TO: Chair and Members  
Economic Development and  
Planning Committee  
WARD(S) AFFECTED: Wards 6 and 9

COMMITTEE DATE: April 6, 2010

SUBJECT/REPORT NO:  
Ontario Realty Corporation (ORC) Surplus Land - Project 8045 – City Acquisition of Nos. 40, 50 Highland Road West (Ward 6) and Part of 512 Highland Road West (Ward 9), Described as Part of Lots 33 and 34, Concession 7, Former Township of Saltfleet, now City of Hamilton (PED10082) (Ward 9)

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

PREPARED BY:  
Darlene Cole  
(905) 546-2424, Ext. 7910

SIGNATURE: 

RECOMMENDATION:

(a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation (ORC), acting as agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal that the City of Hamilton has an interest in acquiring their land, comprising an area of approximately 2.78 hectares (6.89 acres), described as all of Nos. 40 and 50 Highland Road West, and Part of 512 Highland Road West, Stoney Creek, being Part of PIN 16932-0002, as shown on Appendix “A” attached to Report PED10082.

(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 enter into negotiations with the Ontario Realty Corporation (ORC), acting as agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal for the acquisition of those lands described in Recommendation (a).

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Values: Integrity, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
(c) That the City of Hamilton be authorized and directed to submit an Offer to Purchase for the subject property at fair market value and that the purchase price be funded from the 2009/2010 Strategic Initiative Funds.

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 an interest in acquiring 6.89 acres of ORC surplus lands situated between Stone Church Road East and Highland Road West, along the west limit of the future Trinity Church Road Extension.

The City and ORC are currently in the process of finalizing an agreement for the transfer of the Trinity Church Road corridor lands; ORC has agreed not to transfer any portion of the City’s land requirements for future Trinity Church Road to third parties, until this transfer is completed. Zoning for the area is being held in abeyance until the transfer is completed.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: This acquisition will be made at fair market value and funded from the 2009/2010 Strategic Initiative Funds, upon direction from Council.

Staffing: There are no identified staffing implications arising out of the recommendation.

Legal: Legal Services will be involved in the review and approval of the necessary documents, as to form. As well, staff in Legal Services will prepare the necessary documents required to close the transaction and to transfer title of the subject lands appropriately.

HISTORICAL BACKGROUND (Chronology of events)

The information and recommendation contained in this report primarily affect Ward 9.

Ontario Realty Corporation is deeming the lands located west of the proposed Trinity Church corridor, south of Stone Church Road East and north of Highland Road West as surplus to its requirements. The Province is planning to convey this parcel to a third party for future development.

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Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
This parcel is zoned “M-12” (Prestige Industrial) and “M-14” (Prestige Industrial) which does not permit residential uses. Any development/use of the property is subject to the requirements of Sections 17D (“M-12”) and 17F (“M-14”) of Zoning By-law 6593. Currently, the property is improved with two single-family dwellings on a 6.89 acre lot.

Applications to change the Official Plan and Zoning By-law on ORC lands south of Highland Road West were submitted and supported by the City, but are held in abeyance until the lands required for the Trinity Church Road extension are conveyed to the City. On these lands, the Official Plan designations will be changed to “Mixed Use” and “Medium-High Density Residential”, and rezoned to Mixed Use Commercial (Holding) “MUC-2(H)”, “MUC-3(H)”, and Multiple Residential (Holding) “RM3-34(H)” zones.

Extension of Trinity Church Road will provide optimal accessibility to the Red Hill Business Park. The subject parcel is situated at the Trinity Church connection to the Red Hill Expressway. Acquisition of this parcel would be strategic in terms of affording additional shovel ready industrial land within the Red Hill Business Park.

The Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department circulated the ORC’s information internally to determine if there was municipal interest in acquiring the lands, and interest has been expressed by the City’s Industrial Parks and Airport Development Section.

### POLICY IMPLICATIONS

- Real Estate Portfolio Strategy Plan
- Growth Related Integrated Development Strategy
- Building a Strong Foundation

### 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. The internal circulation confirmed this would be a prospective acquisition, based on the comments received from **Industrial Parks and Airport Development Division:**

“This property is located within the Hamilton Mountain Business Park. The City of Hamilton is currently investigating the feasibility of acquiring lands for future industrial purposes. The subject property is strategically located in a high profile area at the entrance of the Hamilton Mountain Business Park and abutting the new Trinity Church Road corridor which leads to the North Glanbrook Industrial Business Park, renamed...
Red Hill Business Park. To ensure the City retains control over the design and land use of this property, it is recommended that the City acquire it from ORC. In the event the City does not wish to proceed with the acquisition of this property, it is recommended that all lands required for the construction of new Trinity Church Road including daylight triangles and all necessary road widenings along Stone Church Road East and Highland Road be secured by the City prior to the disposal of the lands by ORC.”

Accordingly, Council direction is being sought to allow staff to advise the ORC that the City of Hamilton has an interest in acquiring the lands.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

(include Performance Measurement/Benchmarking Data, if applicable)

Acquisition of this parcel will provide the City with an opportunity to offer additional shovel ready land in the Red Hill Business Park.

**ALTERNATIVES FOR CONSIDERATION:**

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

Approval of the recommendation by Committee and Council will authorize Real Estate staff to advise the ORC that the City of Hamilton has an interest in the surplus land.

If staff does not respond to ORC within the allotted time period, it will be treated as a negative response.

**CORPORATE STRATEGIC PLAN** (Linkage to Desired End Results)


**Skilled, Innovative & Respectful Organization**

- n/a

**Financial Sustainability**

- It is important to increase the number of industrial land options to meet the needs of relocating or expanding businesses in the City.
Intergovernmental Relationships

- Continuing an effective relationship with the Province of Ontario and its land management staff.

Growing Our Economy

- Opportunity to support growth with additional industrial/employment land.

Social Development

- n/a

Environmental Stewardship

- n/a

Healthy Community

- n/a

APPENDICES / SCHEDULES

Appendix “A” to Report PED10082