



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 16, 2014
SUBJECT/REPORT NO:	Purchase of 497 Parkside Drive East, Flamborough from Tammie Roy and Andrew Kikauka (PED14077) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Darlene Cole (905) 546-2424 Ext. 7910
SUBMITTED BY:	Neil Everson Acting General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That an Option to Purchase agreement between the City and Tammi Roy and Andrew Kikauka scheduled to close on June 16, 2014, for a residential property municipally known as 497 Parkside Drive East, Flamborough, comprising an area of 0.34 acres, as shown on Appendix "A" attached to Report PED14077, be approved and completed at the purchase price of \$545,000, subject to adjustments and subject to:
 - (i) The owner providing the City of Hamilton access to the property for the purpose of undertaking an Environmental Assessment and/or Designated Substance Survey;
- (b) That the purchase price of \$545,000, subject to adjustments, be funded from Capital Project No. 59259-4031380390 (East-West Corridor Waterdown);
- (c) That the Mayor and Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor;
- (d) That upon Council approval of the purchase of 497 Parkside Drive, the Director of Facilities Management and Capital Programs be authorized and directed to take all the necessary steps for the demolition of the subject building(s), and that the cost for the demolition and any additional ancillary expenses be funded from Capital Project No. 4031380390 (East-West Corridor Waterdown);

- (e) That the sum of \$25,615 be funded from Capital Project No. 4031380390 (East-West Corridor Waterdown) and credited to Account No. 45408-3560150200 (Capital – Property Purchases and Sales), being the costs incurred for real estate, appraisal and legal services.

EXECUTIVE SUMMARY

The new East-West Road Corridor Class Environmental Assessment (EA) (Highway 6 to Brant Street) has received conditional approval from the Ministry of Environment (MOE). As staff works toward satisfying the EA conditions, discussions around the phasing of construction and property acquisition are taking place internally.

Preliminary designs identify a roundabout connection of Parkside Drive East as shown on Appendix “A” to Report PED14077. This roundabout is situated directly opposite 497 Parkside Drive East, held by Tammi Roy and Andrew Kikauka, parents of a pre-school child. Construction of the roundabout will eliminate direct access to the subject property; therefore, the City needs to buy out this property.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The funds supporting the proposed purchase will be sourced from Capital Project No. 4031380390 (East-West Corridor Waterdown).

Staffing: There are no staffing implications arising out of this recommendation.

Legal: Legal Services Division will be required to assist in the preparation of the necessary documents required to complete the transaction as set out herein.

HISTORICAL BACKGROUND

The owners learned of the City’s plans for the East-West Corridor during the environmental assessment / public consultation process and have continued to engage City staff on several occasions for project updates and timing for the purchase of their property. When the conditional EA approval was received from MOE, Real Estate Section staff was directed to proceed with negotiations for the property. Staff has reached a mutually acceptable agreement with the owners on an amicable basis, subject to the City being satisfied with the results of an Environmental Site Assessment and, Council’s approval of this purchase. The recommended purchase price of \$545,000 reflects appraised market value inclusive of relocation costs.

The subject property’s improvements consist of a three bedroom, two storey, single family home, a detached double garage with double width asphalt driveway, hot tub and

above ground pool. Since their acquisition of this home in 2006, the owners have made significant upgrades including a new furnace, kitchen, vinyl windows, basement vapour barrier, electrical panel and wiring, eaves troughs, garage siding/insulation and pool liner.

The lot is rural in nature with a frontage of 100 feet on the north side of Parkside Drive East, by a depth of 150 feet. It is maturely treed with a cedar privacy hedge running east/west along the north property line; rural services are in place. Zoning is "A" – Agricultural, and residential is a permitted use.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Recommendation (a) is consistent with the Real Estate Management Portfolio Strategy Plan, as approved by Council on November 24, 2004, to acquire property in support of municipal programs and needs. As the purchase price of the subject land exceeds the \$250,000 limit set by City Council under the Delegation of Authority approval process, approval is, therefore, required by City Council.

By co-ordinating early with the property owners, while they are willing sellers, avoids expropriation later, which would involve costly and unnecessary use of resources and time.

RELEVANT CONSULTATION

- Planning and Economic Development Department, Growth Management Division

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The opportunity to acquire this critical property, and having reached an amicable agreement with the owners without expropriation, it is timely to move forward with acquisition of this property. The owners have expressed concerns with the placement of the roundabout, its impact on their daily lives, quiet enjoyment and the value of their property and have willingly entered into negotiations with the City to purchase their property.

ALTERNATIVES FOR CONSIDERATION

The Environmental Study Report did not provide driveway access to the roundabout location on Parkside Drive. According to design standards, it is not favourable to connect a driveway into a roundabout. Upon completion of the Environmental Study Report and discussions with the owners were initiated, the project team developed an option of creating a 90 metre driveway that would extend to Parkside Drive, east of the roundabout. This option is not favourable for a few reasons including that the property owners would be responsible for maintaining the 90 metre driveway. Since direct

driveway access is not being provided to 497 Parkside Drive East, a buyout of this property is required.

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 Objective

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.4 Improve the City's transportation system to support multi-modal mobility and encourage inter-regional connections.
- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.2 Improve the City's approach to engaging and informing citizens and stakeholders.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED14077 - Location Map

DC/sd