TO: Chair and Members Economic Development and Planning Committee

WARD AFFECTED: Wards 6 and 9

COMMITTEE DATE: July 5, 2010

SUBJECT/REPORT NO: City Acquisition of Land from Ontario Realty Corporation – Trinity Church Road Extension, Described as Parts 1, 4, 17, 18 & 20, Plan 62R-18648 (except Part 1, Plan 62R-18717) Former Township of Saltfleet, now City of Hamilton (PED10140) (Wards 6 and 9)

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

PREPARED BY: Tony Sergi (905) 546-2424, Ext. 2274
Darlene Cole (905) 546-2424, Ext. 7910

SIGNATURE:

RECOMMENDATION:

(a) That an Agreement of Purchase and Sale between Ontario Realty Corporation, acting as agent on behalf of Her Majesty the Queen in Right of Ontario as Represented by the Minister of Energy and Infrastructure (ORC/MEI) and the City of Hamilton, for the purchase of 4.36 ha (10.79 ac) in Part of Lots 33 and 34, Concessions 7 and 8, designated as Parts 1, 4, 17, 18 and 20 on Plan 62R-18648 (save and except Part 1, Plan 62R-18717), being Part of PIN's 16932-0002(LT) and 16932-0017(LT), as shown on Appendix “A” attached to Report PED10140, be approved and completed;

(b) That the purchase price of $1,447,912.00 be funded from Account No. 59259-4030980986, and payable:

i) deposit of 10% of the purchase price upon submission of the executed agreement; and
ii) the balance of the purchase price, subject to adjustments, to be paid on
the date of closing;

(c) That the Mayor and Clerk be authorized and directed to execute all necessary
documents in a form satisfactory to the City Solicitor;

(d) That the costs incurred for the provision of Real Estate’s services in the amount
of $24,218 be credited to Account 45408-3560150200 (Property Purchases and
Sales) and debited from Account No. 55778-4030980986.

EXECUTIVE SUMMARY

The Trinity West Secondary Plan identifies the Trinity Church Road extension as a
major arterial road. In July of 2009 ORC/MEI submitted rezoning applications for
amendments to rezone some 23.69 ha (58.55 ac) of land along the proposed Trinity
Road corridor. Zoning was approved but is being held in abeyance until the Province
conveys to the City the land required for the Trinity Church Road extension.
Negotiations between the City and ORC have concluded and Real Estate Section is
now seeking Council’s approval to acquire the lands described in Recommendation (a)
for this road infrastructure.

Alternatives for Consideration - Page 4

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

Financial: This acquisition is being made at fair market value. The Trinity Church
Road extension is a growth infrastructure project listed in the 2009 City
Development Charges background study. Funding for this project will
be100% DC funded, split between 50% residential and 50% non-
residential.

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

Legal: Legal Services has been involved in the review and approval of the
necessary documents, as to form. Staff in Legal Services will prepare the
necessary documents required to close and transfer title of the subject
lands appropriately.
HISTORICAL BACKGROUND (Chronology of events)

The information and recommendations contained in this report primarily affect Ward 6.

The land required for the Trinity Church Road extension comprises an area of 4.36 ha (10.79 ac) in two long, narrow parcels legally described as Parts 1,14,17,18 and 20 on Reference Plan 62R-18648 (except Part 1, Plan 62R-18717). As shown in Appendix “A”, these parcels run in a north-south direction through property held by ORC/MEI, generally bounded by Stone Church Road East, Pritchard Road, Rymal Road and Upper Mount Albion Road.

In July of 2009, the City received applications from ORC/MEI requesting rezoning of its lands within the Trinity West Secondary Plan, as set out below. The City did approve these applications but is holding in abeyance the zoning and supporting by-laws until the land for the Trinity Church Road extension is transferred to the City. Until the conveyance takes place, ORC/MEI has agreed not to transfer any portion of the City’s land requirements for the Trinity Church Road extension to third parties.

<table>
<thead>
<tr>
<th>Trinity Church Corridor</th>
<th>Land Area</th>
<th>Existing Zoning</th>
<th>Approved Zoning (Held In Abeyance Pending Transfer to City)</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Side, North of Highland Road</td>
<td>3.5 ha (8.6 ac)</td>
<td>M-12, Prestige Industrial</td>
<td>M-14/S-1583, Prestige Industrial</td>
</tr>
<tr>
<td>ZAC-07-104</td>
<td></td>
<td>M-14, Prestige Industrial</td>
<td>M-14/S-1607-H, Prestige Industrial - Holding</td>
</tr>
<tr>
<td>West Side, South of Highland Road</td>
<td>12.45 ha (30.76 ac)</td>
<td>M-13, Prestige Industrial</td>
<td>M-14/S-1607-H, Prestige Industrial - Holding</td>
</tr>
<tr>
<td>ZAC-07-109</td>
<td></td>
<td>M-12, Prestige Industrial</td>
<td>M-14/S-1607-H, Prestige Industrial - Holding</td>
</tr>
<tr>
<td>East Side, North of Highland Road</td>
<td>7.77 ha (19.19 ac)</td>
<td>ND, Neighbourhood Development</td>
<td>MUC-2(H), Mixed Use Commercial (Holding)</td>
</tr>
<tr>
<td>ZAC-07-112</td>
<td></td>
<td></td>
<td>MUC-3(H), Mixed Use Commercial (Holding)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RM3-34(H), Multiple Residential (Holding)</td>
</tr>
</tbody>
</table>

The width of the corridor is 60.98 metres (200 feet); the first 26 metres (85 feet), or a total area of 1.75 ha (4.32 ac) will be dedicated to the City. The residual corridor requirement, amounting to 4.36 ha (10.79 ac) will be acquired by the City at fair market value.
The market value of the City’s land requirements was determined on the basis of two independent appraisals, one carried out by the City and the second valuation was commissioned by ORC/MEI. From these valuations, the lands situated north of Highland Road are valued at $300,000 per acre while the land south of Highland Road is valued at $200,000 per acre. On the basis of the two valuations, the City and ORC/MEI have agreed on the final figure of $1,447,912.00 which is reflective of the fair market value of the corridor lands.

POLICY IMPLICATIONS

- Real Estate Portfolio Strategy Plan
- Growth Related Integrated Development Strategy
- Building a Strong Foundation
- Provincial Policy Statement
- Places to Grow

RELEVANT CONSULTATION

- Traffic Engineering and Operations Section, Public Works Department
- Development Engineering, Planning & Economic Development Department
- Development Planning, Planning & Economic Development Department
- Real Estate Section, Planning & Economic Development Department
- Financial Planning and Policy, Corporate Services Department

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

Extension of Trinity Church Road, being a major arterial roadway identified in the Trinity West Secondary Plan, will provide greater access to the Red Hill Business Park.

Council direction is being sought to allow staff to proceed with acquisition of the lands required for this infrastructure, as prescribed by the Trinity West Secondary Plan.

ALTERNATIVES FOR CONSIDERATION:

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

The Red Hill Expressway connects upper Hamilton to the QEW. Acquisition of the subject lands will facilitate the extension of Trinity Church Road from the Red Hill Expressway and provide direct access from the QEW to the Red Hill Business Park.
Approval of the recommendation by Committee and Council will authorize Real Estate staff to proceed with acquisition of the lands required for this infrastructure.

**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 new, relocating or expanding businesses.

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

**Growing Our Economy**
- Opportunity to support growth in residential and industrial development with additional infrastructure

**Social Development**
- n/a

**Environmental Stewardship**
- n/a

**Healthy Community**
- n/a

**APPENDICES / SCHEDULES**

Appendix “A” to Report PED10140