



**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 12
<b>COMMITTEE DATE:</b> October 11, 2011	
<b>SUBJECT/REPORT NO:</b> Hamilton-Wentworth Catholic District School Board (HWCDSD) Surplus Land - Located at 161 Meadowlands Boulevard, described as Part of Lot 51, Concession 3, former Township of Ancaster, now City of Hamilton (PED11172) (Ward 12)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Darlene Cole (905) 546-2424, Ext. 7910
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (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 (HWCDSD) that the City of Hamilton has no interest in acquiring the land located at 161 Meadowlands Boulevard, legally described as Part of Lot 51, Concession 3, former Township of Ancaster, now City of Hamilton, as shown on Appendix "A" attached to Report PED11172; and,
- (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 HWCDSD of the City's requirements for development of the site as contained in the "Relevant Consultation" Section, more particularly outlined in Schedule "B" attached to Report PED11172.

## **EXECUTIVE SUMMARY**

The Real Estate Section of the Economic Development Division of the Planning and Economic Development Department is seeking Council's direction to advise the HWCDSD that the City of Hamilton has no interest in acquiring the surplus land forming part of 161 Meadowlands Boulevard, legally described as Part of Lot 51, Concession 3, former Township of Ancaster, now City of Hamilton, shown on Appendix "A" to Report PED11172.

The subject property forms part of the Holy Name of Mary Elementary School situated on the east side of Meadowlands Boulevard, between Shrewsbury Street and Stonehenge Drive. As part of its Property Disposition Protocol, HWCDSD is required to advise and consult with various levels of government, including the City of Hamilton, regarding disposition of its surplus properties.

The Real Estate Section of the Planning and Economic Development Department circulated the HWCDSD's information internally to determine if there was municipal interest in acquiring the lands, and no interest was expressed.

*Alternatives for Consideration – Page 6*

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

**Financial:** N/A

**Staffing:** N/A

**Legal:** N/A

## **HISTORICAL BACKGROUND**

The information and recommendations contained in this Report primarily affect Ward12.

The subject property is located within the Meadowlands Neighbourhood V Secondary Plan situated east of the Hwy. 403 corridor and south of the LINC. The immediate area is developed with single, semi-detached and townhouse dwellings. On the west limit of Meadowlands Boulevard, directly opposite the Holy Name of Mary Elementary School is 7.69 ha (19 ac) of community parkland known as the Meadowlands Community Park.

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51, Concession 3, former Township of Ancaster, now City of  
Hamilton (PED11172) (Ward 12) - Page 3 of 7**

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The subject 2.38 acre will be severed from the rear limit of the Holy Name of Mary Elementary school property, creating a landlocked parcel measuring 50 metres (164 feet) in width by a depth of 190 metres (623 feet) approximately. This piece of land aligns with the rear lot lines of the residences along Shrewsbury Street to the north and Joshua Avenue to the east; immediately south is a municipal drainage channel. The subject parcel may also be identified as part of PIN 17105-0462 and Roll No. 251805054100420.

### **POLICY IMPLICATIONS**

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Real Estate Strategy Plan which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property owned, leased, to be sold and acquired.

Section 4.3, "Acquisition" establishes criteria's and principles surrounding acquisition of real property. As noted under this Section, acquisitions of properties will primarily occur:

- (i) For a new municipal facility, through the capital budget planning process.
- (ii) As a dedication, through the development approval.
- (iii) As a result of tax arrears or donations.

The Council adopted principles for acquisition states that *"Property will only be acquired in support of approved programs 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"*.

The Real Estate Section of the Planning and Economic Development Department undertook an internal circulation. Comments received from this circulation are noted under the "Relevant Consultation" section of this Report.

### **RELEVANT CONSULTATION**

Pursuant to the City of Hamilton Real Property Sale Procedural By-law 04-299, the Real Estate Section circulated the request to all City Departments. The following comments were received, and HWCDSD is advised to make any prospective purchasers aware of the following:

***Legislative Approvals Section:***

"The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under the act. In reviewing the PPS, staff provides the following comments:

Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted. Staff note that the subject lands are located within an area of archaeological potential. As such, please refer to any comments provided by Community Planning, Cultural Heritage staff in this regard.

The subject property is designated as "**Urban Area**" within the Hamilton-Wentworth Regional Official Plan. Policy 3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.

The lands are regulated within the Hamilton Conservation Authority Generic Regulations with what appears to be a seasonal watercourse passing north to south through the lands.

The property is designated "**Institutional**" within the Meadowlands Neighbourhood V Secondary Plan.

The property is zoned **Neighbourhood Institutional "I1"** Zone in Hamilton Zoning By-law 05-200. As-of-right residential uses permitted within this zone include semi-detached and detached dwellings."

***Development Engineering:***

"The subject surplus lands are considered to be "landlocked" with no frontage to the adjacent streets, namely Joshua Avenue and Shrewsbury Street.

There are existing municipal storm, sanitary sewers and water mains available on Joshua Avenue and Shrewsbury Street.

Development of the subject lands will require a Development Agreement to be satisfaction of the Manager of Engineering Design and Construction.

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51, Concession 3, former Township of Ancaster, now City of  
Hamilton (PED11172) (Ward 12) - Page 5 of 7**

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There are servicing and grading issues which must be addressed as part of the Development Agreement process.

A condition of development approval may include the requirement to maintain stormwater drainage to the existing system situated on City-owned land between 48 and 58 Shrewsbury Street. The prospective developer will be required to submit a stormwater management report to demonstrate (but not limited to) the following: how the quality and quantity flows will be handled, how the existing drainage concerns will be mitigated and assurance there will be no negative impacts on the existing drainage system and stormwater management facility.”

***Community Planning:***

“Secondary Plan Designation:

- Map “1” – Meadowlands V – Institutional

According to the Parkland Policies (Section 6.5.3) there is a parkland deficiency of 0.74 hectares. However, the Meadowlands Community Park is located immediately across the road from the subject property and this parkland serves a Community and Neighbourhood Park function.”

***Public Works Department - Environment and Sustainable Infrastructure:***

”Prospective purchasers should be advised that as a condition of development the City will require that a drainage easement be conveyed to the City at nominal consideration (\$2.00) to protect an existing drainage channel/function through this area.

Staff has been working with Councillor Ferguson on flooding issues affecting homes adjacent to Open Space Block 130, resulting from the school drainage channel. Upon carrying out its flooding analysis, staff discovered that a children’s path has been created between Shrewsbury Drive and Holy Name of Mary School; this path crosses Open Space Block 130 and the subject parcel. On this matter, staff has initiated discussions with HWCDSD to formalize the path, which the school has agreed to in principle. Establishing a walkway would require an easement over the subject parcel from Shrewsbury Drive and Open Space Block 130. In this regard the City will require that an access easement be conveyed to the City at nominal consideration (\$2.00) to establish a walkway from Shrewsbury Drive to the school.”

***Community Services – Recreation Division:***

“The Recreation Division of the Community Services Department wish to advise that we would not support the purchase of these lands at this time. We recognize that there is

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Hamilton (PED11172) (Ward 12) - Page 6 of 7**

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currently a deficiency in this neighbourhood of parkland but feel there are other options available to create a neighbourhood park for the residents.”

***Building Services Division:***

“The entire property, including the lands which have been declared surplus, are within the “I1” (Neighbourhood Institutional) zone pursuant to Hamilton Zoning By-law 05-200.

The surplus lands do not have frontage on a public street, which is not permitted. Any uses permitted by the “I1” zone shall have frontage on a public street.

The surplus lands shall be developed in accordance with the requirement of the “I1” zone. If any uses are intended, other than those uses permitted by the “I1” zone, a rezoning of the lands shall be required. For further information please contact Development Planning at (905) 546-2424, Ext. 2799.

The lands are subject to Site Plan Control. As such, development or redevelopment may require application to the Planning and Development Division. For further information, please contact (905) 546-2424, Ext. 2799.

Construction of new building(s), provided compliance with the regulations of the “I1” zone can be achieved, is subject to the issuance of a building permit from this Division in the normal manner.

There are no outstanding work orders.”

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

Approval of the recommendation by Committee and Council will authorize Real Estate staff to advise the HWCDSB that the City of Hamilton has no interest in acquiring the surplus land.

**ALTERNATIVES FOR CONSIDERATION**

HWCDSB requires either a confirmation of interest or in the alternative, a declination.

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**CORPORATE STRATEGIC PLAN**

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability,  
3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development,  
6. Environmental Stewardship, 7. Healthy Community

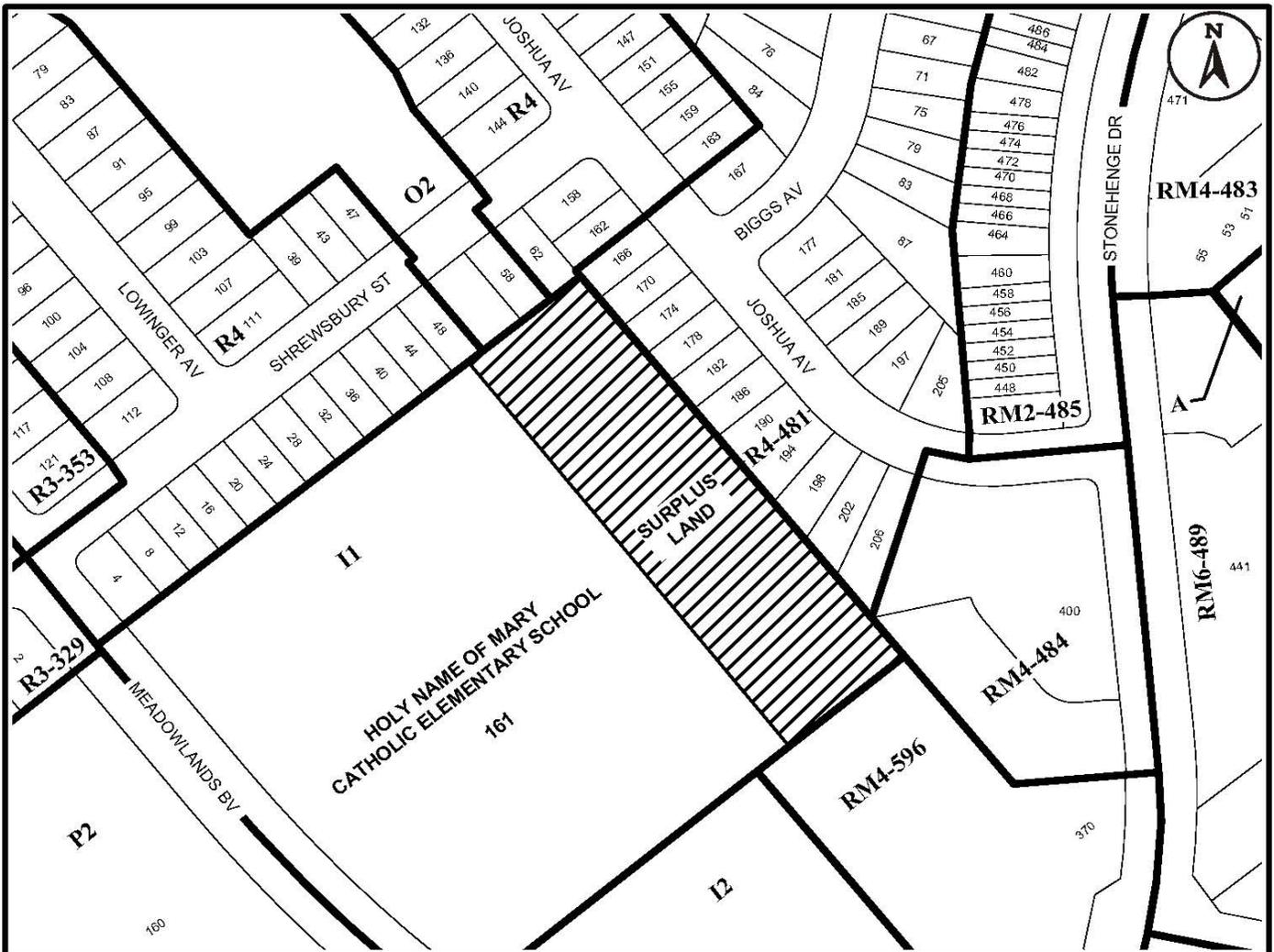
***Intergovernmental Relationships***

- ◆ Maintain effective relationships with other public agencies.

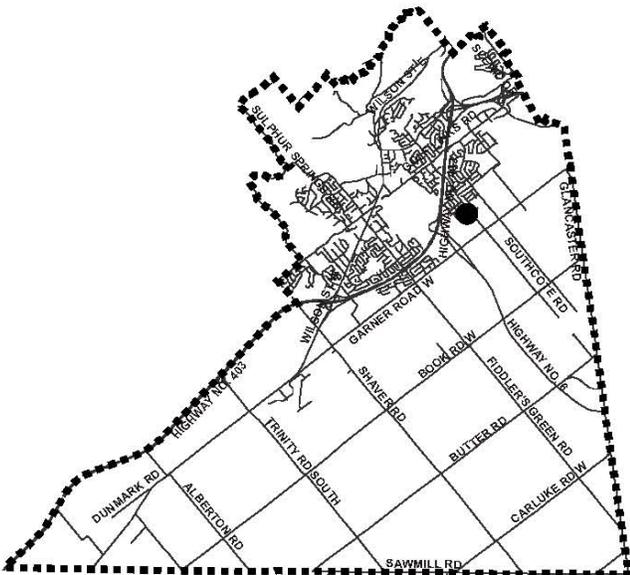
**APPENDICES / SCHEDULES**

Appendix "A" to Report PED11172 - Location Map  
Appendix "B" to Report PED11172 - Conditions of Development

DC/sd



● Subject Location



Ward 12 Key Map

N.T.S.

## Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
2011-090

Date:  
September 9, 2011

Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
DC/KA

### Subject Property



Part of Lot 51, Con. 3  
Former Twp. of Ancaster  
Pt. of PIN # 17565-1295  
Area: 2.38 ac

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