

Submitted on Fri, 05/16/2025 - 05:31

Reference number 69126

Submitted on

## Committee Requested

Committee

Public Works Committee

Will you be delegating in-person or virtually?

In-person

Will you be delegating via a pre-recorded video?

No

## Requestor Information

Requestor Information

Joe Tarasca



Preferred Pronoun

he/him

Reason(s) for delegation request

Response in respect to Report No: PW25034 Subject/Title: 94 Kingsview Drive, Hamilton  
Encroachment Update:

The response is to confirm,

(a) the lands on which the structures were built upon (the “Subject Lands”) were not used, in any material manner, by the public prior to the structures being placed on the site;

(b) there are two public paths around the property. The Subject Lands did not comprise or interfere with either part of the walking path. On Schedule “A”, it can be seen that the Subject Lands were grass and gravel that were fenced off to the walking path, suggesting they were not open to the public;

(c) the Subject Lands were not part of a municipal park, but rather an open space. The space was often neglected and resulted in waste accumulating that was removed by the owner, J. Tarasca;

(d) the owner of the property provided a proposal to the City to acquire the lands (the "Proposal"). The Proposal confirmed that, as part of the acquisition, the City would retain an easement in respect of its stormwater sewer and municipal infrastructure. Furthermore, the owner agreed to be responsible for the preparation and registration of the easement. To that extent, the City would not be impaired or impacted in respect of its infrastructure;

(e) the Proposal confirmed that in addition to the upfront purchase price of \$150,000.00, as the Subject Lands would become part of the property, that would increase the property tax payable on a go-forward basis;

(f) removing the structures would result in funds being deployed to remove an improvement to a piece of property, that would in fact put the lands to a non-productive use.

Will you be requesting funds from the City?

No

Will you be submitting a formal presentation?

No