



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	November 16, 2016
SUBJECT/REPORT NO:	Sale of 500 Beach Boulevard, Hamilton (PED16224) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Alexander Tyutyunnik (905) 546-2424 Ext. 7024
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

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 an Offer to Purchase (for the sale of City Owned property), executed on October 06, 2016, and scheduled to close on or before May 31, 2017, to purchase the land described as Part of Burlington Beach, West Side of Beach Boulevard (Unregistered), designated as Part 3 on Plan 62R-19751, more fully shown and described in Appendices “A” to “C” attached to Report PED16224, be approved and completed substantially based on terms and conditions outlined in Appendix "D" attached to Report PED16224, and any such other terms deemed appropriate by the General Manager of Planning and Economic Development and the net proceeds be credited to Account No. 47702-3561250201 (Beach Property Sales and Maintenance);
- (b) That the City Solicitor be authorized and directed to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;

- (c) That the sum of \$10,400 from the proceeds of the sale be credited to Account No. 45408-3560150200 (Property Sales and Purchases) for recovery of expenses including Real Estate and Legal administration fees;
- (d) That Appendix “D” attached to Report PED16224 remains confidential and not be released as a public document until final completion of the real estate transaction;
- (e) 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 approve the sale of subject property to an employee of the City of Hamilton, and in accordance with City policy.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Proceeds of the sale, minus Legal and Real Estate fees will be deposited to Account No. 47702-3561250201 (Beach Property Sales and Maintenance).

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

On February 14, 1997 City Council adopted Item 2 of the first Report of the Committee of the Whole approving the acquisition of 159 properties on the Hamilton Beach composing 25.49 acres from the Hamilton Regional Conservation Authority along with an additional 9.6 acres of Ministry of Transportation (MTO) lands in order to implement the Hamilton Beach Neighbourhood Plan.

On March 6, 2002, City Council approved Item 6 of Report 02-008 of the Committee of the Whole declaring the subject lands surplus to the requirements of the City, and outlining a Beach disposition programme and the sale of surplus lots on Beach Boulevard.

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;
- Environmental Services Division, Public Works Department;
- Portfolio Management Committee; and,
- Ward Councillor.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The subject property is a vacant L- shaped lot with 50 feet of frontage on Beach Boulevard and a depth of 312 feet, situated on the south side of Beach Boulevard between Arden and Bayside Avenue. The property is municipally known as 500 Beach Boulevard and is designated as Part 3 on Plan 62R-19751. The site area is 18,418 square feet (0.42 acres) more or less; current zoning is "C/S-1436" (Urban Protected Residential).

Currently, the subject property does not generate tax revenue and requires maintenance. Upon its disposition, the City of Hamilton will receive a financial benefit from this sale; 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 a place to dump refuse.

The purchaser is a Hamilton resident and an employee of the City of Hamilton. As an employee, the purchaser has complied with the requirement of the City of Hamilton Code of Conduct for Employees.

The purchaser is aware of the City's approval process for residential development and has agreed to pay full market value for the property.

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 with this proposed sale.

ALTERNATIVES FOR CONSIDERATION

Should Council decide not to approve this sale, 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 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED16224 - Map

Appendix “B” to Report PED16224 - Legal Description

Appendix “C” to Report PED16224 - Plan 62R-19751

Appendix “D” to Report PED16224 - Terms and Conditions (Confidential)

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