



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	School Board Property Sub-Committee
COMMITTEE DATE:	August 29, 2018
SUBJECT/REPORT NO:	Hamilton-Wentworth Catholic District School Board Property at 185 Kenilworth Avenue North, Hamilton (PED18207) (Ward 4)
WARD(S) AFFECTED:	Ward 4
PREPARED BY:	Stephen Burman (905) 546-2424 Ext 4114
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) that the City of Hamilton has no interest in acquiring its property located at 185 Kenilworth Avenue North, Hamilton, (190 Britannia Avenue), as shown on Appendix “A” attached to Report PED18207;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED18207.

EXECUTIVE SUMMARY

The Hamilton-Wentworth Catholic District School Board (HWCDSB) advised the City of its intention to sell its property located at 185 Kenilworth Avenue North, Hamilton, (190 Britannia Avenue) which has been used as a school. Based on circulation of the property to stakeholders, and consideration by Portfolio Management Committee (PMC), staff deemed the potential acquisition of the property to not be in the interest of the City.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

At the June 5, 2012 Planning Committee and subsequent City Council meeting of June 13, 2012, a motion was approved to establish a Sub-committee of City Council to review those school board properties being declared surplus for disposition by a school board and report back to the General Issues Committee (GIC) with recommendations, including a financial strategy for potential acquisitions.

On June 8, 2018, HWCDSB provided written notice to the City of its Proposal to Sell Real Property located at 185 Kenilworth Avenue North, (190 Britannia Avenue) in accordance with Ontario Regulation 444/98. The City and other preferred agencies have 90 days to respond to the HWCDSB as to whether or not they have an interest in acquiring the property.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The HWCDSB like other school boards in the Province, follows a formal established property disposal protocol for surplus Board owned properties that are intended to be sold, as governed by Section 194(3) of the *Ontario Education Act* and Ontario Regulation 444. Under this protocol, the HWCDSB circulates notice of the proposed property sale to preferred agents including the City (as per Ontario Regulation 444).

City Council adopted principles (Portfolio Management Strategy, 2004) for property acquisition states *“Property will be acquired in support of an approved program only. A budget item must be approved for the program, including the costs of the real property and operational impact, before action is taken to acquire property.”*

In keeping with general municipal protocol related to potential surplus school sites, the School Board Sub-Committee is to establish and recommend direction with respect to all surplus school sites that may come available.

RELEVANT CONSULTATION

On June 21, 2018, Real Estate staff circulated a memorandum to all City Departments and relevant stakeholders concerning the HWCDSB’s proposal to sell its property at 185

Kenilworth Avenue North, (190 Britannia Avenue) to elicit their comments or future interest in acquisition of the property. There was no interest expressed in this property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The property being offered for sale is situated on the North side of Britannia Avenue, West of Kenilworth Avenue North and is improved with a school building. The property contains only a portion of an existing building—it is not separated from the residual parcel being retained by the HWCDSB. This would result in a constraint on the ability to develop the site as a “stand alone” project, limiting the use to a re-purposing of the site.

The HWDCSB should consider postponing its offer of sale while it works with the adjacent property owner, the Hamilton Roman Catholic Diocese, to realign property interests so that the site to be disposed of is not constrained from a more redevelopment perspective. In this regard, staff and the local Councilor have engaged the HWCDSB staff and executive.

Following consideration of comments from circulation stakeholders, there is no City requirement to justify the purchase of this school site.

The City divisions have provided valuable information respecting guidelines for the future use of the site.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

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APPENDICES AND SCHEDULES ATTACHED

Appendix “A”-Location Map

Appendix “B”-Site Development Requirements

SB/sd