

## REPORT

**REPORT TO:** Chair and Members of Planning, Public Works & Transportation Committee

**REPORT FROM:** Romaine Scott, Legal Coordinator  
Planning & Development Department

**DATE:** October 23, 2019

**REPORT NO.:** PLS-2019-0075

**RE:** Town Transfer of Permanent Easement to Halton Hills Hydro  
14 Willow St & 15 Main St N, shown as Part 1, 20R-21455 –  
Willow Street N Parking Lot, Acton

### RECOMMENDATION:

THAT Report No. PDS-2019-0075 regarding the transfer of a permanent easement over part of the Town-owned Willow Street Parking Lot to Halton Hills Hydro, be received;

AND FURTHER THAT the lands described as Part of Lot 14, Block 2, Plan 31, shown as Part 1, 20R-21455 (the "Lands") be declared surplus to the Town's needs for the purpose of granting a permanent easement over the said Lands to Halton Hills Hydro;

AND FURTHER THAT the necessary by-law be enacted to authorize the transfer of permanent easement over the Lands to Halton Hills Hydro Inc. for the purpose of supplying and distributing hydro-electricity or related services to current and future customers in the vicinity.

### BACKGROUND:

Halton Hills Hydro has requested that it be granted permanent easement over the portion of the Willow Street Parking Lot that currently houses an existing hydro pole that provides services to the properties in that vicinity. There is currently no permission in place to allow the pole on the Town-owned lands.

The proposed easement would allow Halton Hills Hydro the necessary permissions to install, operate, maintain, inspect, alter, remove, replace, reconstruct, enlarge and repair the existing pole, hardware, guy wires, anchors, transformers, conductors or other apparatus used for conducting electricity or acting as a supporting apparatus for the distribution system, over, under and through the lands, for the purpose of its continued distribution of power to present and future customers.

The location of the Willow Street Parking Lot is shown on the drawing attached to this Report.

**COMMENTS:**

Staff has confirmed that the use of the lands by Halton Hills Hydro does not affect the operation of the existing parking lot. Staff has no objection to the lands over which the easement is being granted to be declared surplus to the Town's needs, for the purpose of granting the easement to Halton Hills Hydro.

The actual location of the hydro pole and proposed easement area to be deemed surplus is shown as Part 1 on Plan 20R-21455 attached to this Report.

**RELATIONSHIP TO STRATEGIC PLAN:**

This Report has no relationship to the Town's strategic plan.

**FINANCIAL IMPACT:**

There is no financial impact with respect to this Report.

**CONSULTATION:**

There has been consultation with engineering staff from both the Town and Halton Hills Hydro staff.

**PUBLIC ENGAGEMENT:**

There is no public engagement with respect to this Report.

**SUSTAINABILITY IMPLICATIONS:**

There is no sustainability implication with respect to this Report.

**COMMUNICATIONS:**

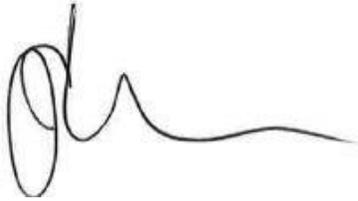
The Town must comply with By-law 2007-0109 in dealing with the sale and other disposition of lands which requires that lands be declared surplus to the Town's needs by a resolution of Council, prior to granting a permanent easement. This requirement will be satisfied by Council's adoption of the recommendations set out in this Report.

The transfer of the easement is exempt from the public notice requirements set out in By-law 2008-0001.

**CONCLUSION:**

The location of the hydro pole on the Willow Street Parking Lot is an existing situation that does not affect the operation of the Parking Lot. The purpose of this Report is to recommend to Council that the Lands be declared surplus for the purpose of granting the permanent easement in accordance with the Town's Disposition of Land Policy; and that the necessary by-law be enacted to authorize the transfer of the permanent easement over the Lands to legalize the existing use of the Lands by Halton Hills Hydro, for the benefit of the community.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'John Linhardt', with a long horizontal flourish extending to the right.

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read 'Brent Marshall', written in a cursive style.

**Brent Marshall, Chief Administrative Officer**