
DATE: April 14, 2010

REPORT TITLE: **PROPOSED TRANSFER OF EASEMENTS AT
12061 HURONTARIO STREET, BRAMPTON
TO HYDRO ONE BRAMPTON NETWORKS INC. AND
COPTIC ORTHODOX PATRIARCHATE OF ALEXANDRIA THE CHURCH
OF ARCHANGEL MICHAEL AND SAINT TEKLA
CITY OF BRAMPTON, WARD 2**

FROM: R. Kent Gillespie, Commissioner of Employee and Business Services
J. Menard, Commissioner of Human Services

RECOMMENDATION

- 1. That permanent easement interests in the lands being Part of Lot 18, Concession 1, East of Hurontario Street, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, more particularly described as Parts 13 and 26 on Reference Plan 43R-33182 be declared surplus to the needs of the Regional Corporation.**
- 2. That a permanent easement interest be transferred gratuitously to Hydro One Brampton Networks Inc. for the purpose of laying down, installing and maintaining its lines of electric power and service wires and cables and equipment and all appurtenances and accessories thereto on the lands being Part of Lot 18, Concession 1, East of Hurontario Street, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, more particularly described as Part 26 on Reference Plan 43R-33182.**
- 3. That a permanent easement interest be transferred gratuitously to Coptic Orthodox Patriarchate of Alexandria the Church of Archangel Michael and Saint Tekla for the purpose of vehicular and pedestrian access over the lands being Part of Lot 18, Concession 1, East of Hurontario Street, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, more particularly described as Part 13 on Reference Plan 43R-33182, for ingress to and egress from the lands described as Parts 4, 5 and 6 on Reference Plan 43R-33182.**

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REPORT HIGHLIGHTS

- The Region recently purchased a 1.61 acre parcel of land from The Coptic Orthodox Patriarchate of Alexandria the Church of Archangel Michael and Saint Tekla, upon which a 94 unit affordable housing development is being constructed for Peel Housing Corporation.
- A condition of development approval is the transfer of a permanent easement to Hydro One Brampton Networks Inc. for a transformer vault and access thereto.
- As part of the project, The Coptic Church requires an access easement in favour of lands it will be acquiring from the City of Brampton.
- Council approval is required to declare permanent easement interests in Region owned lands as surplus and to transfer gratuitous easements to Hydro One Brampton and The Coptic Church.

DISCUSSION

In 2007, Regional Council authorized Regional staff to negotiate a modified turn-key agreement with Martinway Contracting Limited for the development of a 94 unit residential affordable housing facility on a 1.61 acre (0.653 hectare) parcel of land. As part of the agreement, Martinway, on behalf of the Region, negotiated the purchase of the land with the owner at the time, Coptic Orthodox Patriarchate of Alexandria the Church of Archangel Michael and Saint Tekla. Legal title to the land was transferred to the Region on March 25, 2010. The Church continues to own a large parcel of land abutting the Region land.

A condition of site plan approval for the Region's proposed residential development requires the Region to grant an easement in favour of Hydro One Brampton Networks Inc. for a transformer vault to be located on a 734 square foot (68.2 square metre) portion of the land. This condition is typical for this type of development and is the subject of the second recommendation of this report. The required area is identified on the attached Appendix 1.

Prior to the transfer of land to the Region, the parties agreed to mutual access easements for a proposed internal access road that will cross both Region and Coptic Church-owned lands. A small portion of land that would normally have been subject to the access easements, however, has not yet been transferred to the Coptic Church and is still owned by the City of Brampton. It was therefore not included in the original exchange of easements.

The Coptic Church is in the process of acquiring the land from the City so that it may incorporate it into its own future developments. Once the acquisition from the City is complete, additional easements between the Coptic Church and the Region will be transferred in order to ensure legal access by both parties to their respective lands. Said transfer of easement is the subject of the third recommendation in this report.

The total access easement area is 10,325 square feet (959.2 square metres), and encompasses the internal road on the Region-owned land. The easement area and lands benefiting from the easement are identified on the attached Appendix 1.

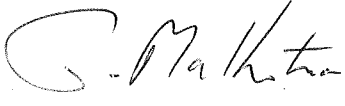
Regional By-law 23-95 established procedures governing the sale and disposition of real property. In accordance with that By-law, the following shall apply to the subject easements:

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1. In accordance with By-law 23-95, Section 3, the subject easements are classified as having no general demand or market.
2. In accordance with Section 4(a), an internal appraisal estimated the market value of the easements as nominal.
3. In accordance with Section 4(b), the only transferees are Hydro One Brampton Networks Inc. and Coptic Orthodox Patriarchate of Alexandria the Church of Archangel Michael and Saint Tekla.
4. In accordance with Section 4 (c) notice of the proposed sale will have been given by the posting of a Public Notice from May 20, 2010 to June 3, 2010 inclusive in the front lobby of Suite A and B of Regional Headquarters at 10 Peel Centre Drive, Brampton and on the Notice Page of the Region's Web Site, as designated by the Regional Clerk.


R. Kent Gillespie
Commissioner of Employee
and Business Services


per Janet Menard
Commissioner of Human Services


Approved for Submission:




D. Szwarc, Chief Administrative Officer

For further information regarding this report, please contact Jeffrey Smith at extension 7667 or via email at jeffrey.smith@peelregion.ca

Authored By: E. Bjornson/lm

c. Legislative Services
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C. Reid, Regional Clerk
 S. Hall, Director of Real Property Asset Management
J. Smith, Manager of Real Estate
C. Bullock, Manager of Development and Construction

ROS-10069.00
Attachment

MA A-4

APPENDIX I

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