



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

<b>TO:</b>	School Board Property Sub-Committee
<b>COMMITTEE DATE:</b>	June 24, 2019
<b>SUBJECT/REPORT NO:</b>	Hamilton-Wentworth District School Board Property at 155 Macassa Avenue, Hamilton (PED19139) (Ward 7)
<b>WARD(S) AFFECTED:</b>	Ward 7
<b>PREPARED BY:</b>	Raymond Kessler (905) 546-2424 Ext 7022
<b>SUBMITTED BY:</b>	Glen Norton Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 155 Macassa Avenue, Hamilton, as shown on Appendix "A" attached to Report PED19139;
- (b) That staff be directed to advise the (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED19139.

**EXECUTIVE SUMMARY**

On April 18, 2019, the Hamilton-Wentworth District School Board (HWDSB) advised the City of its intention to sell its property located at 155 Macassa Avenue, Hamilton, which has been previously used as a school. Based on circulation of the property to stakeholders, and consideration by Portfolio Management Committee (PMC), staff deem the potential acquisition of the subject property to not be in the interest of the City.

***Alternatives for Consideration – See page 3***

**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 April 18, 2019, HWDSB provided written notice to the City of its Proposal to Sell Real Property located at 155 Macassa Avenue, Hamilton, in accordance with Ontario Regulation 444/98. The City and other preferred agencies have 90 days to respond to the HWDSB as to whether or not they have an interest in acquiring the property.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The HWDSB, 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 HWDSB 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 April 24, 2019, Real Estate staff circulated a memorandum to all City Departments and relevant stakeholders concerning the HWDSB’s proposal to sell its property at 155 Macassa Avenue, Hamilton, in order 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 has a building gross floor area of approximately 19,644 ft<sup>2</sup> (1,825 m<sup>2</sup>). It is located on the north side of Macassa Avenue, west of Upper Gage Avenue, and is improved with a school building.

Following consideration of comments from circulation stakeholders, there is no City requirement to justify the purchase of this school site. The local Ward Councillor has represented the local resident community support for and interest in acquiring the subject property. Landscape Architectural Services advised that acquiring 155 Macassa Avenue for use as parkland would result in a surplus of parkland being dedicated to the surrounding neighbourhood based on City policy.

City Divisions have provided valuable information respecting guidelines for the future use of the site. Staff will share this information with the HWDSB.

## **ALTERNATIVES FOR CONSIDERATION**

Should Council determine that it wishes to pursue the potential acquisition of the property, staff would recommend the following:

- (a) That staff be authorized and directed to advise the HWDSB of the City's interest in the potential acquisition of the lands located at 155 Macassa Avenue, Hamilton, legally described as Part of Lot 7, Concession 5 Barton, Part 2 on Plan 62R19152, City of Hamilton forming all of PIN 17007-0170, as shown on Appendix "A" attached to Report PED19139;
- (b) That staff be authorized and directed to complete due diligence work, including appraisal, designated substance survey, building condition assessment, and demolition cost estimate work in preparation for the potential acquisition of the HWDSB lands located at 155 Macassa Avenue, Hamilton;
- (c) That all costs related to the due diligence and feasibility investigation, to an upset amount of \$50 K, for the potential acquisition of the HWDSB lands located at 155 Macassa Avenue, Hamilton, be authorized and funded from Ward 7 Capital Infrastructure Reserve Account No. 108057; and,
- (d) That staff be directed to report back on an acquisition and funding strategy for the HWDSB lands located at 155 Macassa Avenue, Hamilton.

**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.*

**Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

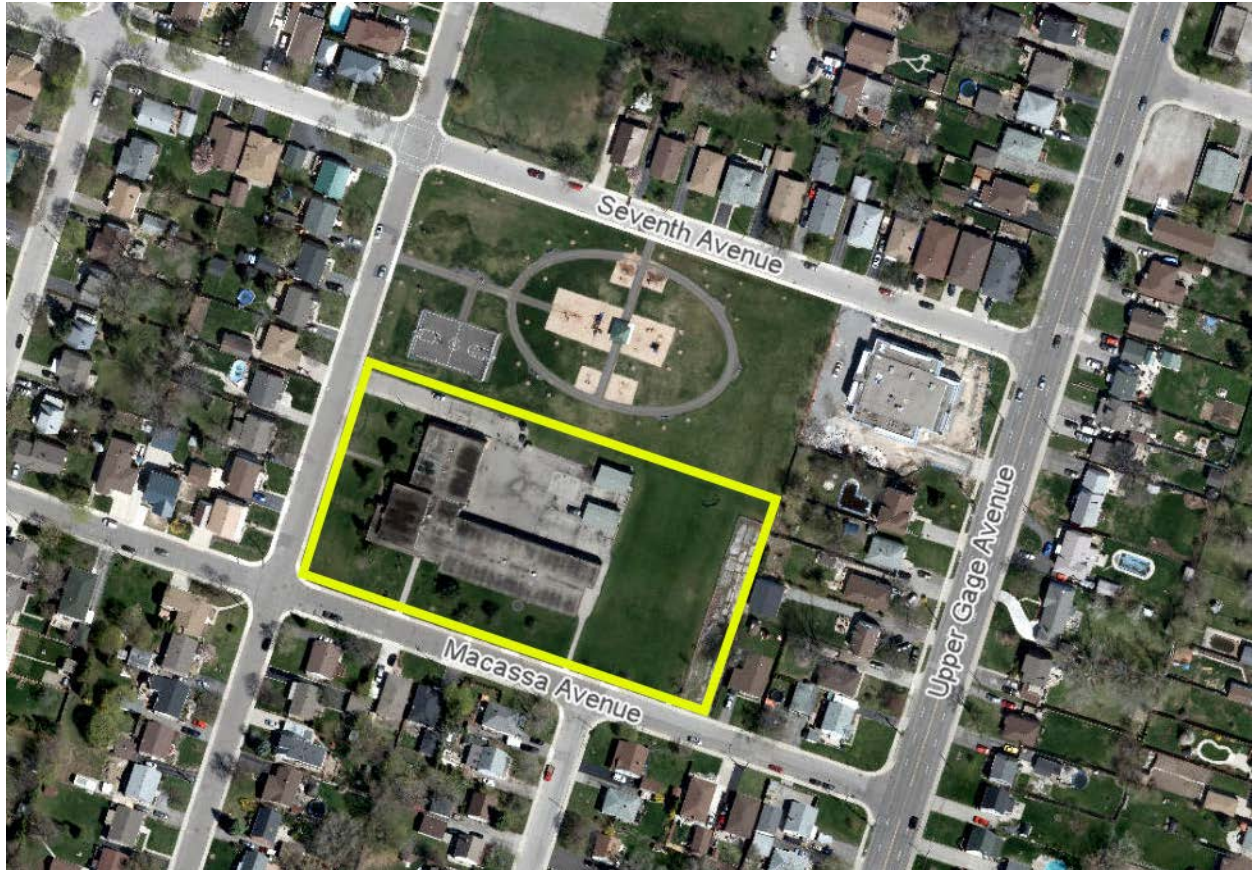
Appendix “A”–Location Map

Appendix “B”–Site Development Requirements

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## Location Map

155 Macassa Avenue



**SITE DEVELOPMENT REQUIREMENTS****Planning and Economic Development Department**

<b>Building, Engineering &amp; Zoning</b> Building Division	<ul style="list-style-type: none"><li>• Building Division records indicate that the recognized use is a school of learning, which is permitted.</li><li>• Variance # 1 of Minor Variance File # HM/A-11:224 permitted one classroom to be used by the Ontario Genealogical Society.</li><li>• Permitted uses and applicable zone provisions shall be in accordance with the "C" district of Hamilton Zoning By-law No. 6593.</li><li>• The lands may be subject to Site Plan Control.</li><li>• Demolition Permit # 18-121473, issued on July 19, 2018, (To remove one (1) stand-alone portable from the site "Vincent Massey School") remains not finalized.</li><li>• Order to Comply Folder #18-132190, dated August 22, 2018, is outstanding.</li><li>• All proposed development is subject to the issuance of a building permit in the normal manner. Demolition of the existing building is subject to the issuance of a demolition permit in the normal manner.</li></ul>
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