



City of
Peterborough

To: **Members of General Committee**

From: **Cynthia Fletcher,
Commissioner of Infrastructure and Planning Services**

Meeting Date: **May 13, 2019**

Subject: **Report IPSRE19-007
Granting Easement Agreements to Hydro One Networks Inc.
and to the Peterborough Utilities Commission**

Purpose

A report to recommend that the City of Peterborough enter into two easement agreements, one with Hydro One Networks Inc. over 1930 Technology Drive and one with the Peterborough Utilities Commission over certain lands located north of Robinson Street in East City.

Recommendation

That Council approve the recommendation outlined in Report IPSRE19-007 dated May 13, 2019 of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the Commissioner of Infrastructure and Planning Services, after consulting with the City Solicitor, be authorized to execute such documents as necessary to permit the City to grant easements to:
 - i) Hydro One Networks Inc. over Part of Lot 26, Concession 12, formerly in the Township of Otonabee, now in the City of Peterborough, being designated as Part 5 on Reference Plan 45R-16768, known municipally as 1930 Technology Drive (Appendix A); and
 - ii) The Peterborough Utilities Commission over the lands shown in yellow conceptually (Appendix B).

Budget and Financial Implications

There are no budget or financial implications associated with the recommendations.

Background

City Easements in General

Easements are legal agreements that permit a non-owner to have certain rights to access and use land owned by another person.

An easement contains specific language setting out the rights and obligations of both the benefitting party and easement-granting party. Easement agreements between utilities and municipalities are common.

Before staff contemplate recommending to Council that it grant an easement, staff undertake completion of a circulation to internal departments, external agencies and utilities to determine whether: (1) granting the easement poses any kind of operational hazard; or (2) there are other reasons why an easement in the proposed location is not advisable. Staff received no objections to the proposed easements.

The Hydro One Easement – 1930 Technology Drive

In 2017, City Council approved the sale of 1875 and 1900 Technology Drive (the “Properties”) to Drain Bros Excavating Ltd (“Drain Bros.”). Those transactions closed in January 2018. At that time, there was a hydro easement running diagonally across the Properties. In order for Drain Bros to fully develop the Properties, it is necessary to divert the hydro corridor across the front of the Properties (within an easement granted by Drain Bros) and have the hydro service located within 1930 Technology Drive, whose location is shown in Appendix A. 1930 Technology Drive is a strip of undevelopable City-owned land which is used for drainage. It is located north of Technology Drive and South of Hwy 115, directly to the east of 1900 Technology Drive.

By giving authority to grant an easement to Hydro One the City will be helping (1) Hydro One maintain the integrity of its electrical network while (2) helping the Properties reach their full development potential.

The PUC Easement – North of Robinson Street

City Council has approved the sale of surplus lands that are located north of Robinson Street and south of Hunter Street in East City on September 17, 2018 (Report IPSPD18-026). A portion of the City-owned lands is subject to an existing PUC Easement that stretches southward from Hunter Street East toward Robinson Street. The existing PUC easement is shown in green on Appendix B; the new PUC easement is shown in yellow on Appendix B.

By giving authority to grant an easement to PUC the City will be protecting the functionality of PUC's existing services.

The legal description of the new easement won't be finalized until the draft Plan, being Appendix B, has been deposited.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

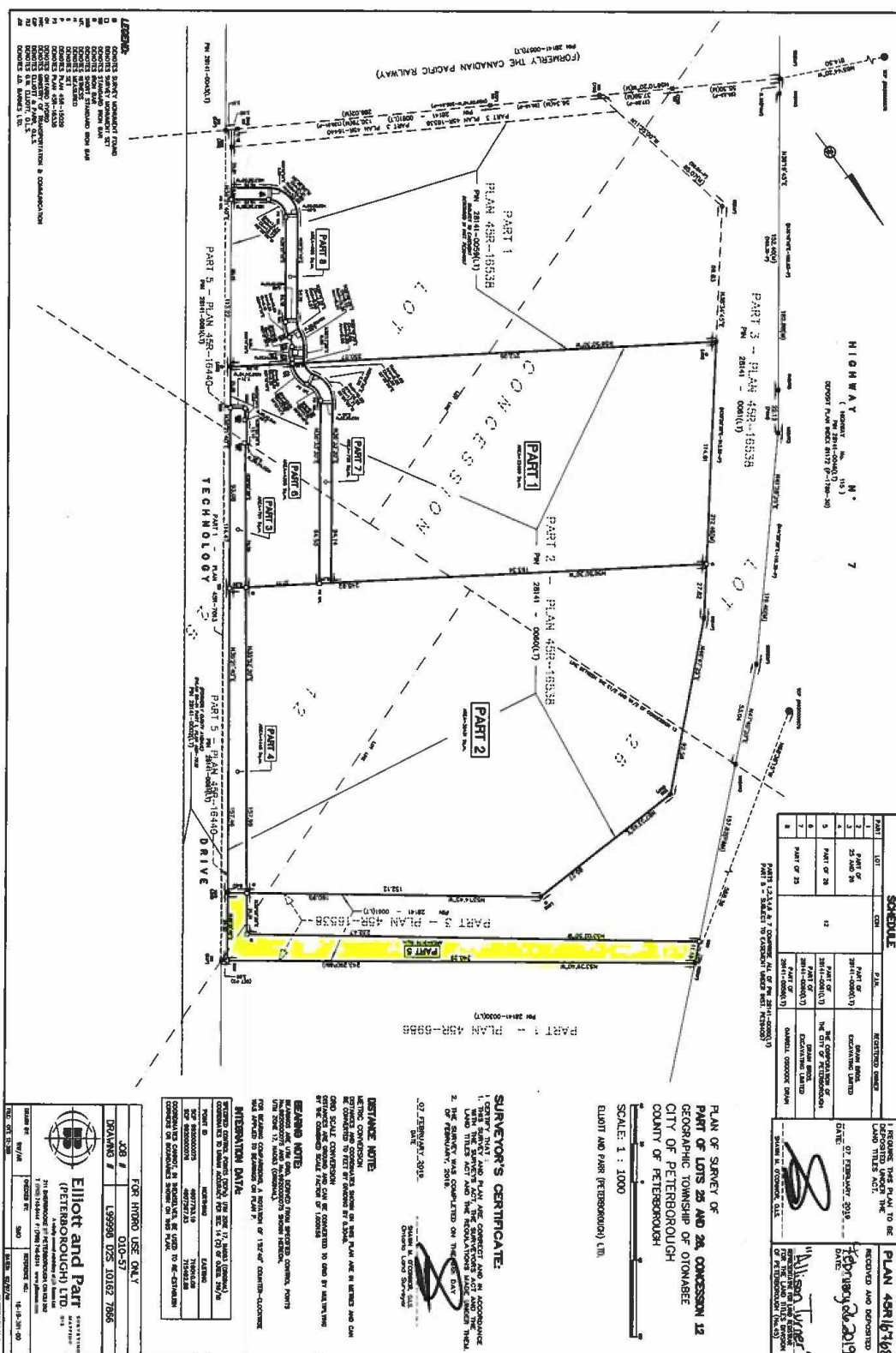
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Attachments:

Appendix A: Reference Plan 45R-16768 (1930 Technology Drive)
Appendix B: Draft Reference Plan (Hunter Street East / Robinson Street)

Appendix A: Reference Plan 45R-16768 (1930 Technology Drive)



Appendix B: Draft Reference Plan (Hunter Street East / Robinson Street)

