



Hamilton

**CITY OF HAMILTON**

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
Economic Development Division**

<b>TO:</b> Mayor and Members General Issues Committee	<b>WARD(S) AFFECTED:</b> WARD 15
<b>COMMITTEE DATE:</b> June 19, 2013	
<b>SUBJECT/REPORT NO:</b> Declaration of Surplus and Conveyance of Easement to Hydro One Networks Inc. - Part of 159 – 165 Carlisle Road (Courtcliffe Park), Flamborough (PED13125) (Ward 15)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Frank Albrecht (905) 546-2424 Ext. 2656
<b>SIGNATURE:</b>	

**RECOMMENDATIONS**

- (a) That the subject lands, described as Part of Lot 10, Concession 9, Township of East Flamborough, now City of Hamilton, forming part of 159 – 165 Carlisle Road (Courtcliffe Park), comprising an area of approximately 25 square metres (882 square feet) as shown on Appendix “A” attached to Report PED13125, be declared surplus to the requirements of the City of Hamilton in accordance with procedural By-law No. 04-299;
- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to convey an easement to Hydro One Networks Inc. over the land described in Recommendation (a) of Report PED13125 at the nominal consideration of \$5 for the purpose of relocating hydro poles and guy wires;
- (c) That the sale price of \$5 does not include the Harmonized Sales Tax (HST); should HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828-009000 (HST Payable);

- (d) That the sale proceeds be credited to Account 47703-3560150200;
- (e) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the Offer to Purchase (Easement) Agreement in a form satisfactory to the City Solicitor.

#### **EXECUTIVE SUMMARY**

Plans for Phase 2 of the Courtcliffe Park Master Plan include a “right turn” lane into the park for westbound traffic on Carlisle Road. This necessitates relocation/realignment of an existing hydro pole currently situated within the planned right turn lane.

The proposed easement is required to permit Hydro One Networks Inc. (HONI) to relocate the existing hydro pole and plant two guy wires onto Courtcliffe Park lands.

***Alternatives for Consideration - See Page 3***

#### **FINANCIAL / STAFFING / LEGAL IMPLICATIONS**

**Financial:** Proceeds from the conveyance of the easement to be credited to Account 47703-3560150200.

**Staffing:** There are no staffing implications arising from this recommendation, other than Real Estate Section and Legal Services Division staff working together to complete the conveyance of the easement.

**Legal:** Legal Services Division staff will be required to assist in the preparation of the necessary documents.

#### **HISTORICAL BACKGROUND**

Courtcliffe Park, situated just west of Carlisle on the north limit of Carlisle Road, is a community park allocating 16.66 ha for sporting events on the southern portion and 23.56 ha for natural open space on the northern portion. Phase 2 of the Courtcliffe Park Master Plan increases the number of existing soccer fields, parking spaces and widens the park entrance to handle anticipated increase in traffic volume. The plan also identifies a right turn lane into the park for westbound traffic on Carlisle Road.

HONI is requesting that an existing hydro pole situated within the turning lane be relocated west of the park entrance. At the proposed location two guy wires will be required, both of which will need to be planted beyond the existing road allowance, onto City (park) land. To facilitate these works, the City will grant HONI an easement.

**SUBJECT: Conveyance of Easement to Hydro One Networks Inc. - Part of 159 –  
165 Carlisle Road (Courtcliffe Park), Flamborough (PED13125) (Ward  
15) - Page 3 of 4**

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The proposed easement, shown on Appendix “A” attached to Report PED13125, will accommodate the relocation of the existing hydro pole to the proposed area west of the park entrance.

**POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS**

The recommendations are consistent with the Real Estate Management Portfolio Strategy Plan as approved by City Council on November 24, 2004, and the “Procedural By-law for the Sale of Land”, By-law 04-299.

The land required for the easement has been circulated to other departments for consultation and there were no objections to the granting of the easement.

The market value of the easement (used as parkland) is considered nominal. The consideration of \$5 is considered to be equitable as the easement is a necessary component to accommodate relocation of the pole and guy wires.

**RELEVANT CONSULTATION**

- City Manager’s Office, Legal Services Division
- Public Works Department, Environment and Sustainable Infrastructure Division

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

By adopting Recommendations (a) and (b) of this Report, the Phase 2 Courtcliffe Park Master Plan will be facilitated by removal of the road hazard. The subject easement land is extraneous to the operation of Courtcliffe Park and will not interfere with park operations.

Provision of this easement to HONI is a housekeeping matter required for the previously approved Phase 2 Courtcliffe Park Master Plan.

**ALTERNATIVES FOR CONSIDERATION**

If Recommendations (a) and (b) of this Report are not adopted, HONI will be unable to relocate the hydro pole and will need to search for an alternative location or require realignment of the existing hydro line. This will delay rectifying a hazardous road condition as the pole is situated within the right turning lane.

**Pros:**

- Remove a road hazard
- Permit completion of the right turning lane into the park.

**Cons:**

- None evident.

**ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN**

**Strategic Priority #1**

A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

**Strategic Objectives**

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.6 Enhancement of Overall Sustainability (financial, economic, social and environmental). The land used by the easement has nominal value and is necessary to finalize Phase 2 of Courtcliffe Park Master Plan.

**Strategic Priority #3**

Leadership & Governance

*WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust.*

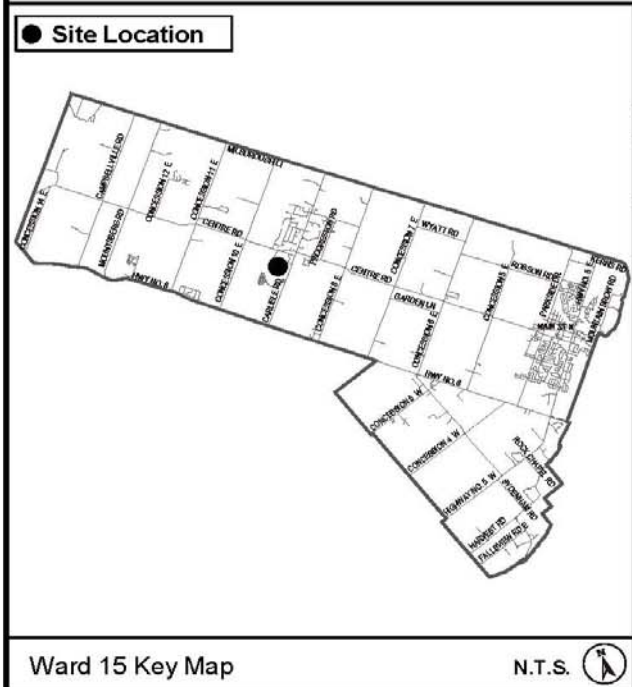
**Strategic Objective**

- 3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

**APPENDICES / SCHEDULES**

Appendix “A” to Report PED13125 - Location Map

FA/sd



## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
159CarlisleRd / 2012 074

Date:  
June 6, 2013

Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
FA/LMM

### Subject Property

- 159 Carlisle Road East
- Proposed Pole 20m from Existing Pole
- Existing Pole