<table>
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<th>TO:</th>
<th>Chair and Members Economic Development and Planning Committee</th>
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<td>WARD(S) AFFECTED:</td>
<td>Wards 6 and 9</td>
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<td>COMMITTEE DATE:</td>
<td>October 5, 2010</td>
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<tr>
<td>SUBJECT/REPORT NO:</td>
<td>Ontario Realty Corporation (ORC) Surplus Land - Project 8099 - Located at 1565 Stone Church Road East, described as Parts 11, 12 and 18, Plan 62R-11328, and Part of Lot 34, Concession 7 in former Township of Saltfleet, now City of Hamilton (PED10236) (Wards 6 and 9)</td>
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<tr>
<td>SUBMITTED BY:</td>
<td>Tim McCabe General Manager Planning and Economic Development Department</td>
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<td>PREPARED BY:</td>
<td>Darlene Cole (905) 546-2424, Ext. 7910</td>
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**RECOMMENDATION**

(a) 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 advise the Ontario Realty Corporation (ORC) that the City of Hamilton has no interest in acquiring their land located at 1565 Stone Church Road East, legally described as Parts 11, 12 and 18, Plan 62R-11328, and Part of Lot 34, Concession 7 in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED10236; and,

(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 advise the ORC of the City of Hamilton requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED10236.
EXECUTIVE SUMMARY

The Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department is seeking Council’s direction to advise the ORC that the City of Hamilton has no interest in acquiring the surplus lands located at 1565 Stone Church Road East, legally described as Parts 11, 12 and 18, Plan 62R-11328, and Part of Lot 34, Concession 7 in the former Township of Saltfleet, as shown on Appendix “A” to Report PED10236.

HISTORICAL BACKGROUND (Chronology of Events)

The information and recommendation contained in this Report primarily affect Wards 6 and 9.

This vacant, crescent-shaped parcel of land is situated in the south-west quadrant of the Red Hill Valley Parkway (RHVP) interchange at Mud Street; its outer limits follow the RHVP northbound ramp of the expressway to where it intersects with Stone Church Road East. Along the north limit of Stone Church Road, the frontage of this parcel measures about 143 metres (469 feet); in total, the land area comprises approximately 4.2 hectares (10.396 acres).

The subject, a residual parcel, was pieced together from several parent parcels on which the Mud Street interchange is built. It encloses the north, east and south limits of a landlocked, rectangular 3.23 hectares (8 acres) vacant parcel held by the Hamilton-Wentworth District School Board. As an interim use, both parcels are currently in agricultural production. ORC and the school board are co-ordinating their efforts to assemble and rezone these parcels for future development.

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

POLICY IMPLICATIONS

As no municipal need has been identified, Council’s direction is being sought to allow staff to advise the ORC 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.

The following comments were received:

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 policy statements issued under the Act. Staff notes the following PPS policy:

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 notes that the subject lands are located adjacent to an area of archaeological potential. As such, please refer to any comments provided by Community Planning staff in this regard.

The subject property is designated as “Urban Area” and “Urban Area – Business Park” within the Hamilton-Wentworth Regional Official Plan, for the northern and southern portions respectively. 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. Policy C-3.1.3.1 states that business parks are to accommodate:
(a) A full range of manufacturing, construction, wholesale establishments, truck terminals, research and development uses and office development associated with these uses; and,

(b) Service type uses, including hotels, banquet centres and recreational facilities, and land extensive warehouse retail – wholesale uses requiring site and building specifications similar to industrial uses (excluding operations such as department stores, grocery stores and automobile dealerships).

The subject property is also designated “Industrial” and “Utilities” on Schedule “A” – Land Use Concept, and Schedule “B” – Special Policy Areas and “B-3” – Other Special Policy Areas refer to the lands as Area 11(a) in the City of Hamilton Official Plan. In addition, a portion is designated as “Special Policy Area “D” on Schedule “A-3” Secondary Plan, West Mountain Planning District (Heritage Green) in the Stoney Creek Official Plan.

The property is zoned “M-12” and “M-14” (Prestige Industrial) Districts and “AA” (Agricultural) District in the City of Hamilton Zoning By-law No. 6593, and Neighbourhood Development “ND” Zone in Stoney Creek By-law No. 3692-92.

Staff advise that a Zoning By-law Amendment application, ZAC-07-113 was submitted in 2007 to apply consistent industrial zoning on the subject lands and expand the range of permitted uses to include a transportation depot and accessory retail uses, in keeping with the draft employment zones for the City’s new Zoning By-law No. 05-200. The application was considered by the Economic Development and Planning Committee on August 10, 2009, and, while Committee supported the approval of the applications, the By-law was held in abeyance until such time that the Owner has entered into an Agreement with the City of Hamilton for the transfer of the Trinity Church Road Corridor and east-west corridor lands, to the satisfaction of the Directors of Planning and Development Engineering.”

**Community Planning:**

The following planning framework also applies to the subject property:

“Urban Hamilton Official Plan designation (Council Adopted):
Schedule “E-1” – Urban Land Use – Business Park

Hamilton Official Plan designation:
Schedule “A” – Land Use Control – Industrial
Neighbourhood Plan designation (pending):
Albion Falls – Industrial

Environment and Sustainable Infrastructure Division:

“Lands are required at the Stone Church Road / Parkway Exit Ramp intersection to provide a southbound right turn lane, i.e. land at the north-west corner. The City will identify this requirement during its Secondary Planning process and request the dedication thereof at the development approval stage.

Additional road allowance will be required along the east property line in the vicinity of the Red Hill Valley Parkway off ramp and Stone Church Road East. Once the detailed design stage of the Trinity Church Road Extension project is finalized, the City will provide more specific information on its property requirements. At this time, the City anticipates that an additional strip of land of approximately 3.7 to 4.0 metres in width for a distance of approximately 150 metres along the east property line, running north from Stone Church Road East, will be required.

The property lies within the City’s urban boundary with no sanitary sewer or watermain (except a 1200 mm trunk watermain from which water services can not be connected) along the frontage. Additional property will be required for the road allowance.”

ANALYSIS / RATIONALE FOR RECOMMENDATION
(Include Performance Measurement/Benchmarking Data, if Applicable)

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

ALTERNATIVES FOR CONSIDERATION
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

If staff does not respond to ORC within the allotted time period, it will be treated as a negative response.
SUBJECT: Ontario Realty Corporation (ORC) Surplus Land - Project 8099 - Located at 1565 Stone Church Road East, Described as Parts 11, 12 and 18, Plan 62R-11328, and Part of Lot 34, Concession 7 in the former Township of Saltfleet, now City of Hamilton (PED10236) (Wards 6 and 9) - Page 6 of 6

CORPORATE STRATEGIC PLAN  (Linkage to Desired End Results)


Skilled, Innovative & Respectful Organization
• n/a

Financial Sustainability
• n/a

Intergovernmental Relationships
• Maintain effective relationships with other public agencies.

Growing Our Economy
• n/a

Social Development
• n/a

Environmental Stewardship
• n/a

Healthy Community
• n/a

APPENDICES / SCHEDULES

Appendix “A” to Report PED10236 – Location Map

DC/sd
Location Map

Subject Property

1566 Stone Church Rd East
Parts 11, 12 & 18, Plan 62R-11328
and Part of Lot 34, Concession 7
City of Hamilton
(former Township of Saltfleet)

PIN # 16933-0032(LT)
PIN # 16933-0034(LT)
PIN # 16933-0035(LT)

Area: 4.2 HA (10.396AC)