



**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 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site) (PED19235) (Ward 14)
<b>WARD(S) AFFECTED:</b>	Ward 14
<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 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site), as shown on Appendix “A” attached to Report PED19235;
- (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 PED19235.

**EXECUTIVE SUMMARY**

The Hamilton-Wentworth District School Board (HWDSB) has advised the City of its intention to sell its property located at 1020 Upper Paradise Road, Hamilton, known as Falkirk West Vacant Site. 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 (GIC) 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 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site), 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 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site), 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 Portfolio Management Committee (PMC) on November 25, 2019.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The subject property is a rectangular 6.00-ac site that is landlocked but is adjacent to City-owned lands. It is situated to the west of Edgehill Drive and south of Stoneridge Court. The lands are currently undeveloped and contain the Provincially Significant Wetlands of Tiffany Creek.

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 Hamilton-Wentworth District School Board (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 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site). 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

---

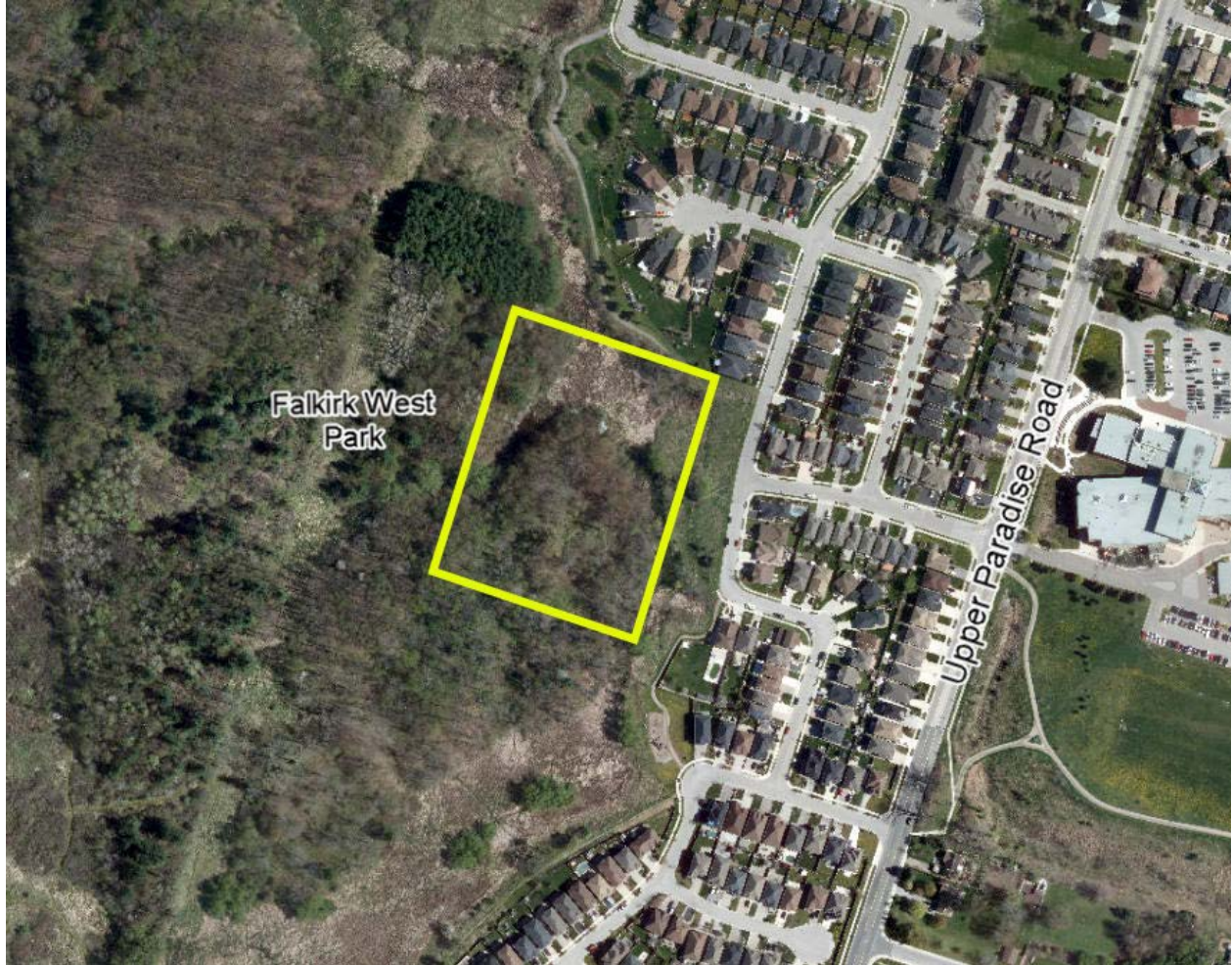
OUR Vision: To be the best place to raise a child and age successfully.

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.

## Location Map

1020 Upper Paradise Road (Falkirk West Vacant Site), Hamilton (Ward 14)



## SITE DEVELOPMENT REQUIREMENTS

### Planning and Economic Development Department

<p><b>Building, Engineering &amp; Zoning</b> Building Division</p>	<p>Building Division records indicate that the land is vacant. Permitted uses and applicable zone provisions shall be in accordance with Hamilton Zoning By-law 6593. Be advised that property has no lot line along the boundary of a street; as such, appropriate planning approvals shall be required prior to any development being permitted on this property. The lands are located within or adjacent to an Environmentally Sensitive Area (ESA) and are subject to Site Plan Control. Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority. Please contact (905) 525-2181 prior to any development. Subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types. There are no outstanding work orders.</p>
<p><b>Natural Heritage Planning</b></p>	<p>The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP). Based on Schedule B (Natural Heritage System) of the UHOP, Core Areas have been identified within and adjacent to the subject property. Core Areas are the most important components of the Natural Heritage System in terms of biodiversity, productivity and ecological and hydrological functions. In this case, the Core Areas have been identified as Tiffany Creek Headwaters Environmentally Significant Area (ESA), Tiffany Creek Headwaters Provincially Significant Wetland (PSW), Significant Woodland and Tiffany Creek. In addition, the entire property is located within the Hamilton Conservation Authority's regulated area.</p> <p>In addition,</p> <ul style="list-style-type: none"> <li>a) The subject property is bordered on three sides by City-owned properties (67 Copperwood Avenue (North); 1030 Upper Paradise Road (Falkirk Road West Park) (west) and 110-120 Edgehill Drive (east)).</li> <li>b) The property abuts Falkirk West Park. This park is currently not managed, and it forms a contiguous natural area (woodland/wetland) with the subject property. There does not appear to be disturbance (i.e. clearing of trees) within the subject property.</li> <li>c) The subject property is regulated under the City's Urban Woodland Conservation By-law (By-law 14-212).</li> </ul>

	<p>This by-law applies to trees in a woodland 0.2 ha or greater within the urban boundary. Core Areas have been identified as ‘Sensitive Natural Areas’ within the by-law. If this property was acquired, the Core Areas and their functions would be protected.</p> <p>d) Tiffany Creek PSW has been identified within and adjacent to the subject property. Provincial (policy 2.1.4) and municipal (C.2.5.2) policies prohibit development within the wetland. As a result, there is limited development potential on site.</p> <p>e) The Tiffany Creek Headwaters ESA, which has been identified within and adjacent to the subject property, was originally identified as an ESA in 1976 based on its functions (provides habitat for regionally, provincially or nationally rare or endangered species).</p> <p>Further, through inventories and evaluation of biological attributes undertaken as part of the Natural Areas Inventory Project (initiated by the Hamilton Naturalists’ Club in 1991 and continued 2003 and 2014 as a collaboration of stakeholders including the City), it has been recommended that:</p> <ul style="list-style-type: none"> <li>• The significant features and functions of the ESA be protected from further development and fragmentation</li> <li>• This area should be maintained as a public open space and managed to protect its hydrological and ecological values</li> </ul>
<p><b>Development Engineering</b></p>	<p>Watermain, sanitary, and storm sewers do not directly front the property. Storm, sanitary, and water sewers are available on Edgehill Drive along Block 70 of Plan 62M-896.</p> <p>Existing Infrastructure (On Edgehill Drive):</p> <ul style="list-style-type: none"> <li>- 250mm dia. Sanitary Sewer at 0.53%</li> <li>- 300mm dia. Storm Sewer at 0.52%</li> <li>- 200mm dia. Watermain</li> </ul> <p>According to the UHOP, the designated road allowance width of the subject sections of Edgehill Drive and Upper Paradise Road are 20.117 m and 30.480 m, respectively. The existing road widths appear to be in accordance with UHOP, therefore future road alliance widenings will not be required across the frontage of the property. The property lies within the Conservation of Hamilton Regulated and consists of an existing watercourse running through the property.</p>