



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

<b>TO:</b>	Mayor and Members of Council
<b>COMMITTEE DATE:</b>	April 12, 2017
<b>SUBJECT/REPORT NO:</b>	Proposed Acquisition of Land – Lloyd Street (PED17062) (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>PREPARED BY:</b>	Alexander Tyutyunnik (905) 546-2424 Ext. 7024
<b>SUBMITTED BY:</b>	Glen Norton Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

Discussion of Confidential Appendix “B” 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 by the City.

**RECOMMENDATION**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to purchase 49 Lloyd Street, Hamilton, land described as Part of Lot 36, Registered Plan 1488, as in Registered Instrument CD461330, in the City of Hamilton, subject to and together with an encroachment as in Registered Instrument CD461330, comprising an area of 2,178 square feet and further identified as all of the PIN 17217-0064 (LT), and shown on Appendix “A” attached to Report PED17062, from Michael DeFazio, on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved;
- (b) That subject to a successful acquisition under Recommendation (a) of Report PED17062:
  - (i) Staff be authorized and directed to use the property as a construction site office during development of the Stadium Precinct Park;

- (ii) Staff be authorized and directed to demolish the existing structure upon completion of the park;
- (c) That an annual operating allowance of \$10,000 for 49 Lloyd Street be funded from Account Number 4401456401 (Parkland - Stadium Precinct) for 2017 Operating Budget for Facilities Management and Capital Programs, pending acquisition of this property;
- (d) That an annual operating allowance of \$10,000 for 49 Lloyd Street be allocated as a 2018 future Operating Budget Impact for Facilities Management and Capital Programs for ongoing operating and maintenance costs of the property;
- (e) That funding for this property acquisition, including all Real Estate and Legal Services administrative fees, building condition abatement, demolition, site remediation, contingency and other related costs, as detailed in Appendix "B" attached to Report PED17062 be approved;
- (f) That the City Solicitor be authorized and directed to complete this 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;
- (g) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor;
- (h) That Appendix "B" of Report PED17062 remain confidential and not be released as a public document.

## **EXECUTIVE SUMMARY**

The purpose of this Report is to request Council's approval to acquire 49 Lloyd Street.

Construction of the Pan Am Stadium along with planned development of a joint secondary school / community centre at Scott Park has resulted in a substantial loss of outdoor recreation space and parkland in the stadium Precinct. To replace these amenities, staff developed the Stadium Precinct Master Plan to replace recreation space including a replacement field for the former Brian Timmis Stadium, additional playing fields, and other required amenities such as change rooms and parking.

To implement the Master Plan, Council approved the purchase of 39, 43, 45 and 67-81 Lloyd Street on December 11, 2013. That approval formed the basis of land assembly for parkland.

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*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

The purchase of 49 Lloyd Street represents a continuation of the land assembly for a Stadium Precinct park.

***Alternatives for Consideration – see Page 4.***

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** All costs including acquisition price, building abatement costs (disposal of hazardous materials and designated substances), demolition, site remediation, Real Estate and Legal fees, survey and contingency are to be funded from Capital Account Number 4401456401 (Parkland - Stadium Precinct). As at February 28, 2017 the approved budget to date for this Capital Project totals \$12.4M. Related expenditures total \$8.5M. The unspent funds to date from this project will fund the proposed property purchase contained in this report and the balance of the clean-up costs for the park as a whole. Staff will have to come back to Council for increased funding regarding the park development costs and the purchase costs for the balance of the properties on Lloyd Street.

**Staffing:** Real Estate staff will draft the Option to Purchase. Upon acquisition, the property will be maintained by existing Public Works staff. Future operations requirements of a construction site office will be identified in future budget submissions.

**Legal:** Legal Services will be required to assist in the preparation of the necessary documents required to complete the transaction(s) as set out here in.

## **HISTORICAL BACKGROUND**

On February 23, 2011, Council approved the Ivor Wynne site for the Pan Am Stadium.

In January 2013, the Hamilton-Wentworth District School Board (HWDSB) announced that the Ministry of Education had approved funding for a new secondary school in a centrally located site in the lower City. This was followed by correspondence to the City dated February 13, 2013, from the HWDSB proposing a joint development of a school and community centre near the new Pan Am Stadium. On May 16, 2013, the Stadium Precinct Master Plan was presented to the community and implemented with the acquisition of 39, 43, 45 and 67-81 Lloyd Street.

Following acquisition of these properties, several land matters came to light, and on August 08, 2016, staff proposed a Land Acquisition Strategy with recommendations to the General Issues Committee to acquire additional lands to maximize the functional use of the lands. Subsequently, on August 12, 2016, Council approved GIC Report 16-

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018 authorizing and directing staff to enter into negotiations with the owners of properties fronting on Lloyd Street between Chapple Street and Gage Avenue North, and requested staff to report back as to funding requirements and for authorization to proceed with further acquisitions.

City staff was approached by Michael DeFazio to determine interest in the property.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Real Estate Portfolio Management Strategy

## **RELEVANT CONSULTATION**

- Financial Planning and Policy Division, Corporate Services Department;
- Landscape Architectural Services, Public Works Department;
- Facilities Management and Capital Programs Division, Public Works Department;
- Legal Services Division, City Manager's Office; and,
- Ward Councillor.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

49 Lloyd Street is a 2,178 square feet lot with 21.75 feet frontage on Lloyd Street, zoned M6 (Light Industrial) and improved with a two and a half storey approximately 1,542 square feet residential house built circa 1912. The house has been recently renovated and considered to be in a good condition.

Council directed staff to acquire properties along Lloyd Street through GIC Report 16-018 on August 12, 2016. Acquisition of the properties along Lloyd Street between Chapple Street and Gage Avenue North would give the parkland frontage on Lloyd Street and allow more flexibility for orientation and siting of facilities at the park, and provide enhanced ingress and egress to the public.

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

The terms and conditions of this purchase transaction are deemed fair, reasonable and at market value by Real Estate.

## **ALTERNATIVES FOR CONSIDERATION**

Failure to acquire this property at the present would result in higher costs in the future.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Healthy and Safe Communities**

*Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.*

**Built Environment and Infrastructure**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED17062 – Location Map

Appendix “B” to Report PED17062 – Financial Terms (Confidential)

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