



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Economic Development Division

TO:	School Board Property Sub-Committee
COMMITTEE DATE:	December 17, 2019
SUBJECT/REPORT NO:	Hamilton-Wentworth District School Board Property at 1284 Main Street East, Hamilton (PED19162) (Ward 4)
WARD(S) AFFECTED:	Ward 4
PREPARED BY:	Craig Hamilton (905) 546-2424 Ext. 7022
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

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 1284 Main Street East, Hamilton, as shown on Appendix “A” attached to Report PED19162;
- (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 PED19162.

EXECUTIVE SUMMARY

The Hamilton-Wentworth District School Board (HWDSB) has advised the City of its intention to sell its property located at 1284 Main Street East, Hamilton, formerly known as Delta Secondary 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 – 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 1284 Main Street East, 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 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 1284 Main Street East, 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 6.19-ac site with 487 ft of frontage on Main Street East. It is situated on the south side of Main Street East, to the east of Graham Avenue South and is improved with an existing school (with a gross floor area of approximately 225,600 ft²).

Following consideration of comments from circulation stakeholders, PMC established that there is no City requirement to justify the purchase of this school site. It is notable that the Light Rail Transit Office has indicated a requirement for a small portion of the frontage of the site – this will be addressed with the HWDSB or subsequent property owner outside of this circulation process.

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 1284 Main Street East, Hamilton. Such direction would require authorization and funding to undertake due diligence in consideration of the potential acquisition.

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.

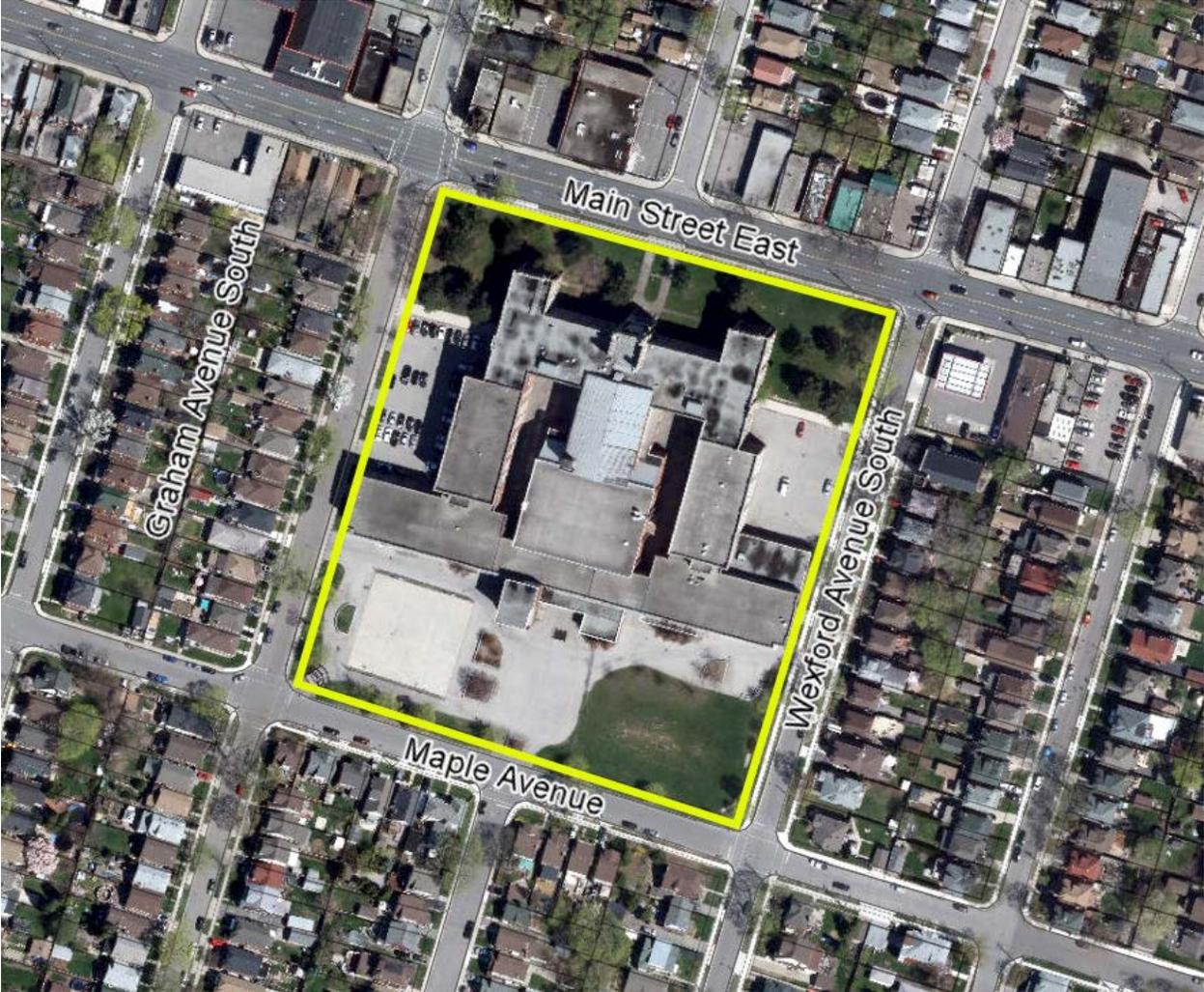
APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map

Appendix “B” – Site Development Requirements

Location Map

1284 Main Street East, Hamilton (Ward 4)



SITE DEVELOPMENT REQUIREMENTS

Planning and Economic Development Department

<p style="text-align: center;">Building, Engineering & Zoning Building Division</p>	<p>Building Division records indicate that the recognized use is an Educational Establishment known as "Delta Secondary School", which is permitted. Permitted uses and applicable zone provisions shall be in accordance with Section 8.2 and Schedule C of Hamilton Zoning By-law 05-200. This property is designated under Part IV of <i>the Ontario Heritage Act</i>, by municipal By-law Number 14-077 as a property of cultural heritage value. A Heritage Permit may be required for alterations or changes to the property. The lands may be subject to Site Plan Control. As such, development or redevelopment may require application to the Planning and Development Division. Any development is subject to the issuance of a building permit in the normal manner. No outstanding work orders exist on the property.</p>
<p style="text-align: center;">Transportation Planning</p>	<p>Approximately 12.5 m are to be dedicated to the right-of-way on Main Street East, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network Functional Classification, 4.5.2. Major Arterial Roads (Main Street East) are to be 45.720 m. The existing right-of-way is 20.5 m. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s). Approximately 1 m are to be dedicated to the right-of-way on Maple Avenue, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network Functional Classification, 4.5.2. Local Roads (Maple Avenue) are to be 20.117 m. The existing right-of-way is 18.5 m. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).</p> <p>Approximately 1 m are to be dedicated to the right-of-way on Wexford Avenue South, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network Functional Classification, 4.5.2. Local Roads (Wexford Avenue South) are to be 20.117 m. The existing right-of-way is 18 m. A survey conducted by an Ontario Land Surveyor</p>

	<p>and at the Applicant’s expense will determine the ultimate dimensions for the right-of-way widening(s).</p> <p>The existing right-of-way on Graham Avenue South is approximately 20 m. Therefore, no additional right-of-way dedications are required for Graham Avenue South.</p> <p>Wexford Avenue South and Maple Avenue are both Local Roads. The Applicant is to dedicate a 4.57 m by 4.57 m Daylighting Triangle to the right-of-way, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7.</p> <p>Graham Avenue South and Maple Avenue are both Local Roads. The Applicant is to dedicate a 4.57 m by 4.57 m Daylighting Triangle to the right-of-way, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7.</p> <p>Main Street East is an Arterial Road and Wexford Avenue South is a Local Road. The Applicant is to dedicate a 12.19 m by 12.19 m Daylighting Triangle to the right-of-way, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7.</p> <p>Main Street East is an Arterial Road and Graham Avenue South is a Local Road. The Applicant is to dedicate a 12.19 m by 12.19 m Daylighting Triangle to the right-of-way, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7.</p>
<p>Heritage & Design Development Planning</p>	<p><u>Cultural Heritage:</u> The subject property is designated under Part IV of is considered a “protected heritage property” <i>the Ontario Heritage Act</i> and under the Provincial Policy Statement. Both the building and the surrounding yards are protected under designation By-law No. 14-077 (attached to these comments in a separate document).</p> <p>City staff should be made aware that any future alterations which affect the designated features identified in By-law No. 14-077 will require the issuance of a</p>

Heritage Permit prior to the initiation of any works. In addition, a Cultural Heritage Impact Assessment (CHIA) may be required by staff in order to assess the impact of any alterations to the building or landscape which may impact upon the designated heritage attributes of the property. In support of the property's designation, a Cultural Heritage Assessment report was completed (Dilse and Robb, December 2013). This report addressed the property's potential redevelopment and adaptive reuse with the following recommendations:

Opportunities for Conservation:

When Delta Secondary School finishes its present purpose, the conservation of the school's heritage attributes may be achieved in the two broad alternative scenarios outlined below. In both scenarios, the community park would be maintained. If existing building fabric is redundant in a shared-use facility or new single-use scenario, removal of work from the 1970-72 renovations should be given priority. Any new construction should be compatible with the 1923-24 building and 1948-50 additions.

Scenario One - Shared-Use Facility:

The existing school building could accommodate neighbourhood secondary school students in reduced floor space; and the remaining, unneeded space could be converted to complementary new uses. A complementary new use may be assisted-living housing for adults with disabilities or for senior citizens, who would jointly use common rooms with the students enrolled in the secondary school. The auditorium, gymnasiums and food services would be shared in this scenario.

Alternative Shared-Use Options:

- neighbourhood secondary school and community recreation centre and/or public library;
- community centre and assisted-living housing; and,
- community centre and live/work space.

In considering any of the above options or another possibility, their fit with the existing heritage fabric is important to the discussion.

Scenario Two - Single-Use Building:

The existing school building could be put to an entirely new single use. The best possible uses are those that involve the fewest interventions to the existing heritage

fabric. New uses that may lessen the impact on the heritage fabric and suit the neighbourhood context include:

- assisted-living housing;
- retirement home; and,
- live/work space.

In considering any new single use, its fit with the existing heritage fabric is important to the discussion.

Archaeology:

The subject property meets three of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

- 1) In areas of pioneer EuroCanadian settlement;
- 2) Along historic transportation routes; and,
- 3) Within a property designated under *the Ontario Heritage Act*.

These criteria define the property as having archaeological potential. If Real Estate Staff determines that the property is appropriate for acquisition, any Department/Division of the City responsible for the property should be advised of the following:

“The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found.

Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Tourism, Culture and Sport. All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the Ministry of Tourism, Culture and Sport.

Should deeply buried archaeological materials be found on the property during any of the above development

	<p>activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).”</p>
<p>Light Rail Transit Office</p>	<p>The LRT Property Acquisitions Unit has a fee simple requirement of 2308.8ft² of land along the frontage of the property.</p>