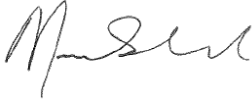




**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Economic Development Division**

<b>TO:</b>	School Board Property Sub-Committee
<b>COMMITTEE DATE:</b>	April 12, 2021
<b>SUBJECT/REPORT NO:</b>	Hamilton-Wentworth District School Board Property at 299 Barton Street, Stoney Creek (PED21082) (Ward 10)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>PREPARED BY:</b>	Craig Hamilton (905) 546-2424 Ext. 4114
<b>SUBMITTED BY:</b>	Norm Schleeahn 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 299 Barton Street, Stoney Creek, as shown on Appendix “A” attached to Report PED21082;
- (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 PED21082.

**EXECUTIVE SUMMARY**

On February 2, 2021, pursuant to O.Reg 444/98, the Hamilton-Wentworth District School Board (HWDSB) submitted to the City a proposal to sell its property located at 299 Barton Street, Stoney Creek, as shown and legally described in Appendix “A” attached to this Report (the “Subject Property”). The Subject Property is an approximately 5.8-acre parcel of land and is improved with a school building having a building area of approximately 22,542 ft<sup>2</sup>. The Subject Property was previously known as “Mountainview Elementary School”.

**SUBJECT: Hamilton-Wentworth District School Board Property at 299 Barton Street, Stoney Creek (PED21082) (Ward 10) - Page 2 of 4**

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Based on circulation of the property to stakeholders, and consideration by Portfolio Management Committee (PMC), the potential acquisition of the subject property is not deemed to be in the interest of the City.

**Alternatives for Consideration – Not Applicable**

**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 February 2, 2021, HWDSB provided written notice to the City of its Proposal to Sell Real Property located at 299 Barton Street, 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 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 444/98. Under this protocol, the HWDSB circulates notice of the proposed property sale to preferred agents including the City (as per Ontario Regulation 444/98).

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 November 11, 2019, Real Estate staff circulated a memorandum to all City Departments and relevant stakeholders concerning the HWDSB's proposal to sell its property at 299 Barton Street, Stoney Creek, in order to elicit their comments or interest in acquisition of the property. There was no staff interest expressed in this property.

On February 13, 2020, the Portfolio Management Committee (PMC) considered the outcome of the internal circulation and does not support the acquisition of the Subject Property, due to there being no departmental interest or any approved program to support the acquisition of the Subject Property.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The Subject Property being offered for sale is an approximately 5.38-acre parcel of land, improved with a school building having a building area of approximately 22,542 ft<sup>2</sup>, being previously known as "Mountainview Elementary School". The Subject Property located on the north side of Barton Street, east of Green Road.

Pursuant to the City Council adopted principles (Portfolio Management Strategy, 2004) for property acquisition, property shall only be acquired to support an approved program. The approved program must have an approved budget item that includes the costs of the real property and its operational impact. Given the results of the consultation noted in the Relevant Consultation section of this Report, there is no approved program to support the acquisition and operation of the Subject Property and thus no justification to acquire the Subject Property.

City Divisions have provided valuable information respecting guidelines for the future use of the site, the relevant comments are summarized in Appendix "B" of this Report and staff will share these comments with the HWDSB.

## **ALTERNATIVES FOR CONSIDERATION – N/A**

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

### **Community Engagement and 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 to Report PED21082

Appendix "B" – Site Development Requirements to Report PED21082

CH:sd