### CITY OF HAMILTON

**PUBLIC WORKS DEPARTMENT**  
Capital Planning and Implementation Division  
**AND**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Economic Development and Real Estate Division

| Report to: | Chair and Members  
Public Works Committee |
|-----------|-------------------|
| Submitted by: | Scott Stewart, C.E.T.  
General Manager  
Public Works Department  
Tim McCabe  
General Manager  
Planning and Economic  
Development Department |
| Date: | February 25, 2008 |
| File: | 2007-120 |
| Prepared by: | Darlene Cole  
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**SUBJECT:** Declaration and Sale of Surplus Lands to Ministry of Transportation - Red Hill Valley Parkway – 000 Confederation Drive - Parts 2, 3, 6, 11 and 13 on Plan 62R-16843, Hamilton (PW08018 / PED08060) (Ward 5)

**RECOMMENDATION:**

(a) That the City owned vacant lands, identified as Part of Lot 27, Broken Front Concession, in the former Township of Saltfleet, designated as Parts 2, 3, 6, 11 and 13 on Plan 62R-16843, municipally known as 000 Confederation Drive (as shown on Appendix “A” attached to Report PW08018 / PED08060), comprising an area of 4.09 hectares (10.128 acres), more or less, be declared surplus to the requirements of the City of Hamilton in accordance with the City of Hamilton Real Property By-law No. 04-299.

(b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to convey the subject property to the Ministry of Transportation (MTO) in accordance with an agreement dated October 22, 1998, between MTO and the former Region of Hamilton-Wentworth providing for the land acquisition, design, construction and completion of the Red Hill Valley Parkway. The subject property forms part of the new Parkway.

(c) That the net proceeds of the sale be directed to the Red Hill Valley Parkway Project Office to reimburse City funds used to retain this parcel on behalf of the MTO.
(d) That the Mayor and City Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor, and that any Legal Services expenses or other administrative expenses be charged to Account Number 47702-4060087001 – Red Hill Valley Parkway Project.

Scott Stewart, C.E.T.  
General Manager  
Public Works Department

Tim McCabe  
General Manager  
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The purpose of this report is to request City Council’s approval to convey lands forming part of the Red Hill Valley Parkway to the MTO.

This conveyance will remunerate the City for the value of its land, and all of the City's outlays associated with managing this property since 1998.

BACKGROUND:

In 1995, the Province announced its intention to assist the former Region of Hamilton-Wentworth in the completion of certain highway infrastructure. Following this announcement, the Lincoln Alexander Expressway was constructed, and on October 22, 1998, a “go forward” agreement was reached between MTO and the Region to complete the North/South road infrastructure (Red Hill Valley Parkway) to facilitate connection of the LINC to the QEW.

Among the conditions contained in the said agreement, MTO agreed to design and construct the QEW interchange connections to the Red Hill Creek Expressway. In the final stages of the design process, MTO identified the subject parcels as a requirement for an interchange linking the provincial and municipal road systems, west of Centennial Parkway.

The subject parcels, described as Parts 2, 3, 6, 11 and 13 on Plan 62R-16843, were assembled by the Region between 1977 and 1985 from Hydro-Electric Power Commission of Ontario, Canadian National Railways, Ministry of Transportation and from the City of Hamilton. As illustrated on Appendix “A”, these parcels are irregular in shape and each parcel has frontage along Confederation Drive; collectively they represent a total land area of 4.09 hectares (10.128 acres).

The City of Hamilton’s Zoning By-law No. 89-53 zoned the property south of Confederation Drive (Parts 2, 3 and 6, Plan 62R-16843) as “F” (Special Waterfront)
ANALYSIS/RATIONALE:

As a partner in this undertaking with the MTO, the City of Hamilton has fulfilled its mandate to retain lands on behalf of MTO for the Red Hill Valley Parkway project. Upon this property conveyance, the City will be reimbursed for the value of its land and for the outlays associated with retaining these parcels, plus interest, calculated from October 1998 when MTO identified its need to incorporate these parcels into the interchange. The funds coming from MTO will be directed to the Red Hill Valley Parkway project.

ALTERNATIVES FOR CONSIDERATION:

There are no alternatives for consideration as this transaction is taking place in accordance with an agreement of October 11, 1998, between MTO and the Region of Hamilton-Wentworth.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: Costs associated with construction of the Red Hill Valley Parkway will be offset.

Staffing: Staff will take the necessary steps to complete the transfer.

Legal: Legal Services will be required to assist in the preparation of the necessary documents required to complete the recommendation set out herein.

POLICIES AFFECTING PROPOSAL:

This recommendation is consistent with the Real Estate Management Portfolio Strategy Plan, as approved by Council on November 24, 2004.

RELEVANT CONSULTATION:

The subject property forms part of a designated, controlled access provincial highway, therefore, no consultation with internal departments or external agencies has taken place.

Legal Counsel has reviewed this matter and concurs with the recommendation.
BYCITY 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
Hamilton’s Official Plan and Regional Transportation Review prescribed completion of the Red Hill Valley Parkway. This highway completes an important connection to the QEW, LINC and Highway 403.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
The Red Hill Valley Parkway project is an integrated, environmentally responsible infrastructure, which diverts truck traffic off City streets onto roads designed to carry heavy loads.

Economic Well-Being is enhanced. ☑ Yes ☐ No
The City’s growth is predicated on its logistical linkages. Our investment in the Red Hill Valley Parkway will accommodate new export-oriented economic growth.

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

:DC
Attach. (1)
Appendix “A” to Report PW08018 / PED08060

Attachment "A"

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: 2007-120
Date: February 8, 2008

Location Map Scale: N.T.S. Planner/Technician: DC/LC

Subject Property

000 Confederation Drive

PIN #: 17572-0028(R)
Area: 4.09 ha (10.128 acres)
Legal Description: Parts 2, 3, 6, 11 & 13, Plan 62R-16843
Zoning Code: AA - Agricultural (Parts 11 & 13)
F - Modified, Special Waterfront district (Parts 2, 3, & 6)