



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

<b>TO:</b>	School Board Property Sub-Committee
<b>COMMITTEE DATE:</b>	December 17, 2019
<b>SUBJECT/REPORT NO:</b>	Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (PED19239) (Ward 10)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>PREPARED BY:</b>	Craig Hamilton (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 the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton does not have an interest in acquiring its property located at 65 Frances Avenue, Stoney Creek, as shown on Appendix "A" attached to Report PED19239;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED19239.

**EXECUTIVE SUMMARY**

The Hamilton-Wentworth District School Board (HWDSB) has advised the City of its intention to sell its property located at 65 Frances Avenue, Stoney Creek. 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 – 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 with recommendations, including a financial strategy for potential acquisitions.

On October 24, 2019, the HWDSB provided written notice to the City of its Proposal to Sell Real Property located at 65 Frances Avenue, Stoney Creek, 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 October 30, 2019, Real Estate staff circulated a memorandum to all City departments and relevant stakeholders concerning the HWDSB’s proposal to sell its property at 65 Frances Avenue, Stoney Creek, to elicit their comments or future interest

in acquisition of the property. No Business Case was received in support of an acquisition of this property.

The results of the circulation were presented to the PMC on November 25, 2019.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The subject property is a rectangular 3.95 ac site with 521 ft of frontage onto Frances Avenue. It is situated on the northern side of Frances Avenue, west of Green Road. The lands are currently undeveloped and are located within an environmentally-sensitive area.

Following consideration of comments from circulation stakeholders, PMC established that 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**

Alternatively, the Real Estate Section may be directed to advise the HWDSB that the City of Hamilton may have an interest and is exploring the extent to what the interest might be in acquiring its property located at 65 Frances Avenue, Stoney Creek. Such direction would require authorization and funding to undertake due diligence in consideration of the potential acquisition.

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

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#### **Our People and Performance**

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### **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” – Location Map

Appendix “B” – Site Development Requirements