MOTION
Committee Date: September 4, 2007

MOVED BY COUNCILLOR FERGUSON

SECONDED BY COUNCILLOR .................................................................

WHEREAS, City Council on November 24, 2004 in adopting Item 13 of Report 04-021 of the Planning and Economic Development Committee approved the Real Estate Portfolio Management Strategy and Consolidation of the Policy Procedures and Disposal By-law;

AND WHEREAS, Section 4.3, “Acquisition” establishes criteria and principles surrounding acquisition of real property wherein property will only be acquired in support of municipal programs;

AND WHEREAS, preliminary discussions had taken place with the owner, Ancaster-Jerseyville Estates Ltd., who has verbally agreed with City real estate staff to sell the said lands for a sum of $2.00 and to pay the portion of the outstanding realty taxes owning for educational purposes for lands municipally known as 0 Valridge Drive, Ancaster containing 13.8 acres more or less and legally described as Block 166 on Plan 62M-831 (Jerseyville Estates) in the former Town of Ancaster, now in the City of Hamilton;

AND WHEREAS, the said lands located on the north side of Highway 403 and the east side of Shaver Road are entirely designated “Open Space and Conservation” in the Meadowbrook West Secondary Plan and form part of the Big Creek valley lands;

AND WHEREAS, the City of Hamilton presently owns adjacent lands to the north and south east of the subject Block 166 on Plan 62M-831;

AND WHEREAS, the policies of the Secondary Plan encourage the development of a linked open space system in the neighbourhood incorporating the park,
elementary school, Big Creek Valley lands and pedestrian walkways through approved plans of subdivision;

AND WHEREAS, the City’s Parkland Acquisition Review Committee took this matter into consideration and recommended that the City of Hamilton proceed to obtain ownership of the property at a nominal sum;

AND WHEREAS, Council approval is required to direct the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Development Department to pursue negotiations with the owners of those lands municipally known as 0 Valridge Drive, Ancaster, legally described as Block 166, Registered Plan 62M-831 (Jerseyville Estates) in the former Town of Ancaster, now in the City of Hamilton for the purpose of completing the open space linkage within the Meadowbrook West neighbourhood;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

a) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Development Department be authorized and directed to enter into an agreement with Ancaster-Jerseyville Estates Ltd. for the purchase of those lands municipally known as 0 Valridge Drive, Ancaster, legally described as Block 166 on Plan 62M-831 (Jerseyville Estates) in the former Town of Ancaster, now in the City of Hamilton, to be added to existing City owned open space and conservation lands within the Meadowbrook West neighbourhood, for the purchase price of $2.00 subject to Ancaster-Jerseyville Estates Ltd. paying the outstanding educational portion of the realty taxes on or before closing.

b) That the Mayor and City Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.

c) That the City Solicitor be authorized and directed to complete the real estate transaction on the terms and conditions set out herein and that any legal expenses or disbursements be charged to Account 59259-3560150100 (Land/Property).