



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Economic Development Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	February 3, 2016
<b>SUBJECT/REPORT NO:</b>	Declaration of Surplus and Sale of 335, 339 and Part of 337 Highland Road West, Hamilton (PED16033) (Ward 9)
<b>WARD(S) AFFECTED:</b>	Ward 9
<b>PREPARED BY:</b>	John Hamilton (905) 546-2424 Ext. 7910
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

Discussion of Confidential Appendix “D” to this Report in closed session is subject to the following requirement(s) of the City of Hamilton’s Procedural By-law and the *Ontario Municipal Act, 2001*:

- ◆ A proposed or pending acquisition or disposition of land for City purposes;

**RECOMMENDATION**

- (a) That the lands municipally known as 335, 339 and part of 337 Highland Road West, described as Parts 5, 6 and 7, Plan 62R-17528, Township of Saltfleet, in the City of Hamilton, more fully shown and described in Appendices “A-C” attached to Report PED16033, be declared surplus to the requirements of the City of Hamilton in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 14-204;
- (b) That an Option to Purchase, executed on November 25, 2015, and scheduled to close on or before April 28, 2016, to purchase the land known as 335, 339 and part of 337 Highland Road West, legally described as Parts 5, Part of 6 and all of Part 7, Plan 62R-17528, Township of Saltfleet, in the City of Hamilton, more fully described in Appendix “B” attached to Report PED16033, be approved and completed on terms and conditions outlined in Appendix “D” to Report PED16033, and the net proceeds be credited to Account No. 47702 4030980986 (Trinity Church Corridor - 53 and Stone Church);
- (c) That the sum of \$20,000 from the proceeds of the sale be credited to Account No. 45408-3560150200 for recovery of expenses including Real Estate and Legal administration fees;

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- (d) That as a condition of sale, easements be retained by the City to protect existing municipal infrastructure;
- (e) That Appendix “D” to Report PED16033 remains confidential and not be released as a public document until the final completion of the real estate transaction;
- (f) That the Mayor and City Clerk be authorized to execute any necessary documents in a form satisfactory to the City Solicitor.

**EXECUTIVE SUMMARY**

The purpose of this Report is to request Council to declare the subject property surplus to the requirements of the City and approve the sale of the property, in accordance with City policy.

***Alternatives for Consideration – See Page 3***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Proceeds of the sale, minus Legal and Real Estate fees will be deposited in Account No. 47702 4030980986 (Trinity Church Corridor - 53 and Stone Church). The deposit cheque is held by the General Manager of Finance and Corporate Services pending acceptance of this transaction.

Staffing: There are no staffing implications related to this recommendation.

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

**HISTORICAL BACKGROUND**

The subject property, comprising of 1.4 acres of vacant land, forms part of a 1.95 acre parcel on the south limit of Highland Road West; zoning is “R1” – Single Residential. As illustrated on Appendix “C”, this entire holding was subdivided into four lots, municipally known as 333, 335, 337 and 339 Highland Road West.

When these properties were circulated in 2014, the Hamilton Conservation Authority (HCA) identified an opportunity to create a pedestrian trail link from the residential subdivisions north of Highland Road West, through the subject property, to the Eramosa Karst Conservation Area lying to the south. 333 Highland Road West is being conveyed to HCA to accommodate this trail link as identified at Council (Report PW15-005).

Development prospects for the remaining 1.4 acres are limited to one single family dwelling, given the presence of an underground corridor which connects karst land with springs to the north. The purchaser will be required to seek approval from HCA which

will examine building plans and distance separation from the underlying corridor. Land at the westerly limit of the site will support development.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

In accordance with By-law 14-202, property no longer required for municipal programs is declared surplus by Council and disposed of, in accordance with the City's Portfolio Management Strategy.

## **RELEVANT CONSULTATION**

- Legal Services Division, City Manager's Office;
- Planning Division, Planning and Economic Development Department;
- Hamilton Conservation Authority;
- Public Works, Environmental Services; and,
- Ward Councillor.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Currently, Facilities Management and Capital Programs Section oversee the day-to-day maintenance of the property. The Parks and Cemeteries Section and HCA have confirmed they have no interest in developing the site.

The City of Hamilton will receive a financial benefit from this sale. Upon its disposition, the property will generate property tax revenue and relieve the City from ongoing liability and maintenance costs. The property will have a productive use and prevent the vacant site from being an area to dump refuse.

Real Estate staff considers the terms and conditions of this sale to be fair, reasonable and at market value. The Ward Councillor is in agreement of this proposed sale.

## **ALTERNATIVES FOR CONSIDERATION**

Should Council decide not to declare the lands surplus, the parcel will remain in City ownership for an unknown period of time and continue as a liability and an unproductive asset for the City of Hamilton.

**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**

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED16033 - Map

Appendix "B" to Report PED16033 - Legal Description

Appendix "C" to Report PED16033 - Plan 62R-17528 and Plan 62R-20202

Appendix "D" to Report PED16033 - Terms and Conditions (Private and Confidential)

JH/sd