SUBJECT: Declaration of Surplus Property and Sale of City Owned Lands
Described as Part 2 on Plan RA-G-737, Municipally Known as 0 Highway 56, Glanbrook (PED09247) (Ward 11)

RECOMMENDATION:

That the subject lands municipally known as 0 Highway 56, Glanbrook, now in the City of Hamilton, being a vacant commercial parcel, composed of Part 2 on Plan RA-G-737, having dimensions of 13.29 meters (43.60 feet) by 20.88 metres (68.50 feet), irregular, as shown on Appendix “A” attached to Report PED09247, be declared surplus to the requirements of the City of Hamilton, in accordance with 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’s approval to declare the subject property surplus to the requirements of the City. The sale of this parcel will allow the City to dispose of a non-core asset which represents an on-going liability and maintenance cost.

BACKGROUND:

The subject parcel was vested in the name of the City of Hamilton under Instrument Number CD 46106 dated April 20, 1970, as a consequence of tax arrears proceedings under the Municipal Tax Sales Act. The subject parcel is zoned “C3” General Commercial and is situated on the S/W corner of Binbrook Road and Regional Road 56.
CRAFT Development Corporation, a company with options to purchase parcels abutting the subject parcel are currently in the process of rezoning their lands to permit future development for commercial purposes. CRAFT has inquired about purchasing the City lands at 0 Highway 56 to merge with 3015 Binbrook Road and to include it as part of their proposed development.

Binbrook Road designs require a 12m x 12m daylight triangle from the subject land which is to be retained by the City. As a result, the land would become significantly undersized and not viable for development or marketable due to the current “C3” (General Commercial) zoning requirements.

The Real Estate Section completed a circulation to all City Departments on May 14, 2009 and no municipal interest was expressed. Staff is therefore moving forward with declaring the lands surplus and disposal thereof.

**ANALYSIS/RATIONALE:**

Approval of the recommendation by Council will authorize Real Estate staff to proceed with the disposal of a non-core asset to the abutting owner.

**ALTERNATIVES FOR CONSIDERATION:**

Should Council decide not to declare the lands surplus, the parcel will remain in City ownership and the opportunity to make the parcel productive would be lost.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial:** The subject land would be sold at market value to the adjoining owner at 3015 Binbrook Road. Disposal of the property would increase property tax revenues.

**Staffing:** There are no identified staffing implications as a result of this report.

**Legal:** Legal Services would be required to work with the Real Estate Section to complete the disposal of this property.

**POLICIES AFFECTING PROPOSAL:**

This recommendation is consistent with the Real Estate Management Portfolio Strategy Plan as approved by City Council on November 24, 2004, and the “Procedural By-law for the Sale of Land”, By-law No. 04-299 that City Council must declare surplus any lands to be disposed of by the City.
RELEVANT CONSULTATION:

The Real Estate Section completed a circulation to all City Departments requesting comments. All comments indicated that there were no municipal requirements for the property.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑Yes ☐No
Sale of the lands will facilitate more intensive development of the adjoining lands.

Environmental Well-Being is enhanced. ☑Yes ☐No
Creative use for a residual parcel.

Economic Well-Being is enhanced. ☑Yes ☐No
Surplus dedication would allow sale of a surplus asset and enhance the tax base.

Does the option you are recommending create value across all three bottom lines? ☑Yes ☐No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐Yes ☑No

AM:sd
Attach. (1)