

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

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| TO: Mayor and Members General Issues Committee | WARD(S) AFFECTED: WARD 8 |
| COMMITTEE DATE: April 4, 2012 | |
| SUBJECT/REPORT NO: Hamilton-Wentworth District School Board (HWDSB) Surplus Land - Located at 401 Rymal Road West, Described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton (PED12034) (Ward 8) | |
| SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department | PREPARED BY: Darlene Cole (905) 546-2424, Ext. 7910 |
| SIGNATURE: | |

RECOMMENDATION:

- (a) That the Real Estate Section of the Economic Development Division 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 has no interest in acquiring their land located at 401 Rymal Road West, legally described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton, as shown on Appendix "A" attached to Report PED12034; and,
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's requirements to the development of the site as identified in Appendix "B" attached to Report PED12034.

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1, former Township of Glanford, now City of Hamilton (PED12034)
(Ward 8) - Page 2 of 5**

EXECUTIVE SUMMARY:

The Real Estate Section of the Economic Development Division of the Planning and Economic Development Department is seeking Council's direction to advise the HWDSB that the City of Hamilton has no interest in acquiring the surplus lands located at 401 Rymal Road West, legally described as Part of Lot 2, Concession 1, former Township of Glanford, as shown on Appendix "A" to Report PED12034.

Alternatives for Consideration - Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND:

The information and recommendation contained in this Report primarily affect Ward 8.

City Council, on June 14, 2005, approved Item 6.2 of the Planning and Economic Development Committee Report 05-009. The recommendation in part, as approved by City Council, is as follows:

- (b) That the City of Hamilton not bid on any further HWDSB sites other than what has been committed in Table 1, due to the declining capital reserves from which these purchases are funded.
- (c) That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to notify the HWDSB that the City of Hamilton has no interest in any additional sites which may be deemed surplus, other than those referred to in Table 1.

The sites referred to in Table 1 are as follows:

- Peace Memorial - Ward 6; completed June 2004;
- Fairfield Elementary School - Ward 4; completed November 2004;
- Tweedsmuir School - Ward 2; completed June 2005;
- Grange School - Ward 12; completed August 2005; and,
- University Gardens - Ward 13; parkette acquired as part of the subdivision process.

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(Ward 8) - Page 3 of 5**

Notwithstanding, the policy recommendations approved by City Council on June 14, 2005, that the City will not bid on any further HWDSB sites other than what had been committed due to declining capital reserves from which the purchases are funded, City Council at its meeting of December 10, 2008 directed staff to submit bonafide offers for 205 Berko Avenue and 00 DiCenzo Drive. These transactions had been completed in 2009.

City Council at its meeting of January 28, 2009 approved Item 11.1 of the Audit and Administration Committee Report 09-002. The item approved was an Information Update Report on the City Parkland Dedication Reserve. The conclusion, as outlined in the Report, is as follows:

- (a) The Parkland Dedication Reserve commitments include \$1.5 to \$2.0 million in annual funding towards the park development 10 year masterplan. This amount is the amount of discretionary funding available to Council should they wish to deviate from the priorities set in the park development masterplan. Staff continuously monitor reserve activities and forecasts, adjusting future commitments accordingly.
- (b) The Parkland Dedication Reserve cannot fund any of the existing deficiencies of parkland in older neighbourhoods. Any future significant purchases of parkland in deficient areas would have to be funded from other sources such as area rating, legacy reserves, etc.
- (c) The Province's Planning Act sets a cap on the rates municipalities charge for the creation of parkland. As the Tables in this document show, the City's standard for parkland is on the lower end of the scale and yet Provincial constraints will not allow full cost recovery.

The subject vacant parcel, having an area of approximately 4.01 ha (9.92 acres), is situated in the Falkirk East neighbourhood south of Rymal Road, on the west side of Garth Street. Square in shape, the site boundaries measure approximately 201 x 201 metres (660 by 660 feet), with frontage on Garth Street. A small watercourse crosses the southerly and easterly limits of this property.

The Real Estate Section of the Economic Development Division of the Planning and Economic Development Department circulated the HWDSB's information internally to determine if there was municipal interest in acquiring the lands, and no interest was expressed.

POLICY IMPLICATIONS:

The internal circulation confirmed no municipal need for the subject property. As no municipal need has been identified for the subject property, Council's direction is, therefore, being sought to allow staff to advise the HWDSB that the City of Hamilton has no interest in acquiring the lands.

RELEVANT CONSULTATION:

Pursuant to the City of Hamilton Real Property Sale Procedural By-law 04-299, the Real Estate Section circulated the request to all City Departments. No municipal uses were identified for the subject property.

Please see Appendix "B" to Report PED12034 for the City's requirements to the development of the site.

ANALYSIS / RATIONALE FOR RECOMMENDATION:

Approval of the recommendation by Committee and Council is in keeping with the recommendation approved in 2005 and will authorize Real Estate staff to advise the HWDSB that the City of Hamilton has no interest in acquiring the surplus land.

ALTERNATIVES FOR CONSIDERATION:

HWDSB requires either a confirmation of interest or in the alternative, a declination. In this instance, the City has no interest in acquiring the property.

CORPORATE STRATEGIC PLAN :

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability,
3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development,
6. Environmental Stewardship, 7. Healthy Community

Intergovernmental Relationships

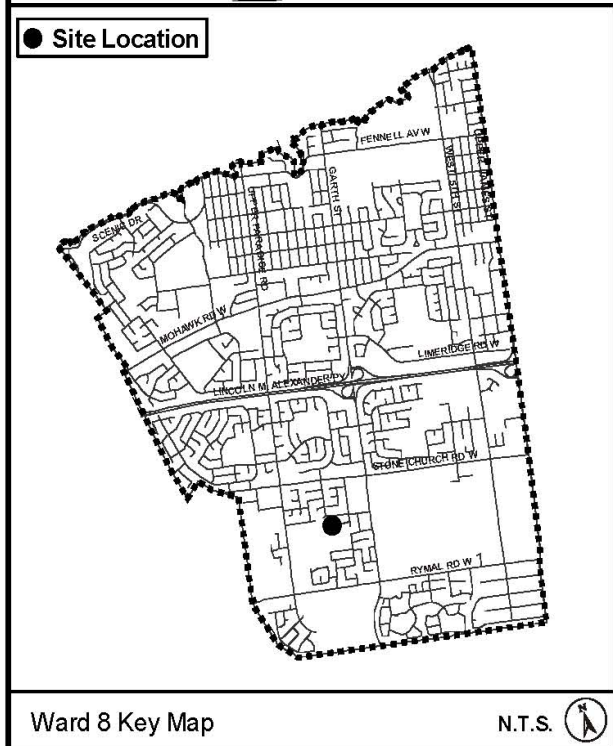
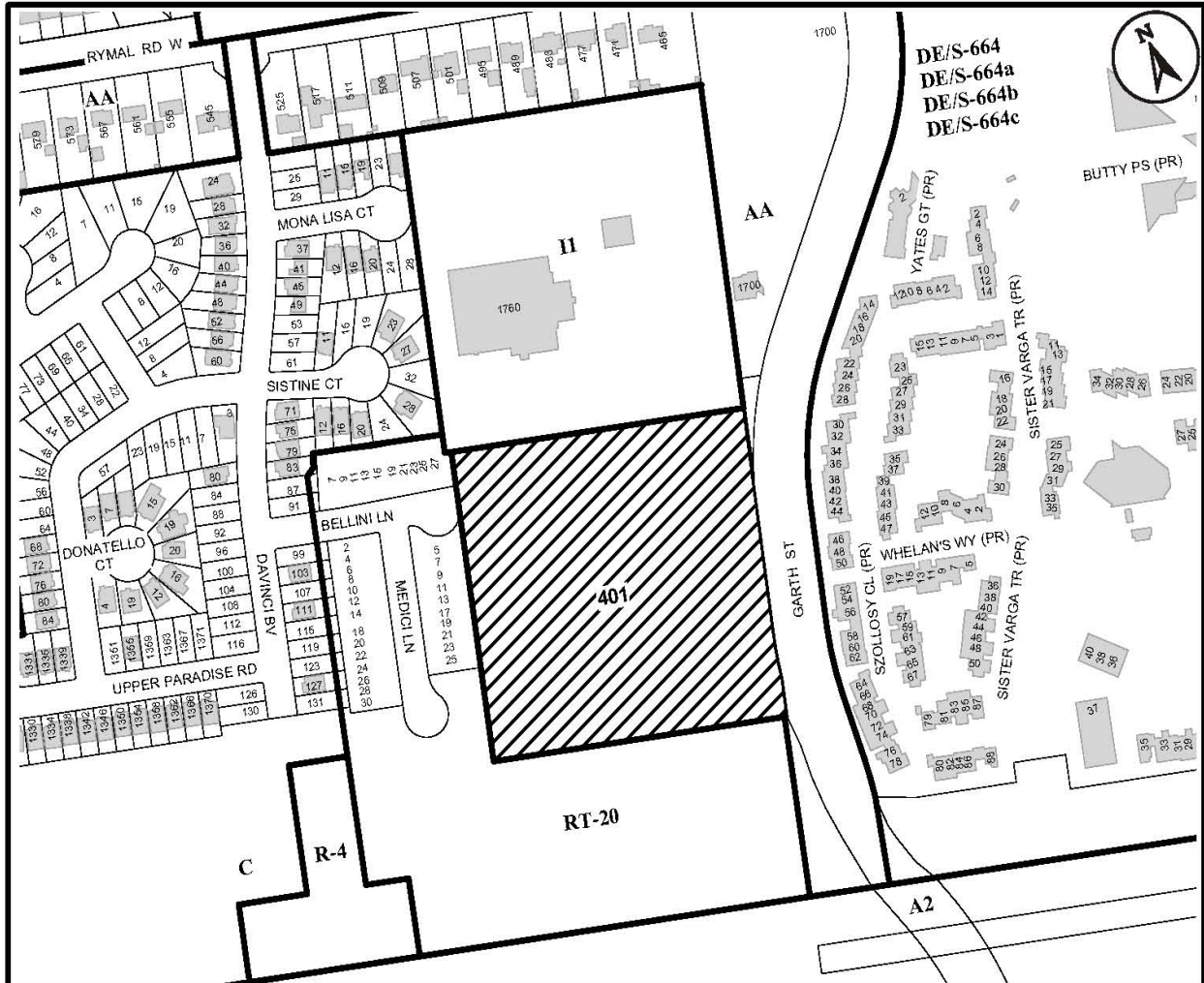
- ◆ Maintain effective relationships with other public agencies.



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APPENDICES / SCHEDULES

Appendix “A” to Report PED12034 – Location Map
Appendix “B” to Report PED12034 – Site Requirements

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| Location Map | |  Hamilton |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | |
| File Name/Number: 2012-008 | | Date: March 5, 2012 |
| Appendix "A" | Scale: N.T.S. | Planner/Technician: DC/KA |
| Subject Property  401 Rymal Road West PIN # 16907-0136 | | |

SITE REQUIREMENTS

Legislative Approvals Section:

"Policy 1.7.1(e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. Staff note that the subject lands are located adjacent to Garth Street and approximately 270 metres south of Rymal Road West. As such, any future development application for the subject lands which contemplates a sensitive land use will require the fulfilment of the following condition:

That the owner/applicant shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning.

Further, Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted. Staff note that the subject lands are located within an area of archaeological potential. As such, please refer to any comments provided by Community Planning, Cultural Heritage Staff in this regard.

The subject property is designated as "Urban Area" within the Hamilton-Wentworth Regional Official Plan. Policy 3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.

The property is designated Major Institutional in the City of Hamilton Official Plan. The uses permitted in this designation include cultural facilities, health, welfare, educational, religious, and governmental activities. In addition, in accordance with Policy A.2.6.5, notwithstanding the policies of A.2.6, residential uses may be permitted provided they are compatible with the surrounding area and are in keeping with the Residential Policies set out in Subsection A.2.1 and C.7 of the

Plan. Therefore, should residential development be the preferred alternative to Major Institutional uses permitted by this plan, an amendment to the plan may not be required.

The lands are also designated Institutional in the new Urban Hamilton Official Plan (under appeal). In accordance with Section E.6.2.6 in Volume 1, notwithstanding Policy E.6.2.2, where institutional uses cease on lands designated Institutional, low density residential uses, parks and open space uses, or community facilities/services uses may be permitted without an amendment to this Plan, provided the residential uses are compatible with the surrounding area and are in keeping with the policies of this Plan.

The subject lands are within the "AA" (Agricultural) District of Hamilton Zoning By-law 6593. Any form of development for uses other than those listed in Section 3(3) "Certain Uses Not Restricted" would require an amendment to the Zoning By-law.

The southern portion of the subject lands are regulated by the Hamilton Conservation Authority. Please contact staff from the Hamilton Conservation Authority in this regard."

Development Engineering Section:

"Our records indicate that there is no road widening requirement from the subject property at this time.

There is an existing 200mm watermain, a 375mm sanitary sewer and 1650mm storm sewer on an easement, adjacent to the north property line of the subject lands.

There is an existing 600mm watermain and a 975mm overflow storm sewer on Garth Street ROW adjacent to the east property line of the subject lands has been proposed as part of the Paradise Meadows Phase 3 subdivision. Therefore, this property may be identified for cost sharing under the City's best effort obligation."

Community Services, Recreation:

"The subject site is 4.01 ha in size, immediately adjacent to St. Theresa of Lisieux Roman Catholic School to the north, residential to the west, St. Elizabeth's Village to the east, and vacant land to the south.

The subject site is located in the Carpenter Neighbourhood Planning Unit (7601). There was a neighbourhood parkland surplus of 0.26 ha (based on the 2006 census population), which was estimated to remain fairly constant through 2009 (estimated at 0.27 ha).

There is a neighbourhood park serving the nearby residential community to the west (Carpenter Neighbourhood Park), a community park (William Schwenger Park) is located approximately 700 metres from the subject site (direct path). The proposed William Connell city-wide park is also nearby.

In terms of recreation needs based on future growth, the Ward 8 population is expected to increase from 47,423 in 2006, to 56,499 in 2031, an increase of 16%. While this represents growth of almost 10,000 residents, from an overall city perspective, other areas of the City are expected to experience significantly more population growth as an overall total, such as Upper and Lower Stoney Creek.

A recreation needs assessment was completed to assess the recreation needs in the Hamilton Mountain community, as defined in the Indoor and Outdoor Recreation Studies. The needs assessment concluded the following:

Indoor Recreation Facilities

Recent or ongoing recreation facility improvements in the Hamilton Mountain community include the construction of a new Westmount Recreation Centre, construction of a new Inch Park outdoor pool, and major renovations at Sir Allan MacNab Recreation Centre.

There are no indoor recreation needs at present. No specific indoor recreation needs were identified for the short-term in the Indoor Recreation Study. There may be a need for an additional recreation centre and indoor pool in the 2027 – 2031 timeframe, depending on future population growth and demographic needs. Additional seniors' space may be required in the future, subject to future demographic needs.

Outdoor Recreation Facilities

The following outdoor recreation needs were identified in the shorter term for the Hamilton Mountain:

Football / rugby field development;

Tennis court development;

Spray pad development – while a recreation need was identified for Hamilton Mountain, there was no recreation need identified for the Carpenter Planning Unit (location of surplus property), as spray pad construction is planned for William Schwenger Park in 2012, which is in close proximity to the subject site; and,

A community-level skateboard park (based on a distribution service gap identified in the north and west portions of the Hamilton Mountain community)."

Building Services Division:

"This is a vacant parcel of land zoned "AA" pursuant to Hamilton Zoning By-law 6593 and shall be developed in accordance with the zone regulations. Any development or redevelopment is subject to the issuance of a building permit in the normal manner. There are no outstanding work orders."

Environment and Sustainable Infrastructure, Traffic Planning:

"It is our understanding that there is a 0.3 metre reserve along the Garth Street frontage. Access to the subject lands from Garth Street will not be permitted, rather access must be considered from internal subdivision roadways.

The subject property is not needed for City-owned piped sewer facilities. Existing systems are located adjacent to the property within an easement abutting the northerly boundary and part of the westerly boundary."

Environment and Sustainable Infrastructure, Landscape Architectural Services:

"The subject site is not required for parkland purposes. It is located in the Carpenter Planning Unit which is being serviced by Carpenter Park. This park will see an expansion once surrounding development moves forward.

Based on the City's Parkland Calculation by Population, the purchase of the subject property would create a significant surplus of parkland for this Planning Unit and limit the City's potential to purchase parkland in higher priority areas.

The facilities identified by the Outdoor Recreation Study such as the rugby/football field, splash pad, and skateboard park may not be suitable for the existing neighbourhood park in this Planning Unit however a tennis court could potentially be accommodated in the form of a multipurpose court once Carpenter Park is expanded. The programme for the expansion area of Carpenter Park will need to be determined through public consultation."

Parkland Advisory Review Committee (PARC):

"Upon review of the subject site the committee agreed that there was no need to pursue the purchase of this site for park purposes."