

Item 8.7.

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #5/19, Friday, June 07, 2019

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **ALECTRA UTILITIES CORPORATION**
Permanent Easement for existing utility infrastructure, City of Brampton, Regional Municipality of Peel, Etobicoke Creek Watershed (CFN 61545)

KEY ISSUE

Receipt of a request from the Alectra Utilities Corporation, for a permanent easement required for existing utility infrastructure located on the east side of Mary Street and south of Moore Street, municipally known as 80 Mary Street, in the City of Brampton, Regional Municipality of Peel, Etobicoke Creek watershed.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from Alectra Utilities Corporation for a permanent easement required for existing utility infrastructure located on the east side of Mary Street and south of Moore Street, municipally known as 80 Mary Street, in the City of Brampton, Etobicoke Creek watershed;

AND WHEREAS it is in the best interest of TRCA in furthering its objectives as set out in Section 20 of the *Conservation Authorities Act* to cooperate with Alectra Utilities Corporation in this instance;

THEREFORE LET IT BE RESOLVED THAT a permanent easement containing 0.017 hectares (0.04 acres), more or less, of vacant land, required for existing utility infrastructure, said land being part of Lot 4, Concession East of Centre Road Chinguacousy and shown as “Proposed 3.0M Hydro Easement Area = 172.1086m²” on drawing by Power Stream Inc. and Alectra Utilities titled, “80 Mary Street, Brampton Extent of Land-Base”, in the City of Brampton, be granted to Alectra Utilities Corporation;

THAT consideration be \$2.00; all legal, appraisal, survey and other costs to be paid by Alectra Utilities Corporation;

THAT Alectra Utilities Corporation remove the existing permanent easement from title of TRCA land;

THAT Alectra Utilities Corporation fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this permanent easement;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

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BACKGROUND

Alectra Utilities Corporation has requested a permanent easement across TRCA-owned lands required for existing utility infrastructure, located east side of Mary Street and south of Moore Street, municipally known as 80 Mary Street, in the City of Brampton, Etobicoke River Watershed.

The subject TRCA-owned lands were acquired from City of Brampton, on April 14, 1972 for a nominal consideration of \$2.00. At the time of acquisition, there was already a permanent easement in place in favour of Hydro-Electric Commission of the Town of Brampton (Instrument VS81294) for utility infrastructure (i.e. ductbanks). This permanent easement was registered on July 16, 1968.

In doing internal audits, Alectra Utilities Corporation (the successor entity to the Hydro-Electric Commission of the Town of Brampton and Hydro One Brampton) has discovered the location of the utility infrastructure is not in the permanent easement area. Alectra Utilities Corporation has proposed to register the permanent easement in the correct location and remove the existing permanent easement.

There will be no ground disturbance.

Attachment 1 is a sketch illustrating the location of the subject lands. Attachment 2 is an orthophoto illustrating the location of the subject lands.

RATIONALE

This is a transaction to properly locate the existing utility infrastructure within the easement which will help with park planning and management.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:
Strategy 4 – Create complete communities that integrate nature and the built environment

FINANCIAL DETAILS

This transaction will be for a nominal consideration of \$2.00. Alectra Utilities Corporation will pay for survey, legal fees (up to \$5,000) to remove the existing permanent easement and registered the proposed permanent easement.

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Date: May 14, 2019

Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto