



Hamilton

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: Ward 5
COMMITTEE DATE: April 3, 2013	
SUBJECT/REPORT NO: Proposed Land Exchange between City of Hamilton (483 Beach Boulevard) and Her Majesty the Queen in Right of Ontario as Represented by Ministry of Infrastructure Ontario (465 and 485 Beach Boulevard), Land Required for Sierra Lane Improvements (PED13062) (Ward 5)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Frank Albrecht (905) 546-2424 Ext. 2656
SIGNATURE:	

RECOMMENDATIONS

That an exchange of lands between the City of Hamilton and Her Majesty the Queen in Right of Ontario as Represented by Ministry of Infrastructure Ontario, be approved on the following basis:

- (a) That City lands, valued at \$55,590, and municipally known as 483 Beach Boulevard, described as Part 3 on Plan 62R-15721, as shown on Appendix "A" attached to Report PED13062, be transferred to Her Majesty the Queen in Right of Ontario;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to exchange with Her Majesty the Queen in Right of Ontario the land described in

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Recommendation (a) for lands valued at \$68,680, held by Her Majesty the Queen in Right of Ontario described as:

Parts 1 and 2 Plan 62R-18417, forming part of 485 Beach Boulevard and Part 5 Plan 62R-18417, forming part of 465 Beach Boulevard, as shown on Appendix "A" attached to Report PED13062;

- (c) That the value difference of \$13,090 for the lands being exchanged, be debited from Account No. 59259-3561250201 (Beach Boulevard Maintenance and Sales) and paid to Her Majesty the Queen in Right of Ontario; funding for this purchase is to be transferred from the Beach Park Development Reserve No. 108037;
- (d) That the sum of \$12,055 be funded from Account No. 108037 Beach Park Development Reserve and credited to Account No. 45408-3560150200 (Property Purchases and Sales) being the costs incurred for Real Estate, appraisal and legal expenses;
- (e) That should HST be applicable and collected by the City, the HST amount shall be credited to Account No. 22828 009000 (HST Payable);
- (f) That the Mayor and Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:
 - (i) That in accordance with the approved method of providing notice in the City of Hamilton By-law No. 04-299 "Procedural By-Law for the Sale of Land", notice has been given to the public by way of inclusion of this land conveyance on the agenda of Committee recommending to Council the transfer of the land;
 - (ii) That the lands described in Recommendation (a) were declared surplus on June 6, 2000, by Council's adoption of Item 5, Finance Administration Committee Report No. 13-00;
 - (iii) That valuations were completed for the properties described in Recommendations (a) and (b) on January 7, 2013, in compliance with Section 3(b) of By-law No. 04-299 "Procedural By-law for the Sale of Land".

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EXECUTIVE SUMMARY

The Real Estate Section of the Economic Development Division of the Planning and Economic Development Department is seeking Council's approval to exchange the land described in Recommendation (a), for lands it requires from Her Majesty the Queen in Right of Ontario, to widen Sierra Lane and thereby, improve Emergency Service access to Sierra Lane, the Bell Cairn Centre and the Waterfront Trail. This land exchange will also improve parking opportunities for Sierra Lane residents.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: The proposed land exchange is to be at fair market value.

Staffing: There are no staffing implications arising from this recommendation, other than Real Estate and Legal Services staff working together to complete the land exchange.

Legal: Legal Services Division will be required to assist in the preparation of the necessary closing documents.

HISTORICAL BACKGROUND

The information and recommendation contained in this Report primarily affect Ward 5.

483 Beach Boulevard was acquired by the City in 1999 from the Hamilton Region Conservation Authority (HRCA) and is now a vacant, unproductive parcel surrounded by the lands of the Bell Cairn Centre, a training facility for the Ministry of Corrections. Access and parking in the immediate neighbourhood is problematic due to the number of small residential properties on Sierra Lane, a roadway 20 feet in width and no "on street" parking.

During the late 1980's, discussions took place between the City and the Province for a land exchange, whereby a strip of land along the southern limit of Sierra Lane would be acquired by the City in exchange for 483 Beach Boulevard, a small lot adjacent to the north wall of the Bell Cairn Centre. In 1991 the Finance and Administration Committee approved a Report recommending completion of the land exchange but it was never carried out. The main obstacle was that the Hamilton Region Conservation Authority, owner of 483 Beach Boulevard, requested fair compensation from the City. In addition, three utility poles owned by Bell and serving the residents along Sierra Lane are situated on the lands of the Bell Cairn Centre. These poles would need to be relocated

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(at an estimated cost of \$40,000 to \$50,000) upon the widening of Sierra Lane. As it turns out, Bell has no agreement with the Province and to facilitate this proposed land exchange, Bell has agreed to relocate the poles at no cost.

Employment growth at the Bell Cairn Centre has compounded the need for vehicular parking in the neighbourhood and in July 2012, the Province submitted a site plan for additional staff parking at the north end of the Bell Cairn Centre. The proposed land exchange will involve the City transferring 483 Beach Boulevard to the Province in exchange for a 15 foot strip along the entire length of the south side of Sierra Lane. This will accommodate an enhanced layout of the staff parking lot at the north end of the Bell Cairn Centre, with access off Beach Boulevard instead of Sierra Lane.

The widening of Sierra Lane will benefit the Beach Strip community and add the following improvements to the area:

- 1) Improved street parking opportunities for Sierra Lane residents;
- 2) Improved storm water drainage along Sierra Lane;
- 3) Reconstruction of the existing roadway to meet current standards;
- 4) An enhanced streetscape/landscaping along Sierra Lane;
- 5) Relocation of the existing utility poles; and,
- 6) Improved Emergency Service access to Sierra Lane, Bell Cairn Centre and the Waterfront Trail.

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

- Real Estate Portfolio Strategy Plan
- Growth Related Integrated Development Strategy
- Building a Strong Foundation

RELEVANT CONSULTATION

To receive updated comments, Real Estate staff circulated notice of the surplus lands to relevant City of Hamilton staff.

Consultation was also carried out with staff in the following City Departments:

- Legal Services Division
- Planning Division, Planning and Economic Development Department
- Public Works Department
- Ward Councillor

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ANALYSIS / RATIONALE FOR RECOMMENDATION

The City's land at 483 Beach Boulevard is a vacant lot with a frontage of 7.62 metres (25 feet) by a depth of 34.747 metres (113.99 feet), forming all of PIN 17570-0027 and Roll No. 25180501400970. This parcel, situated close to the Bell Cairn Centre, is not an ideal building lot.

The City of Hamilton will receive a financial benefit from the sale of the subject lands in that upon disposition, the property will generate additional property tax revenue and relieve the City from ongoing liability and maintenance. The acquisition of the 15 foot strip along Sierra Lane will provide the opportunity to upgrade the road to municipal standards, improve emergency access to residents along Sierra Lane and pedestrian access to the Waterfront Trail.

ALTERNATIVES FOR CONSIDERATION

Should Council decide not to approve the proposed land exchange, the parcel will remain in City ownership for an unknown period of time and continue to be an unproductive asset and a liability for the City of Hamilton, and the issue of parking in the vicinity will remain problematic.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

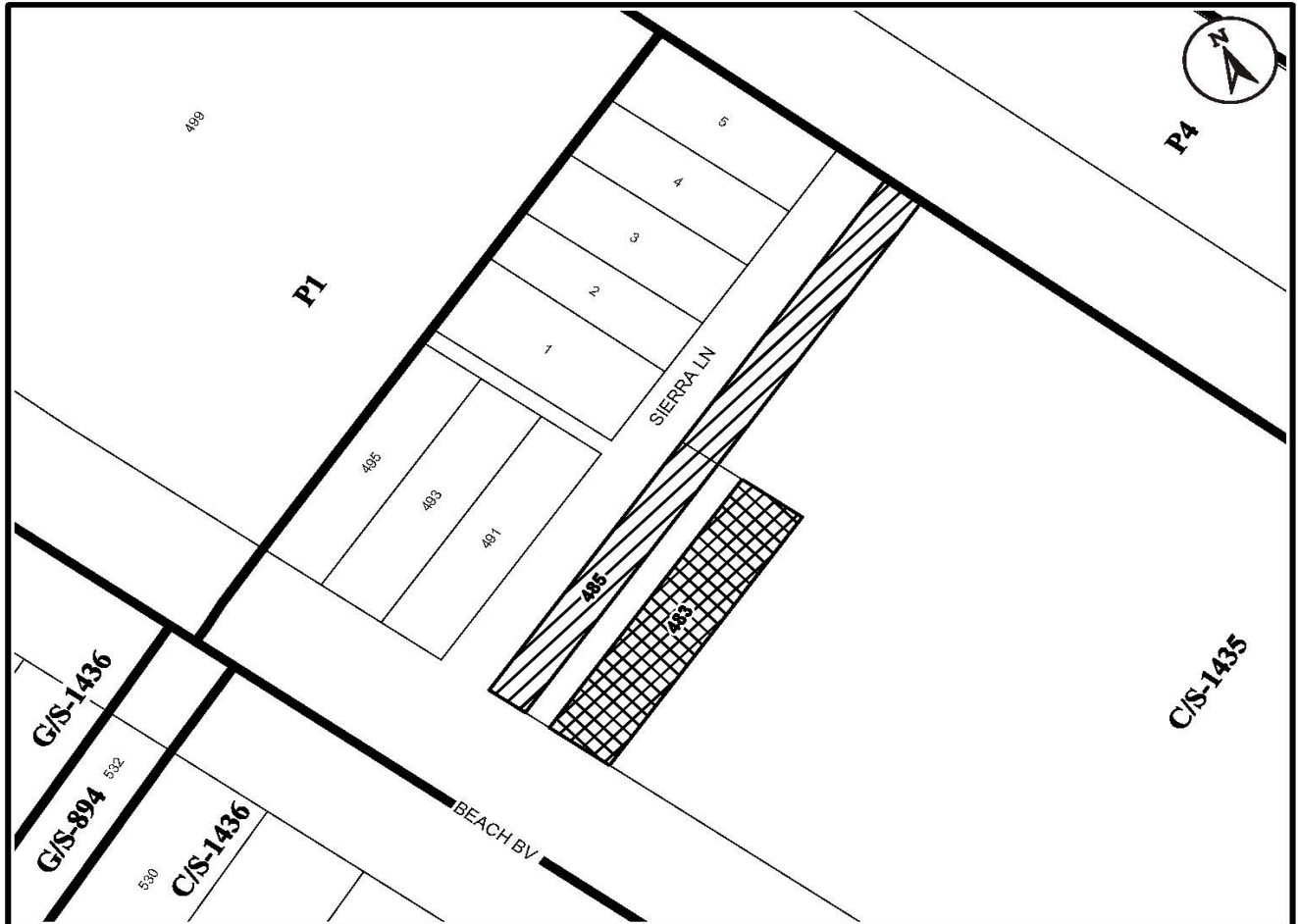
- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

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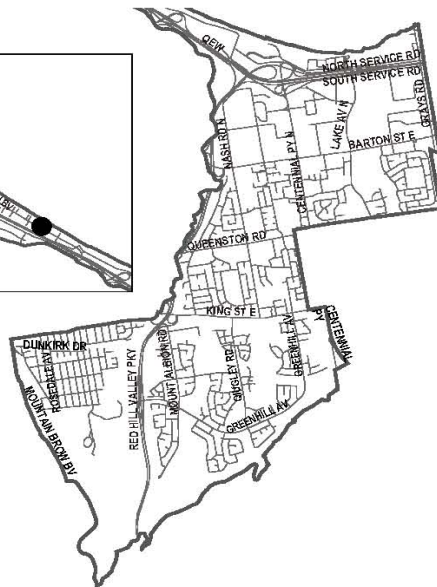
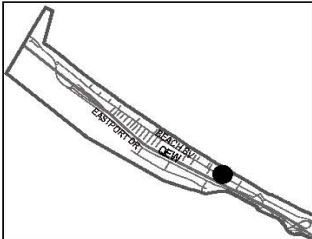
APPENDICES / SCHEDULES

Appendix "A" to PED13062- Location Map

FA/sd



● Location



Ward 5 Key Map

N.T.S.



Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
2008-084

Date:
February 22, 2013

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
FA/AL

Subject Property



485 Beach Boulevard, Provincial lands to be acquired



City lands to be disposed