909-10.3

SUBJECT: Easement Agreement of Purchase and Sale for Part of 3870 Old Richmond Road (Centennial branch)

OBJET: Convention de servitude pour l'achat et la vente d'une partie du 3870, chemin Old Richmond (succursale Centennial)

REPORT RECOMMENDATIONS

That the Ottawa Public Library (OPL) Board:

- 1. Receive the Easement Agreement of Purchase and Sale between the OPL Board and Hydro Ottawa Limited ("the Easement Agreement," Document 1), for a part of 3870 Old Richmond Road (Centennial branch) as further described in this report; and,**
- 2. Direct staff to forward the Easement Agreement to Ottawa City Council for Council's consent on September 24, 2025, and in anticipation of Council consent, for the Board to delegate authority to the OPL Chief Executive Officer (CEO) to enter into, negotiate, execute, and conclude the Easement Agreement and final documents required to complete this transaction.**

RECOMMANDATIONS DU RAPPORT

Que le Conseil d'administration de la Bibliothèque publique d'Ottawa (BPO) :

1. **Prene acte de la convention de servitude pour l'achat et la vente, entre lui et Hydro Ottawa limitée (« convention de servitude », document 1), d'une partie du 3870, chemin Old Richmond (succursale Centennial), telle que mentionnée dans le présent rapport;**
2. **Demande au personnel de transmettre cette convention au Conseil municipal d'Ottawa pour qu'il l'approuve le 24 septembre 2025 et, en prévision de cette approbation, délègue à la directrice générale de la BPO le pouvoir de conclure, de négocier, de faire appliquer et de résilier ladite convention et d'obtenir les documents finaux requis pour sa signature.**

BACKGROUND

The *Public Libraries Act, RSO 1990, c.P.44* (the *PLA*) provides the statutory framework for the management and control of a public library board. In accordance with section 20 of the *PLA*, the OPL Board retains accountability for the full range of decisions affecting the organization including the authority to make policies about the operations and services of the public library.

OPL Board Policy #002, *Delegation of Authority* (the "DOA Policy") outlines the authority of the Board and delegates authority to the CEO to approve general real property expenditures and agreements; however, the DOA Policy does not delegate the authority to the Board or the CEO to deal with the disposal of real property.

In accordance with section 19(1) of the *PLA*, a board requires consent of its appointing Council to:

- a. acquire land required for its purposes by purchase, lease, expropriation or otherwise;
- b. erect, add to or alter buildings;
- c. acquire or erect a building larger than is required for library purposes, and lease any surplus part of the building; and
- d. sell, lease or otherwise dispose of any land or building that is no longer required for the board's purposes.

An easement is the privilege of imposing a certain burden on an owner's land for the benefit of another party to use the land for a specific purpose. As an easement is an interest in land, it falls under section 19(1)(d) of the *PLA* and Council consent is required.

The purpose of this report is for the Board to receive a copy of the Easement Agreement of Purchase and Sale between the OPL Board and Hydro Ottawa Limited ("the Easement Agreement," Document 1), for part of 3870 Old Richmond Road (Centennial branch) and direct staff to forward the Easement Agreement to Ottawa City Council to seek Council's consent on September 24, 2025.

DISCUSSION

Based on the shared services arrangements with the City of Ottawa, as well as Council's authority over real estate matters as per the *PLA*, OPL works with Housing Solutions and Investment Services (HSIS) for real estate advisory services, along with the City's Legal Services department.

In 2021, OPL was approached by the City's Corporate Real Estate Office (CREO) regarding a request from Hydro Ottawa for a temporary easement at 3870 Old Richmond Road - the location of the Centennial branch - to install a concrete encased duct structure near the existing pole line towards Old Richmond Road, requiring access through OPL property. The work was completed in December 2021 with no interruption to branch operations, and a subsequent request was submitted for a permanent easement at this location.

In early 2025, staff in the former CREO (now HSIS), began to negotiate a permanent Easement Agreement at 3870 Old Richmond Road with Hydro Ottawa Limited.

HSIS subsequently provided OPL with draft documentation indicating Hydro Ottawa Limited would purchase an easement for a part of 3870 Old Richmond Road for the sum of \$25,000. As set out in the Easement Agreement of Purchase and Sale, the Easement Agreement must be approved by Ottawa City Council, in alignment with the *PLA*. As such, staff recommend that the OPL Board direct staff to forward the Easement Agreement to Ottawa City Council for consideration at the meeting of September 24, 2025 in order that Council delegate authority to the OPL CEO to sign the Agreement.

CONSULTATION

Consultation with the FF&R Standing Committee of the Board occurred, as well as with the City of Ottawa HSIS, Legal Services, and Financial Services. The Councillor for Ward 8, College Ward, Laine Johnson, was also advised.

ACCESSIBILITY IMPACTS

Ottawa Public Library complies with the *Accessibility for Ontarians with Disabilities Act, (2005)* in its operations. There are no accessibility impacts associated with this report.

BOARD PRIORITIES

This report aligns with OPL's value of integrity in ensuring transparent and accountable stewardship of public assets.

BUSINESS ANALYSIS IMPLICATIONS

There are no business analysis implications in approving the recommendations in this report.

FINANCIAL IMPLICATIONS

As noted in the report, the OPL Board will receive \$25,000.000 from Hydro Ottawa Limited for the Easement. Associated legal and professional services costs to OPL (including Title Search, Executive Certificates, and Application to Change Name-Owners) are available in existing 2025 operating budget funds.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

SUPPORTING DOCUMENTATION

Document 1 Easement Agreement of Purchase and Sale

DISPOSITION

With the Board's direction, staff will forward the Easement Agreement to City Council for approval and then work with City staff to execute the agreement and any other final documents required to complete this transaction.