TO: Mayor and Members General Issues Committee  
WARD(S) AFFECTED: WARD 15

COMMITTEE DATE: October 17, 2012

SUBJECT/REPORT NO: Infrastructure Ontario (IO) Surplus Land - Project 8234, 8 Renwood Place, Part Blocks 28 and 29, Plan 355 and Part 11, Plan 62R-18447, former Town of Waterdown, now City of Hamilton (PED12188) (Ward 15)

SUBMITTED BY: Tim McCabe  
General Manager  
Planning and Economic Development Department

PREPARED BY: John Hamilton  
(905) 546-2424, Ext. 7045

SIGNATURE:

RECOMMENDATIONS:

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario that the City of Hamilton has no interest in acquiring their land located at 8 Renwood Place, in the former Town of Waterdown, now City of Hamilton, as shown on Appendix “A”, attached to Report PED12188;

(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario of the City of Hamilton’s requirements to the development of the site as identified in Appendix “B”, attached to Report PED12188.
SUBJECT: Infrastructure Ontario (IO) Surplus Land - Project 8234, 8 Renwood Place, Part Blocks 28 and 29, Plan 355 and Part 11, Plan 62R-18447, former Town of Waterdown, now City of Hamilton (PED12188) (Ward 15) - Page 2 of 3

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 Infrastructure Ontario (IO) that the City of Hamilton has no interest in acquiring the surplus lands located at 8 Renwood Place, Part Blocks 28 and 29, Plan 355 and Part 11, Plan 62R-18447, former Town of Waterdown, now City of Hamilton, as shown on Appendix “A” to Report PED12188.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

Financial: N/A.

Staffing: N/A.

Legal: N/A.

HISTORICAL BACKGROUND:

This improved property is located at the west limit of Renwood Place, which is a small court running off Flanders Drive in Waterdown. One block south is Mountain Brow Boulevard which is the main east / west roadway.

The site comprises 1.39 acres with a frontage of 44.6 feet along Renwood Place, with a depth of over 530 feet; hazard land lies beyond. At the rear, and forming part of the property, is a large pond which appears to collect overland runoff and storm water.

The frame dwelling contains 1,485 square feet of leased space; IO is not providing vacant possession upon closing. The existing residential use is estimated to be the highest and best use of the site. The current zoning is “O1” – Open Space and the Official Plan designation is Hazard Land.

POLICY IMPLICATIONS:

An internal circulation has confirmed there is no municipal need for the subject property at this time. As no municipal need has been identified, Council’s direction is being sought to allow staff to advise IO 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”, attached to Report PED12188, for the City’s requirements to the development of the site.

ANALYSIS / RATIONALE FOR RECOMMENDATION:

Approval of the recommendation by Committee and Council will authorize Real Estate staff to advise IO that the City of Hamilton has no interest in acquiring the surplus land at this time.

ALTERNATIVES FOR CONSIDERATION:

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

CORPORATE STRATEGIC PLAN:


Intergovernmental Relationships
- Maintain effective relationships with other public agencies.

APPENDICES / SCHEDULES:

Appendix “A” to Report PED12188 – Location Map
Appendix “B” to Report PED12188 – Site Requirements

JH/sd
Appendix "A" to Report PED12188

Location Map

Planning and Economic Development Department

File Name/Number: 2012-070 + 2012-071
Date: Sept. 11, 2012
Appendix "A"

Scale: N.T.S.

Planner/Technician: JHAL

Subject Property
- Infrastructure Ontario (IO) surplus lands
- Project 8232 - 193 Mill Street S., a leased, single family dwelling, 1,300 sf sitting on 0.50 acres, P/N 17507-0177
- Project 8233 - 191 Mill Street S., a leased, single family dwelling, 762 sf sitting on 0.42 acres, P/N 17501-0177
- Project 8234 - 8 Renwood Place, a leased, single family dwelling, 1,485 sf sitting on 1.33 acres. A large pond at the rear is used to control storm run-off. P/N 17501-0178

Ward 15 Key Map

N.T.S.
SITE REQUIREMENTS

Legislative Approvals Section:

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with the policy statement issued under the act. In reviewing the PPS, staff provides the following comments:

Policy 2.1.6 outlines that development shall not be permitted on adjacent lands to the natural heritage feature identified unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Staff note that the subject lands are located adjacent to ESA #10 – Grindstone Valley. As such, please refer to any comments provided by Community Planning, Natural Heritage Staff in this regard.

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 lands are located within the Niagara Escarpment Plan area, and are within the area of Development Control. Therefore, please refer to any comments provided by the Niagara Escarpment Commission.

The subject lands are designated as “Escarpment Protection Area” under the Hamilton-Wentworth Regional Official Plan. Policy C-1.5.2 c) prescribes the various uses permitted within the Escarpment Protection Area.

The underlying zoning of the subject property is Parkway Belt Open Space “O1” Zone in the Town of Flamborough Zoning By-law, however the subject property is within the Development Control Area of the NEC and therefore the zoning is inoperable.

For information purposes only, the properties are designated "Major Open Space" on Schedule "E" - Urban Structure and "Open Space" on Schedule "E-1" - Urban Land Use Designations in the new Urban Hamilton Official Plan, which is currently under appeal to the Ontario Municipal Board.
Community Planning and Design Section:

The following comments are provided by the Community Planning and Design Section:

Community Planning:

There are no approved Secondary or Neighbourhood Plans.

Archaeology:

The subject property meets three of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

1) Within 250 metres of known archaeological sites;

2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,

3) In the vicinity of distinctive or unusual landforms.

These criteria define the property as having archaeological potential. Municipal Heritage Planning staff requires that City staff inform Infrastructure Ontario in writing of the following:

“The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances and any prospective owner is advised to conduct an archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation may be required as determined by the Ontario Ministry of Tourism, Culture and Sport. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Tourism, Culture and Sport.

Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).”

Natural Heritage:

The subject property is located within the Greenbelt Protected Countryside, Parkway Belt West and within the boundaries of the Urban Hamilton Official Plan. The property
itself has not been identified as a Core Area within the Urban Hamilton Official Plan; however, Core Areas (significant woodland and Grindstone Valley Environmentally Significant Areas) have been identified on the property adjacent to 8 Renwood Place. Although these features have been identified on Schedule E of the Town of Flamborough Official Plan as hazard lands and are within the regulation limit of Conservation Halton, it appears that the subject property is not. Conservation Halton staff should be contacted to ensure that this is the case if any future development is to occur on this property.

The subject property has been identified as being within the Niagara Escarpment Plan Area as “Environmental Protection”. Environmental Protection areas are important because there visual prominence and environmental significance. Included within this designation are Escarpment features that have been modified by land use activities such as agriculture, residential development, land needed to buffer Escarpment natural areas and areas of regional significance. The Niagara Escarpment Commission should be contacted if any future development is to occur on this property.

If future development or site alteration were to occur on this property, based on the principles of the Provincial Policy Statement that ecological function of a feature should be evaluated and demonstrated that there would be no negative impact, an Environmental Impact Statement (EIS) may be required since the subject property is located within 120 m of the significant woodland.

JH/sd