

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: WARD 8
COMMITTEE DATE: June 13, 2011	
SUBJECT/REPORT NO: Declaration of Surplus Property and Sale of Land to 1521130 Ontario Inc. (Anthony DiCenzo) - Block 77, Plan 62M-747, former Township of Glanford, now City of Hamilton (PED11118) (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 a vacant parcel of land described as Block 77 on Plan 62M-747, as shown on Appendix "A" attached to Report PED11118, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands shown on Appendix "A" attached to Report PED11118, to the developer, 1521130 Ontario Inc. (Anthony DiCenzo), at the nominal consideration of \$2.00;
- (c) That the sale price of \$2.00 does not include the Harmonized Sales Tax (HST); should HST be applicable and collected by the City, that the amount be credited to Account No. 22828 009000 (HST Payable);

(d) That the proceeds of the sale be deposited to Account No. 47702-3560150200 (Property Purchases and Sales);

(e) That the following condition be included in the Offer to Purchase:

The Purchasers acknowledge and agree that the lands being sold shall be included in the lands being dedicated as a public highway in the approved plan of subdivision.

(f) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance for this transaction in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:

(i) That the subject lands be declared surplus by inclusion of Report PED11118 to Council; and

(ii) That in accordance with the approved methods of giving Notice to the Public in the Real Property Sales Procedural By-law No. 04-299, Section 12(a)(6), sufficient notice to the public is given by way of Report PED11118 to City Council.

EXECUTIVE SUMMARY

The subject property is a small, triangular piece of parkland comprising 174.85 square metres (1,882 square feet) at the north limit of Carpenter Neighbourhood Park. Adjoining this parcel to the north is land held by 1521130 Ontario Inc. on which 27 residential lots are being proposed via draft plan application 25T-95001 ("Paradise Courts").

The subject parcel forms part of a future roadway within 25T-95001 and is being transferred to the developer to satisfy conditions of draft plan approval; it will ultimately be dedicated to the City as a public road by certificate upon registration of the Plan of Subdivision.

Alternatives for Consideration on Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: n/a

Staffing: n/a

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Legal: The Legal Services Division will be required to assist in the preparation of the necessary documents upon the sale of the lands.

HISTORICAL BACKGROUND

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

The subject property is a triangular parcel marking the most northerly angle of Carpenter Neighbourhood Park, as shown on Appendix "A". It also forms part of the footprint required to complete the road extension of Eagleglen Way in proposed Draft Plan 25T-95001, also referred to as "Paradise Courts".

The City acquired the subject in 1993 by dedication from Bruscan Development Corporation, in compliance with terms set out in a subdivision agreement between the City and Bruscan. The property is zoned "P1 – Parkland" and it measures 10 metres (32 feet) at its east limit, 34.9 metres (114.5 feet) at its south limit and 36.3 metres (119 feet) along its north limit.

The transfer of this property is required to fulfil Condition Nos. 2, 3 and 5 in Draft Plan Application 25T-95001. Real Estate Section is now moving forward to declare the lands surplus and dispose of the property to the developer at nominal consideration. In exchange, the developer has agreed to transfer to the City, at nominal value, land described as Block 28 in Draft Plan Application 25T-95001 for inclusion into the Carpenter Neighbourhood Park.

POLICY IMPLICATIONS

Council's direction is being sought to allow staff to declare the subject property surplus and dispose of the lands in accordance with the City's Real Estate Portfolio Strategy Plan.

RELEVANT CONSULTATION

- ❖ Legal Services Division, Corporate Services
- ❖ Planning Division, Planning and Economic Development

ANALYSIS / RATIONALE FOR RECOMMENDATION

This conveyance to the developer is required to fulfil conditions of draft plan approval.

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ALTERNATIVES FOR CONSIDERATION

Should Council decide not to declare the lands surplus and approve the sale, the parcel will remain in City ownership and an outstanding matter in the final subdivision approval process.

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

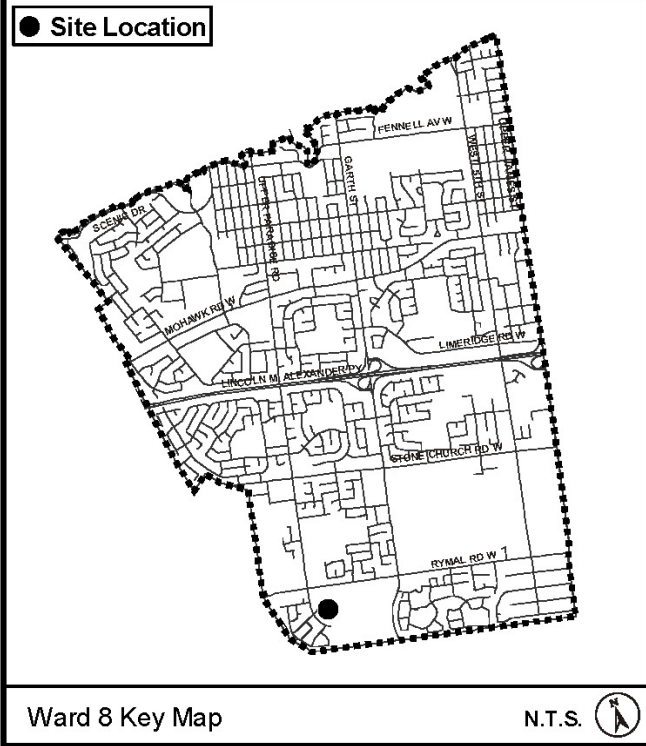
Financial Sustainability

- ◆ Financially sustainable City by 2020 and generate assessment growth.

APPENDICES / SCHEDULES

Appendix "A" to Report PED11118 – Location Map

DC:sd



<h2 style="margin: 0;">Location Map</h2>		 Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		
File Name/Number: 2011-057	Date: May 10, 2011	
Appendix "A"	Scale: N.T.S.	Planner/Technician: DC/JAL
<p>Subject Property</p> <p> Block 77, Plan 62M-747 PIN# 16907-0107 Area: 174.85 Sq. M. (1,882.13 sq ft)</p> <p> Parkland</p>		