SUBJECT: Ministry of Transportation Surplus Land Located South of Governor’s Road and East of Binkley Road, Described as Part of Lots 38 & 39, Concession 1, in the Former Geographic Township of Ancaster, More Particularly Described as Parts 2, 4 and 8 on Registered Reference Plan 62R-14405, Dundas (PED06145) (Wards 12, 13 and 14)

RECOMMENDATION:

That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ministry of Transportation (MTO) that the City of Hamilton has no interest in acquiring the MTO lands, legally described as Part of Lots 38 & 39, Concession 1, in the former Township of Ancaster, more particularly described as Parts 2, 4 & 8 on Registered Reference Plan 62R-14405, as shown on Appendix “B” to Report PED06145.
EXECUTIVE SUMMARY:

The Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department is seeking City Council’s direction to advise the MTO that the City of Hamilton has no interest in acquiring their surplus lands, described as Part of Lots 38 & 39, Concession 1, in the former Township of Ancaster, more particularly described as Parts 2, 4, & 8 on Registered Reference Plan 62R-4405.

BACKGROUND:

The information and recommendation contained in this report primarily affects Wards 12, 13 and 14.

The subject land is a remnant parcel remaining after the transfer of ownership and management of Governors Road (formerly Highway No.99) from the Province to the City, consisting of an area of approximately 1173.6 square metres (.29 acres) and abuts 1194 Governors Road, as shown on Appendix “A” to Report PED06145. While these lands are formally in Ancaster (Ward 12), this location is also very close to the border of both Wards 13 and 14.

The MTO Real Estate Office has advised City of Hamilton Real Estate staff that the subject land is surplus to their needs and has inquired if the City of Hamilton has any interest in acquiring this parcel. A circulation to relevant City Departments, including Public Works (Roads), was completed by the Real Estate Section. The circulation identified that the subject parcel is not required by any City Departments.

As the City does not require the subject land, the MTO plans to sell the subject land to the abutting land owner. At present, the ownership of the subject lands by the MTO has effectively landlocked the abutting owner as they have no direct access to Governors Road. For egress/ingress to their property, the abutting owner must travel across the MTO lands to Governor’s Road from their property. The subject land is also maintained by the abutting owner.

Upon approval of this report the City will advise the MTO that the subject land is not required for municipal uses. As part of this notice, the City will recommend that the MTO complete any required easement agreements with the local utilities to ensure the legality of any existing installations, thereby ensuring the continued service to residents in the area.
ANALYSIS/RATIONALE:

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

ALTERNATIVES FOR CONSIDERATION:

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

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: There are no identified financial implications arising out of the recommendation.

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

Legal: There are no identified legal implications arising out of the recommendation.

POLICIES AFFECTING PROPOSAL:

A circulation to various City Departments did not identify any municipal need for the subject property. As no municipal need has been identified for the subject property, City Council’s direction is being sought to allow staff to advise the MTO that the City of Hamilton has no municipal interest in acquiring the subject land.

RELEVANT CONSULTATION:

Pursuant to the City of Hamilton Real Property Sale Procedural By-law 04-299, the Real Estate Section completed a circulation to the relevant City Departments requesting comments on the subject land. No municipal uses were identified for the subject property.

The Strategic and Environmental Planning Section of Public Works advised Real Estate to ensure that all existing Public Utilities were protected by an appropriate easement agreement prior to the MTO selling the subject parcel to the abutting owners.
Subject: Ministry of Transportation Surplus Land Located South of Governor’s Road and East of Binkley Road, Described as Part of Lots 38 & 39, Concession 1, in the Former Geographic Township of Ancaster, More Particularly Described as Parts 2, 4 and 8 on Registered Reference Plan 62R-4405, Dundas (PED06145) (Wards 12, 13 and 14) - Page 4 of 4

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
A City of Growth and Opportunity.

Environmental Well-Being is enhanced. ☑ Yes □ No
Municipal decision-making, land use and zoning by-law controls are in place to identify and protect significant natural areas.

Economic Well-Being is enhanced. ☑ Yes □ No
A City that spends wisely and invests strategically.
Investment in Hamilton is enhanced and supported.

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

:SGB
Attachs. (2)