SUBJECT: City of Hamilton Purchase of Block 62, Plan 62M-1002, 0 Braithwaite Avenue, Ancaster, From Edward Young Morwick (PED08281) (Ward 12)

RECOMMENDATION:

(a) That the City purchase of a remnant woodlot within Marshall Estates Subdivision from the property owner, Edward Young Morwick, described as Block 62 of Plan 62M-1002, known municipally as 0 Braithwaite Avenue, in the former Township of Ancaster, as shown on Appendix “A” to Report PED08281, be approved and completed, and the nominal purchase price of $2.00 be charged to Account No. 59259-3560150100 (Property Sales and Purchases).

(b) That as consideration, the amount of $2.00, paid to the owner pursuant to the agreement, be deducted from the purchase price.

(c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor, and that any Legal Services expenses or other administrative expenses be charged to Account No. 59259-3560150100 (Property Sales and Purchases).

The purpose of this report is to request City Council’s approval to purchase Block 62 of Plan 62M-1002 within the Marshall Estates Subdivision at a nominal price of $2.00.
The purchase of the lands would be a valuable asset for the City, as this is an opportunity to preserve a remnant woodlot for passive recreational and healthy community benefits.

**BACKGROUND:**

The developers of Marshall Estates wish to donate the lands to the public domain. Subsequent to the Grand River Conservation Authority advising it has no interest in assuming ownership of the woodlot, the developers of the subject property approached the City in February 2007.

As the subject parcel abuts a proposed parkette to the east, the ownership of the woodlot by the City would create a larger contiguous open space of approximately 1.988 hectares. The woodlot being 1.15 hectares, fronts on the southerly limit of Braithwaite Avenue and is zoned O2 “Open Space”.

A site inspection by Forestry and Horticulture Section revealed that the woodlot’s dominate species is of mature Red Oak, Black Cherry and White Pine. Due to risk of liability, at the City’s request, the developer has removed any dead, leaning or uprooted trees and any large deadwood in the canopy to Forestry’s satisfaction. Property Taxes on the subject property are current.

**ANALYSIS/RATIONALE:**

Approval of the recommendation by Council will authorize the acquisition of the subject lands for the preservation of the mature woodlot.

**ALTERNATIVES FOR CONSIDERATION:**

If Council elects to deny the recommendation as outlined in this report, the property owners will retain the lands as private open space or may choose to proceed with the disposition of the subject property on the open market.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: The purchase of lands is for nominal amount of $2.00.

Staffing: Staff will take the necessary steps to complete the transfer.

Legal: Legal Services will be required to assist in the preparation of the necessary documents required to complete the recommendation set out herein.
POLICIES AFFECTING PROPOSAL:

This recommendation is consistent with the Real Estate Management Portfolio Strategy Plan, as approved by Council on November 24, 2004.

RELEVANT CONSULTATION:

- Public Works, Open Space Development and Park Planning Section, and Forestry and Horticulture Section
- Planning and Economic Development Department, Community Planning and Design Section

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
Opportunities for physical activity are supported and enhanced.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
To ensure that the quality of life of Hamilton residents are enhanced through the creation of open space.

Economic Well-Being is enhanced. ☑ Yes ☐ No
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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

:FA
Attach. (1)