SUBJECT: Ontario Realty Corporation (ORC) Surplus Land – ORC Project 8027 – Municipally Known as 0 Garner Road West Ancaster, Described as Part 1 on Plan 62R-439, Being Part of Lot 36, Concession 4, Now in the City of Hamilton (PED09328) (Ward 12)

RECOMMENDATION:

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 advise the Ontario Realty Corporation (ORC) that the City of Hamilton has an interest in acquiring their lands located at 0 Garner Road West, Ancaster, described as Part 1 on Plan 62R-439, being Part of Lot 36, Concession 4, having approximate dimensions of 30.50 metres (100 feet) by 52.00 metres (170.63 feet) and comprising an approximate area of 1,866 square metres (.46 acres) as shown on Appendix “A” attached to Report PED09328, now in the City of Hamilton.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The Real Estate Section is seeking Council’s direction to advise the Ontario Realty Corporation (ORC) that the City of Hamilton has an interest in acquiring the surplus lands located at 0 Garner Road West, Ancaster, described as Part 1 on Plan 62R-439, being Part of Lot 36, Concession 4, now in the City of Hamilton. This acquisition will facilitate the development of a proposed industrial subdivision within the Ancaster Industrial Business Park.

BACKGROUND:

The information and recommendation contained in this report primarily affect Ward 12.

This vacant parcel, currently held by the Province (Ministry of Transportation) is located on the south side of Garner Road West between Shaver and Trinity Road within the Ancaster Industrial Business Park, and is designated “Employment Area – Industrial Park” within the Council approved Urban Hamilton Official Plan (awaiting Ministerial approval); the subject is zoned “A” (Agricultural).

In an early draft plan of the subdivision, identified as “Shaver Industrial Park” (File 25T-78036), the subject parcel is situated outside the north-west limits of the plan, however, it is clearly identified as a requirement for a future road connection to Garner Road West. While Phase 1 of the subdivision (62M-637) is registered and developed, the remaining Phase 2 lands are undeveloped.

Recently, the City’s Industrial Parks and Airport Development Division contacted the Ministry of Transportation requesting that the subject lands be transferred to the City of Hamilton to facilitate the development of a proposed industrial subdivision located immediately south of the subject parcel.

MTO advised the City of a Provincial policy which mandates Ontario Realty Corporation to declare any Provincial lands surplus before offering them for sale. Early in July of 2009, the Province completed its internal circulation which resulted in a surplus declaration. The property is now being offered to the City of Hamilton at fair market value.

Phase 2 of the “Shaver Industrial Park” subdivision was acquired by a development company in June of 2007. The developer has approached the City with a request to revise the earlier draft plan by creating larger industrial lots to reflect current needs in the industrial market.

The developer also wishes to provide a secondary access to Garner Road as contemplated in the original approved plan. This could be accomplished if the City were
to acquire the surplus ORC parcel, retain its municipal road requirement, and dispose of the remaining lands.

To ensure the lands are appropriately secured for future roadway purposes, it is recommended that the City acquire the subject lands from ORC. This acquisition will facilitate the orderly development of the surrounding lands and the opportunity to provide additional shovel ready industrial lands.

ANALYSIS/RATIONALE:

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

ALTERNATIVES FOR CONSIDERATION:

If staff does not respond to Ontario Realty Corporation within the allotted time period, the City will forfeit an opportunity to promote additional employment lands within the Ancaster Industrial Business Park.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: The property will be acquired from Ontario Realty Corporation at fair market value. This purchase will be funded from Account No. 59259-3620507105 (Hwy 53 & Hwy 2 Extension).

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:

An internal circulation identified a municipal need for the subject property. Accordingly, Council’s direction is being sought to allow staff to advise the Ontario Realty Corporation that the City of Hamilton has an interest in acquiring the lands.

RELEVANT CONSULTATION:

Pursuant to the City of Hamilton Real Property Sale Procedural By-law 04-299, Real Estate Section circulated the request to all City Departments. The City’s Industrial Parks and Airport Development Division has confirmed a municipal need for the property.
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
Development opportunities contribute to the strategic goal of a City of growth and opportunity.

Environmental Well-Being is enhanced. ☐ Yes ✓ No

Economic Well-Being is enhanced. ✓ Yes ☐ No
Industrial 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

AM/sd
Attach. (1)
Appendix "A" to Report PED09328, Page 1 of 1

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
0 Garner Rd W

Date:
November 3, 2009

Appendix "A"

Subject Property
0 Garner Road West, Ancaster

Subject Parcel, Pin # 174110053,
Roll # 251814041043200, Area 1869m²

Phase 1 (Registered)

Phase 2 (Unregistered)

Ward 12 Key Map N.T.S.