



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 17, 2017
SUBJECT/REPORT NO:	Declaration of Surplus and Sale of 1530 Upper Sherman Avenue (PED17088) (Ward 7)
WARD(S) AFFECTED:	Ward 7
PREPARED BY:	Darlene Cole (905) 546-2424 Ext. 7910
SUBMITTED BY:	Glen Norton Director, Economic Development Division Planning and Economic Development Department
SIGNATURE:	

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 an Offer to Purchase (for the sale of City-owned property) executed by Sonoma Homes Limited property known as 1530 Upper Sherman Avenue, as shown and described in Appendix “A” attached to Report PED17088, based substantially on the Major Terms and Conditions outlined in Appendix “B” attached to Report PED17088, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
- (b) That the lands identified and documented in Appendix “A” to Report PED17088 be declared surplus to the needs of the City for the purpose of sale;
- (c) That the proceeds of the sale be credited to Account No. 47702-3560150200 (Property Sales and Purchases), and that the sum of \$16,000 from the proceeds of the sale be credited to Account No. 45408-3560150200 (Property Purchases and Sales), for recovery of expenses incurred for Real Estate and Legal administrative services;

**SUBJECT: Declaration of Surplus and Sale of 1530 Upper Sherman Avenue
(PED17088) (Ward 7) - Page 2 of 5**

- (d) 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;
- (e) That the Mayor and Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor;
- (f) That Appendix "B" of Report PED17088 remain confidential and not be released as a public document until after the final completion of the real estate transaction.

EXECUTIVE SUMMARY

1530 Upper Sherman Avenue is a triangular parcel designated as Open Space, and forms part of the Billy Sherring Park. Sonoma Homes Limited, owners of adjacent 1518 Upper Sherman Avenue, wishes to acquire this parcel and include it in their proposed residential development plan. The subject lands will be developed with six townhouse units.

Recreation staff has confirmed that the subject Property has limited potential for use as parkland as it is, separated from the rest of Billy Sherring Park by Acadia Drive and a stormwater management pond.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Proceeds from the sale of the land will be credited to Account No. 47702-3560150200 (Property Sales and Purchases)

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.

HISTORICAL BACKGROUND

The current property owner of 1518 Upper Sherman Avenue (Sonoma Homes Limited) has submitted a development application to develop its lands with a residential subdivision and has expressed to the City its interest in purchasing the 1.37 acre parcel to include in their development plan.

**SUBJECT: Declaration of Surplus and Sale of 1530 Upper Sherman Avenue
(PED17088) (Ward 7) - Page 3 of 5**

Recreation planning was consulted and staff confirmed that the parcel is not conducive for recreational purposes, given its size and shape, and is physically detached from Billy Sherring Park.

In the fall of 2016, Real Estate circulated to all City Departments a memo as to declaring the subject property surplus, and there were no objections to the sale of this property.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This recommendation is consistent with the City's Real Estate Portfolio Management Strategy Plan as approved by City Council on November 24, 2004 and the Procedural By-law for the Sale of Land, By-Law No. 14-204.

The Planning framework of this property is as follows:

Urban Hamilton Official Plan urban structure element (Schedule E): Neighbourhoods;
Urban Hamilton Official Plan land use designation (Schedule E-1): Open Space;
Urban Hamilton Official Plan Parks Classification Map (Appendix A): Community Park;
Butler Neighbourhood Plan land use designation: Low Density Apartments; and,
Zoning By-law 05-200: Community Park (P2) Zone.

The Butler neighbourhood plan envisions the subject land for residential use by designating it for Low Density Apartments. Residential development will require amendments to the UHOP and Zoning By-law 05-200. The need for an amendment to the Butler Neighbourhood Plan as it pertains to the subject land would depend on the nature of the residential development proposal.

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, including:

- Public Works Department;
- Planning and Economic Development Department;
- Legal Services Division; and,
- Ward Councillor.

There were no objections from any City Departments and Divisions to the disposition of this property provided that:

- A right of way of 86 feet be acquired for Acadia Drive; and,

- Access to a stormwater pond on the south limit of Acadia Drive is not impeded.

No agencies or utility companies had any objection to this proposed sale.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Butler neighbourhood, with 3,000 existing residents, is well accommodated in terms of parkland; its current inventory of 21.8 acres would serve a population of over 10,000 residents. Removing the subject land from this inventory would result in a Community Park area of 19.4 acres, more than adequate to serve existing and future population growth in this neighbourhood.

The proposed disposition of the subject land presents an opportunity for the otherwise vacant and unused lands to be incorporated into a more comprehensive development along with adjoining residential development. The result of this sale and future development will be revenue for the City through the proceeds of the sale, as well as additional annual property assessment. The developer is proposing to build six townhouse units on the subject property.

ALTERNATIVES FOR CONSIDERATION

Should Council decide not to declare the lands surplus, the parcel will remain in City ownership as future parkland with commensurate costs and ongoing liabilities.

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.

Healthy and Safe Communities

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

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

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.

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.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED17088 – Location Map

Appendix "B" to Report PED17088 – Major Terms and Conditions (Confidential)

DC/lm

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