



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	November 15, 2016
SUBJECT/REPORT NO:	Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Outstanding Business List Item)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Raymond Kessler (905) 546-2424 Ext. 7019 Frank Albrecht (905) 546-2424 Ext. 2656
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

Discussion of matters contained in Confidential Appendices “A”, “B”, “C” and “D” to this Report PED16205 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 City-owned surface parking lots, identified in Appendices “C” and “D” attached to Report PED16205, 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 Car Park Lot No. 69 (12 York Boulevard) being part of a larger parcel known as 12-28 York Boulevard, being part of PIN No. 175860078 and identified in Appendix “D” and “D-1”, attached to Report PED16205, be severed and sold at fair market value to the abutting property owner of 95-105 James Street North, 15 Vine Street, and 107-109 James Street. North; (1263261 Ontario Inc.);

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- (c) That Car Park Lot No. 70, identified in Appendix “D” and “D-2” (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value to the abutting property owner of 252 James Street North, (The Synod Of The Diocese of Niagara; The Incumbent and Churchwardens of Christ’s Church Cathedral);
- (d) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands identified in recommendations (a), (b) and (c) to this Report PED16205 at fair market value, on terms and conditions satisfactory to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor;
- (e) That all contents within confidential Appendices “A”, “B”, “C”, and “D”, to Report PED16205 remain confidential, with the exception only releasing the list of properties that have been declared surplus in Appendices “C”, and “D”, as may be amended, following approval of Council.

EXECUTIVE SUMMARY

The purpose of this Report is to provide an update to Council’s direction of April 19, 2016 (Item 11 of Planning Committee Report 16-007) for staff to surplus circulate the Downtown City-owned Parking Lots and to develop a disposition strategy. The Report seeks Council’s approval to declare certain Car Park Lots surplus to the requirements of the City, and directs Real Estate staff to dispose of several parcels.

Alternatives for Consideration – see Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no immediate financial implications to this Report. Staff will seek direction of Council on the financial and budget implications related to Hamilton Municipal Parking System (HMPS) and the City when reporting to Council for approval of any particular property disposition.

Staffing: There are no staffing implications arising from this recommendation.

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

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

Real Estate staff circulated notice of the surplus lands to all City Departments and outside Public Agencies in accordance with Council direction and Real Estate circulation procedures. Consultation was also carried out with the following:

- Portfolio Management Committee;
- Legal Services Division, City Manager's Office;
- Planning Division and Hamilton Municipal Parking System of the Planning and Economic Development Department;
- Ward Councillor.

HISTORICAL BACKGROUND

On April 19, 2016 Council directed staff under Report Item 11 of Planning Committee PED16-007 to circulate the Downtown City-owned Parking Lots in accordance with the Portfolio Strategy for potential surplus and report to the Planning Committee with a recommended disposition strategy for each lot surplus to the City's needs.

Accordingly the following City-owned surface parking lots were surplus circulated (see Appendix "A");

Carpark Lot No.	Reference Location	Address
1	John / Rebecca	76 John Street North
5	King William / Mary	140 King William Street
7	Main / Ferguson	171 Main Street East
8	King / Jarvis	293 and 297 King Street East, 12 Jarvis Street
13	James / Wilson	96 James Street North
22	King / Locke	451 King Street West
36	James / Mulberry	22 Mulberry Street
49	Barton / Caroline	167 Barton Street West
62	Vine / MacNab	14 Vine Street
66	Bay / Cannon	106 Bay Street North
69	Lot next to York Parkade	12 York Boulevard
70	Hughson / Robert	207-211 Hughson Street North
73	King William / Wellington	253 King William Street
74	King / Hess	263 King Street West

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76	Catharine / Hunter	75 Catharine Street South
81	King / Ferguson	11 Ferguson Avenue North

ANALYSIS AND RATIONALE FOR RECOMMENDATION

In concert with the circulation of the Downtown Parking Lots, a staff working group composed of Real Estate, Parking, Planning, Finance and Urban Renewal examined each lot on the basis of real estate metrics (eg. value in use versus highest and best use), financial performance, site factors, community and strategic planning / policy considerations, and parking supply impacts of disposition. Based on the outcome of the review along with comments received from the surplus circulation, each of the lots was categorized as either retain (lots identified in Appendix “B”), hold for future consideration and disposition (lots identified in Appendix “C”), or current divestiture candidate (lots identified in Appendix “D”). Generally, lots that may be impacted by priority City initiatives such the LRT or West Harbourfront were placed on hold for future consideration pending the finalization of the property requirements for those initiatives. The aforementioned Appendices provide a summary respecting the assessment of each of the lots.

Two elements of the circulation and review process for the Downtown Parking Lots have emerged for additional consideration. In 2005 HMPS commissioned a study to examine the supply and demand dynamics of parking in downtown. This study was updated in 2013, and established the requirement for additional parking in two zones (east and west of James Street, north of King Street). While there are numerous forces and trends that impact parking requirements, the on-going need to provide an adequate supply of public parking is expected to remain. Hence, the need to ensure that when substantial public parking lots are sold for redevelopment, the maintenance of the current supply is a principal staff needs to consider. Similarly, as public parking lots are disposed of, there may be an impact on the HMPS budget. On principal, staff will explore the impact on, among all of the financial implications of any disposition, HMPS and how to make it whole from a budgetary prospective. When staff seeks approval of Council for acceptance of an offer to purchase for disposition, staff will also seek direction of Council regarding the net sale proceeds, and address the financial and budget implications to HMPS as a result of the parking lot sale.

Disposition Process

In accordance with the City’s Portfolio Management Strategy, the first steps in disposition for the purposes herein have been fulfilled, (internal circulation of any candidate lots and confirmation of results by Portfolio Management Committee).

Staff recommends the disposition of Car Park No. 69 and No. 70 to the adjacent property owner as the properties are too small for redevelopment on their own. Greater

redevelopment impact would be realized through land assemblage, by divestiture to the abutting property owners.

Respecting the recommendation of the lots identified in Appendices “C” and “D”, the nature of the divestiture strategies to be employed for each property is to be determined pending the outcomes of City priority initiatives (LRT, West Harbourfront) and further consultation with staff from Planning, HMPS, Affordable Housing and other relevant staff and stakeholders. Phase 1 environmental assessment, land title confirmation and valuations (based on consideration of the highest and best use) is also being conducted. Staff will establish and carry out the most suitable, public real estate offering processes to dispose of lots, including participation by a stakeholder advisory committee, as deemed appropriate by the local councillor, and as outlined in the April 19, 2016 Planning Committee Report PED16-007 and directed by City Council.

ALTERNATIVES FOR CONSIDERATION

Due to their small lot size, the highest and best use for Car Park Lots No. 69 and No. 70 identified in Appendix “D” is by land assembly (conveyance to the abutting property owners at fair market value). Alternatively, these two Car Parks Lots can either be sold to the open market or retained for continuance of providing public parking. Disposal of these lots as recommended will have marginal impact on supply, will encourage more wholesome redevelopment of the lands in this vicinity, and represents the best return for the City. Alternatives for the remaining Car Park Lots for City use were explored through the surplus circulation process. With the exception of possible LRT and West Harbourfront requirements, no other corporate need had been identified for Car Park Lots noted in Appendix “C” and “D”. The opportunity for potential affordable housing on these sites will be explored through the City’s newly created Affordable Housing Site Selection Sub-Committee. The ultimate disposition of these lands will be of net benefit to the City financially and will also aid in the achievement of revitalization and planning goals.

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.

Economic Prosperity and Growth

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

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Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Map of City-owned Surface Parking Lots - Downtown Hamilton

Appendix “B” – Downtown Car Lots - Retain

Appendix “C” – Downtown Car Lots - Hold

Appendix “D” – Downtown Car Lots - Divest

Appendix “D-1” – Location Map - 12 York Boulevard

Appendix “D-2” – Location Map - 207-211 Hughson Street North

RK/FA/lm

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