Agenda - Council – June 22, 2011

Report - Standing Policy Committee on Property and Development – June 7, 2011

Item No. 13 Easement Agreement - Portion of Southwest Corner of Fermor Avenue and St. Mary's Road – Louis Riel School Division (St. Vital Ward)

STANDING COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That a permanent easement be granted within the portion of City-owned land located at the southwest corner of Fermor Avenue and St. Mary's Road in favour of the Louis Riel School Division, shown hatched and identified as "Fibre Optic Cable Easement" on Misc. Plan No. 14011.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Property and Development – June 7, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **To Obtain Council Approval to Grant a Permanent Easement Within a Portion of City Owned Land Located at the Southwest Corner of Fermor Avenue and St. Mary's Road – Louis Riel School Division**

Critical Path: **Standing Policy Committee on Property and Development**
Executive Policy Committee
Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Thorgrimson	D. Joshi	n/a	A Robinson Deputy CAO

RECOMMENDATIONS

1. That a permanent easement be granted within the portion of City-owned land located at the southwest corner of Fermor Avenue and St. Mary's Road in favour of the Louis Riel School Division, shown hatched and identified as "FIBRE OPTIC CABLE EASEMENT" on the attached Misc. Plan No. 14011.

2. That the Proper Officers of the City be authorized to do all things necessary to implement The intent of the foregoing.

REASON FOR THE REPORT

- Approval of at least two-thirds of the members of Council is required.
- The Planning, Property and Development Department intends to grant the Louis Riel School Division a permanent easement within that portion of Harry Paul Park shown hatched and identified on the attached Misc. Plan as "FIBRE OPTIC CABLE EASEMENT" for the one-time sum of $2,700.

IMPLICATIONS OF THE RECOMMENDATIONS

- There are no regulatory or human resources implications associated with this report.
- The City's standard terms and conditions of easement include provisions to protect the City's interests and ensure that any damages caused by installation and maintenance of utilities in the easement area are borne by the Louis Riel School Division.
- There are no direct financial implications associated with this recommendation.

HISTORY

- In March, 2011, the Public Service was approached by representatives of the Louis Riel School Division who requested an easement within the Harry Paul Park. The easement within the park was requested to facilitate a proposed fibre optic cable pathway which is to be contained within the public lane adjoining Harry Paul Park and continuing through the park and across Fermor Avenue.
- The proposed easement request was circulated with all City Departments with no objections being received.
- The easement agreement entered into will provide that the Louis Riel School Division will be responsible for repairing any damages caused to the park by installation or maintenance of the fibre optic cable.

FINANCIAL IMPACT

Financial Impact Statement **Date:** May 25, 2011

Project Name: **First Year of Program** **2011**

Permanent Easement Within a Portion of City Owned Land Located at the Southwest Corner of Fermor Avenue and St. Mary's Road – Louis Riel School Division

	2011	2012	2013	2014	2015
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	2,700	-	-	-	-
Net Cost/(Benefit)	$ (2,700)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(2,700)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Revenues consist of a one-time fee of $2,700 for the subject easement.

"Original signed by"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development Department
Division	Real Estate
Prepared by:	Elliott Hannam
Date:	May 26, 2011
File No.	(58) 4254

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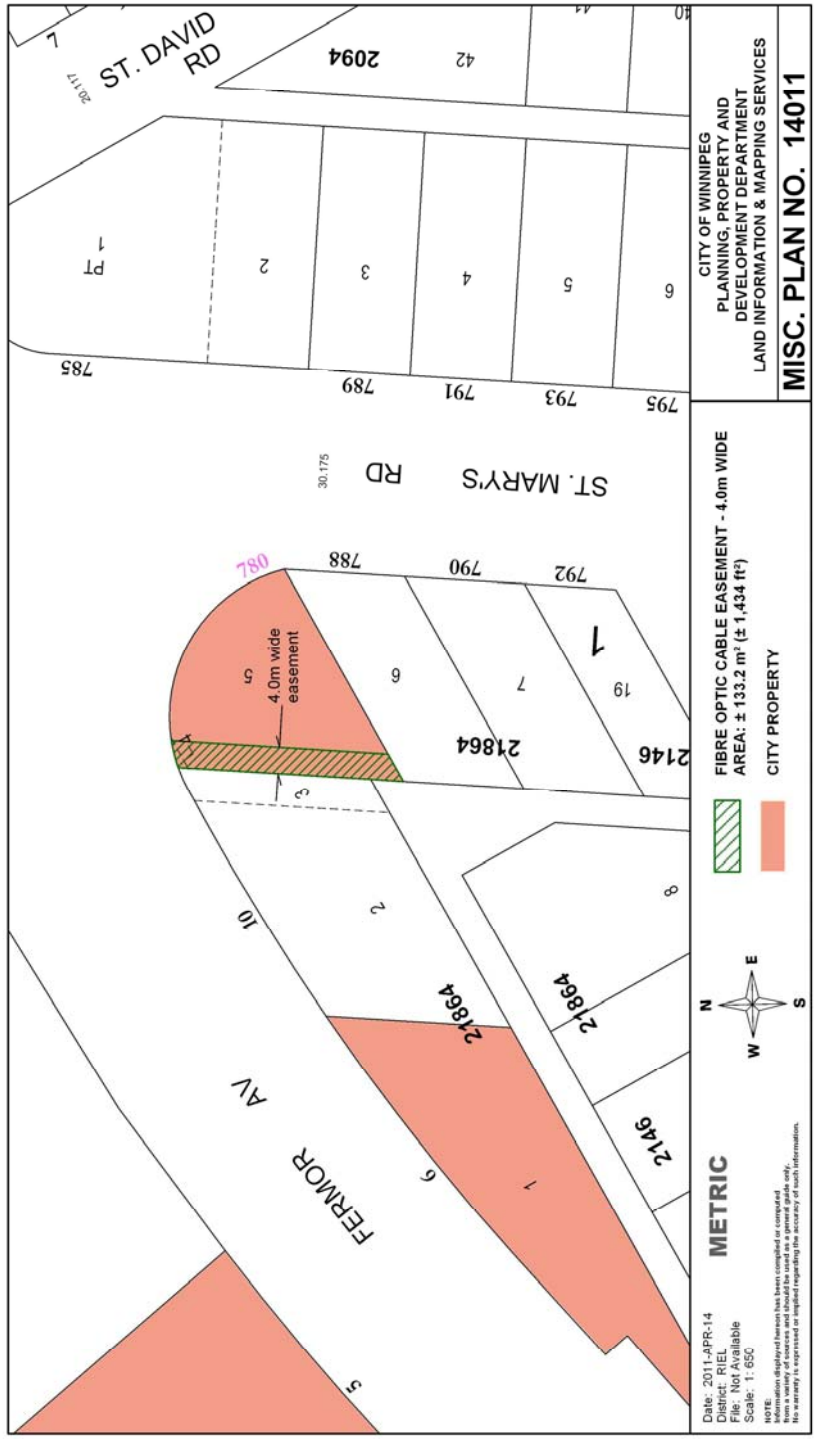
ST. DAVID RD
ST. MARY'S RD
FERMOR AV
4.0m wide easement
2094
21864
2146
CITY OF WINNIPEG
PLANNING, PROPERTY AND
DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14011
FIBRE OPTIC CABLE EASEMENT - 4.0m WIDE
AREA: ± 133.2 m² (± 1,434 ft²)
CITY PROPERTY
METRIC
Date: 2011-APR-14
District: RIEL
File: Not Available
Scale: 1: 650