



City of Hamilton

SCHOOL BOARD PROPERTIES SUB-COMMITTEES

Meeting #: 19-001
Date: June 24, 2019
Time: 1:00 p.m.
Location: Room 192 and 193, City Hall
71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

1. **APPOINTMENT OF CHAIR AND VICE CHAIR**
2. **APPROVAL OF AGENDA**
(Added Items, if applicable, will be noted with *)
3. **DECLARATIONS OF INTEREST**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 4.1 August 29, 2018
5. **COMMUNICATIONS**
6. **DELEGATION REQUESTS**
7. **CONSENT ITEMS**
8. **PUBLIC HEARINGS / DELEGATIONS**
9. **STAFF PRESENTATIONS**
10. **DISCUSSION ITEMS**
 - 10.1 Hamilton-Wentworth District School Board Property at 155 Macassa Avenue, Hamilton (PED19139) (Ward 7)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

14. PRIVATE AND CONFIDENTIAL

- 14.1 Motion respecting the Potential Acquisition of 16 Broughton Avenue East (Broughton East Park) (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (c) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (c) and (k), of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

15. ADJOURNMENT



Hamilton

**SCHOOL BOARD PROPERTIES SUB-COMMITTEE
MINUTES 18-001**

Wednesday, August 29, 2018

11:00 a.m.

Room 264, 2nd Floor

Hamilton City Hall, 71 Main Street West

Present: Councillors C. Collins (Chair), M. Pearson, S. Merulla and J. Partridge

Absent with

Regrets: Councillors M. Green and T. Jackson – Personal
Councillor D. Conley – City Business

THE FOLLOWING ITEMS WERE REFERRED TO THE GENERAL ISSUES COMMITTEE FOR CONSIDERATION:

1. Hamilton-Wentworth District School Board Property at 300 Albright Road, Hamilton (PED18175) (Ward 5) (Item 8.1)

(Pearson/Partridge)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board that the City of Hamilton has no interest in acquiring its property located at 300 Albright Road, as shown on Appendix “A” attached to Report PED18175;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED18175.

CARRIED

2. **Hamilton-Wentworth Catholic District School Board Property at 185 Kenilworth Avenue North, Hamilton (PED18207) (Ward 4) (Item 8.2)**

(Merulla/Partridge)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) that the City of Hamilton has no interest in acquiring its property located at 185 Kenilworth Avenue North, Hamilton, (190 Britannia Avenue), as shown on Appendix "A" attached to Report PED18207;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED18207;
- (c) ***That the City supports the property located at 185 Kenilworth Avenue North (190 Britannia Avenue) becoming surplus and for public sale on the condition that the property is severed to have a Kenilworth Avenue North address to facilitate a sale of the property for highest use and incentives that exist on Kenilworth Avenue North through the Barton Kenilworth study recommendations.***

MAIN MOTION, AS AMENDED, CARRIED

3. **Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton (PED18208) (Ward 7) (Item 8.3)**

(Partridge/Pearson)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 4 Vickers Road, as shown on Appendix "A" attached to Report PED18208;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED18208.

CARRIED

FOR INFORMATION:

(a) **CHANGES TO THE AGENDA (Item 1)**

(Partridge/Pearson)

That the agenda for the August 29, 2018 meeting of the School Board Properties Sub-Committee be approved, as presented.

CARRIED

(b) **DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

(c) **APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

(i) **November 16, 2017 (Item 3.1)**

(Merulla/Pearson)

That the Minutes of the November 16, 2017 meeting of the School Board Properties Sub-Committee be approved, as presented.

CARRIED

(d) **DISCUSSION ITEMS (Item 8)**

(i) **Hamilton-Wentworth Catholic District School Board Property at 185 Kenilworth Avenue North, Hamilton (PED18207) (Ward 4) (Item 8.2)**

(Merulla/Partridge)

That a new sub-section (c) be added to Report PED18207, respecting Hamilton Wentworth Catholic District School Board Property at 185 Kenilworth Avenue North, Hamilton, which reads as follows:

- (c) ***That the City supports the property located at 185 Kenilworth Avenue North (190 Britannia Avenue) becoming surplus and for public sale on the condition that the property is severed to have a Kenilworth Avenue North address to facilitate a sale of the property for highest use and incentives that exist on Kenilworth Avenue North through the Barton Kenilworth study recommendations.***

AMENDMENT CARRIED

(e) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – November 16, 2017

As the School Board Properties Sub-Committee determined that no discussion respecting the Closed Session Minutes of November 16, 2017 meeting was required, the Minutes were approved in Open Session, as shown below:

(Merulla/Pearson)

- (a) That the Closed Session Minutes of the November 16, 2017 meeting of the School Board Properties Sub-Committee be approved, as presented, and remain confidential.

CARRIED

(f) ADJOURNMENT (Item 13)

(Partridge/Pearson)

That there being no further business, the School Board Properties Sub-Committee be adjourned at 11:16 a.m.

CARRIED

Respectfully submitted,

Councillor C. Collins, Chair
School Board Properties Sub-
Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Economic Development Division

TO:	School Board Property Sub-Committee
COMMITTEE DATE:	June 24, 2019
SUBJECT/REPORT NO:	Hamilton-Wentworth District School Board Property at 155 Macassa Avenue, Hamilton (PED19139) (Ward 7)
WARD(S) AFFECTED:	Ward 7
PREPARED BY:	Raymond Kessler (905) 546-2424 Ext 7022
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 155 Macassa Avenue, Hamilton, as shown on Appendix "A" attached to Report PED19139;
- (b) That staff be directed to advise the (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED19139.

EXECUTIVE SUMMARY

On April 18, 2019, the Hamilton-Wentworth District School Board (HWDSB) advised the City of its intention to sell its property located at 155 Macassa Avenue, Hamilton, which has been previously used as a school. Based on circulation of the property to stakeholders, and consideration by Portfolio Management Committee (PMC), staff deem the potential acquisition of the subject property to not be in the interest of the City.

Alternatives for Consideration – See page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Hamilton-Wentworth District School Board Property – 155 Macassa Avenue, Hamilton (PED19139) (Ward 7) - Page 2 of 4

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

At the June 5, 2012 Planning Committee and subsequent City Council meeting of June 13, 2012, a motion was approved to establish a Sub-committee of City Council to review those school board properties being declared surplus for disposition by a school board and report back to the General Issues Committee (GIC) with recommendations, including a financial strategy for potential acquisitions.

On April 18, 2019, HWDSB provided written notice to the City of its Proposal to Sell Real Property located at 155 Macassa Avenue, Hamilton, in accordance with Ontario Regulation 444/98. The City and other preferred agencies have 90 days to respond to the HWDSB as to whether or not they have an interest in acquiring the property.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The HWDSB, like other school boards in the Province, follows a formal established property disposal protocol for surplus Board owned properties that are intended to be sold, as governed by Section 194(3) of the *Ontario Education Act* and Ontario Regulation 444. Under this protocol, the HWDSB circulates notice of the proposed property sale to preferred agents including the City (as per Ontario Regulation 444).

City Council adopted principles (Portfolio Management Strategy, 2004) for property acquisition states *“Property will be acquired in support of an approved program only. A budget item must be approved for the program, including the costs of the real property and operational impact, before action is taken to acquire property.”*

In keeping with general municipal protocol related to potential surplus school sites, the School Board Sub-Committee is to establish and recommend direction with respect to all surplus school sites that may come available.

RELEVANT CONSULTATION

On April 24, 2019, Real Estate staff circulated a memorandum to all City Departments and relevant stakeholders concerning the HWDSB’s proposal to sell its property at 155 Macassa Avenue, Hamilton, in order to elicit their comments or future interest in acquisition of the property. There was no interest expressed in this property.

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SUBJECT: Hamilton-Wentworth District School Board Property – 155 Macassa Avenue, Hamilton (PED19139) (Ward 7) - Page 3 of 4

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The property being offered has a building gross floor area of approximately 19,644 ft² (1,825 m²). It is located on the north side of Macassa Avenue, west of Upper Gage Avenue, and is improved with a school building.

Following consideration of comments from circulation stakeholders, there is no City requirement to justify the purchase of this school site. The local Ward Councillor has represented the local resident community support for and interest in acquiring the subject property. Landscape Architectural Services advised that acquiring 155 Macassa Avenue for use as parkland would result in a surplus of parkland being dedicated to the surrounding neighbourhood based on City policy.

City Divisions have provided valuable information respecting guidelines for the future use of the site. Staff will share this information with the HWDSB.

ALTERNATIVES FOR CONSIDERATION

Should Council determine that it wishes to pursue the potential acquisition of the property, staff would recommend the following:

- (a) That staff be authorized and directed to advise the HWDSB of the City's interest in the potential acquisition of the lands located at 155 Macassa Avenue, Hamilton, legally described as Part of Lot 7, Concession 5 Barton, Part 2 on Plan 62R19152, City of Hamilton forming all of PIN 17007-0170, as shown on Appendix "A" attached to Report PED19139;
- (b) That staff be authorized and directed to complete due diligence work, including appraisal, designated substance survey, building condition assessment, and demolition cost estimate work in preparation for the potential acquisition of the HWDSB lands located at 155 Macassa Avenue, Hamilton;
- (c) That all costs related to the due diligence and feasibility investigation, to an upset amount of \$50 K, for the potential acquisition of the HWDSB lands located at 155 Macassa Avenue, Hamilton, be authorized and funded from Ward 7 Capital Infrastructure Reserve Account No. 108057; and,
- (d) That staff be directed to report back on an acquisition and funding strategy for the HWDSB lands located at 155 Macassa Avenue, Hamilton.

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SUBJECT: Hamilton-Wentworth District School Board Property – 155 Macassa Avenue, Hamilton (PED19139) (Ward 7) - Page 4 of 4

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”–Location Map

Appendix “B”–Site Development Requirements

CH/sd

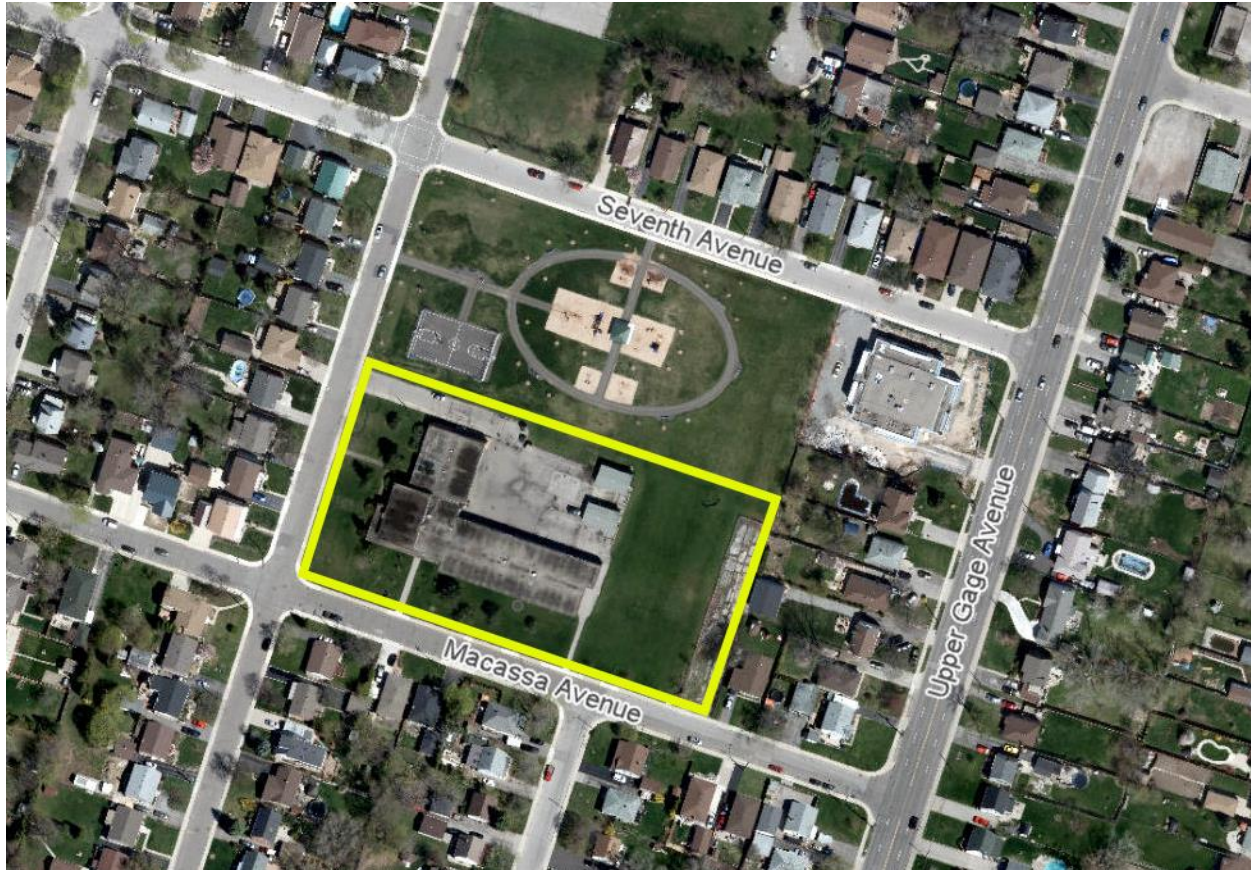
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Location Map

155 Macassa Avenue



SITE DEVELOPMENT REQUIREMENTS

Planning and Economic Development Department

<p>Building, Engineering & Zoning Building Division</p>	<ul style="list-style-type: none"> • Building Division records indicate that the recognized use is a school of learning, which is permitted. • Variance # 1 of Minor Variance File # HM/A-11:224 permitted one classroom to be used by the Ontario Genealogical Society. • Permitted uses and applicable zone provisions shall be in accordance with the “C” district of Hamilton Zoning By-law No. 6593. • The lands may be subject to Site Plan Control. • Demolition Permit # 18-121473, issued on July 19, 2018, (To remove one (1) stand-alone portable from the site "Vincent Massey School") remains not finalized. • Order to Comply Folder #18-132190, dated August 22, 2018, is outstanding. • All proposed development is subject to the issuance of a building permit in the normal manner. Demolition of the existing building is subject to the issuance of a demolition permit in the normal manner.
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