TO: Chair and Members
   Economic Development and Planning Committee

WARD(S) AFFECTED: WARD 1

COMMITTEE DATE: February 16, 2010

SUBJECT/REPORT NO:
Declare Surplus and Sell City Owned Lands Located at 337 York Boulevard, Hamilton (PED10032) (Ward 1)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development

PREPARED BY:
Keith Anderson
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SIGNATURE:

RECOMMENDATION:

(a) That the property municipally known as 337 York Boulevard, legally described as Part Lots 5, 6, 7 and 15, Block 5, Range 1, Registered Plan 1435, being composed of Parts 1 to 6 on Plan 62R-14105, comprising an area of 549.4 square metres (5,913.7 square feet) on the southern limit of York Boulevard east of Ray Street North, identified as PIN 17146-0055(R) and Roll Number 251801010601660, subject to a right of way over Part 3, as described in Appendix "A" attached to Report PED10032 be declared surplus to the requirements of the City of Hamilton, in accordance with By-law 04-299, the Procedural By-law for the Sale of Land;

(b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department, be authorized and directed to sell the subject lands at fair market value, in accordance with the “Procedural By-law for the Sale of Land”, being By-Law 04-299.
EXECUTIVE SUMMARY

The purpose of this report is to request City Council to declare the subject property surplus to the requirements of the City and to direct Real Estate staff to negotiate the sale of the subject lands. The subject land is not developable on its own and therefore, would be sold to an adjoining land owner(s) for assembly and expansion.

Alternatives for Consideration – See Page 3

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: The subject property is to be sold at fair market value. Its incorporation into an adjoining property and subsequent development would generate real estate tax revenue for the City. Removal of the property from the City’s ownership would reduce ongoing maintenance costs.

Staffing: There are no staffing implications arising from this recommendation, other than Real Estate and Legal staff working together on the sale of the property.

Legal: Legal staff is needed to assist Real Estate staff in preparing the Offer to Purchase document and in completing the sale.

HISTORICAL BACKGROUND (Chronology of events)

The subject property was expropriated by the City of Hamilton in 1975 for the widening and reconstruction of York Boulevard. Improved properties at 337, 339 and 343 York Street were expropriated and the subject vacant parcel is the land remaining after the widening/reconstruction project. There is no identified municipal purpose for this property.

The property is designated “Commercial” within the Official Plan and “Commercial” in the Council approved Strathcona Neighbourhood Plan. The draft Strathcona Secondary Plan proposes a “High Density Street Related Mixed Use” designation for the property. It also has a commercial zoning classification (H/S-481 and H/S-745). Given the small size and irregular shape of the property, the zoning setback requirements and the presence of a right-of-way over the centre of the site, it does not appear that this property could be developed on its own, but would add value and utility if merged with the adjacent property known as 339 York Boulevard and 100 Ray Street North, as proposed.

The property is open and gravel covered with limited vegetation and has been used for parking of cars by neighbouring residents and businesses.
POLICY IMPLICATIONS

This recommendation is consistent with the Real Estate Management Portfolio Strategy approved by City Council on November 24, 2004, and By-law 04-299, the “Procedural By-law for the Sale of Land”, that requires City Council by by-law or resolution to declare surplus any lands proposed to be sold the City.

RELEVANT CONSULTATION

Real Estate staff circulated the subject lands to all City Departments and Government Agencies. There was no municipal interest expressed or objections to the disposition of the property.

ANALYSIS / RATIONALE FOR RECOMMENDATION

The sale of the subject property would allow for merging the subject lands with an adjoining parcel. The City of Hamilton will receive a financial benefit from the sale of the subject lands and once the property is merged, will generate additional property tax revenue as well as it would remove a liability and maintenance expense.

ALTERNATIVES FOR CONSIDERATION:

If Council denied this request to declare the subject parcel surplus, it could not be sold. The City would have to continue to maintain the property and assume liability for it. Development of the site in accordance with the Official Plan and proposed Strathcona Secondary Plan would not be possible and the City would forgo realty tax revenues associated with such development.

CORPORATE STRATEGIC PLAN  (Linkage to Desired End Results)


Financial Sustainability
- Financially Sustainable City by 2020
- Generate assessment growth/non-tax revenues

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
Growing Our Economy

- Newly created or revitalized employment sites

APPENDICES / SCHEDULES

Appendix “A” to Report PED10032