

**AFFECTS
WARD 10**

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Development and Real Estate Division

Report to: Chairman and Members Planning & Economic Development Committee	Submitted by: Lee Ann Coveyduck General Manager
Date: September 30, 2005 File: 2005 163	Prepared by: Helene Marcotte Ext. 7021

SUBJECT: Potentially Surplus Property, Ontario Realty Corporation, Fruitland Road and North Service Road, in the City of Stoney Creek, now in the City of Hamilton (PED05153) (Ward 10)

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 Ontario Realty Corporation (ORC) that the City of Hamilton has no interest in acquiring the surplus lands situated at the North Service Road and Fruitland Road as shown on Appendix "A" to Report PED05153.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department are seeking Council's direction to advise the Ontario Realty Corporation that the City of Hamilton has no interest in acquiring the surplus lands at Fruitland Road and the North Service Road.

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BACKGROUND:

The information and recommendation contained in this report primarily affect Wards 10.

The subject land is located at the north-west quadrant of the North Service Road and Fruitland Road, described as Part 1 on Plan 62R-15669 attached hereto as Appendix "B" to Report **PED05153**.

The property is zoned "HC(H)" Highway Commercial (Holding) in the Stoney Creek Zoning By-law No. 3692 and; designated "Highway Commercial" in the Stoney Creek Official Plan and; designated as "Highway Commercial" in the Bayview Neighbourhood Plan.

The Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department circulated the Ontario Realty Corporation's information to all City Departments and City Councillors requesting comments in order to determine if there was a municipal interest in acquiring the lands. As a result of the circulation, there was no municipal interest in acquiring the subject lands.

ANALYSIS OF ALTERNATIVES:

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 no interest in the surplus lands.

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:

There are no policies affecting this proposal.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

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. No municipal uses were identified for the subject property.

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The following comments were received:

Archaeological:

“On the basis of current site conditions, it is noted that the subject property is within 150 metres of Lake Ontario, is adjacent to a historic transportation route, and encompasses the 1875 farmstead of F.M. Carpenter. As a result, these criteria define the properties as having high archaeological potential. Cultural Heritage Planning staff recommends that:

The subject property has been determined to be of high archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any soil disturbance and that a Stage 1 and 2 archaeological assessments may be undertaken prior to such impacts in order to address these concerns.

Should deeply buried archaeological remains be found on the properties during construction activities the Ontario Ministry of Culture (MCL) should be notified immediately (519.675.7742). In the event that human remains are encountered during construction, the applicant/landowner should immediately contact both MCL and the Registrar or Deputy Registrar of the Cemeteries Regulations Unit of the Ministry of Consumer and Commercial Relations (416.326.8392).”

Engineering and Zoning:

Present Zoning: HC(H) – Highway Commercial (Holding)

1. “The present zoning has a Holding provision that must be removed prior to any development being permitted. In order to remove the Holding, the following matters must first be completed:
 - (a) Where the details of such development have not been determined.
 - (b) When land assembly is required to permit orderly development or redevelopment.
 - (c) When the level of engineering and/or community services is not adequate to support the ultimate use, but such services are to be provided at a later time.
2. The lands are subject to Site Plan Control. As such, development or redevelopment will require application to the Planning and Development Division.
3. The lands must adhere to the regulations contained within the Stoney Creek Zoning By-law for the Highway Commercial Zone (Sections 4, 8 and 8.7).
4. Building permits will be required in the normal manner.”

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Traffic Planning:

“The horizontal curvature of North Service Road and Lakeview Drive creates sight line restrictions for access to the subject property. Potential purchasers must be advised that access to Lakeview Drive will not be permitted. Prior to the City approving access from North Service Road to the property for any intensified use, we will require that a qualified traffic engineer/consultant undertake a sight line review and possible traffic impact study to determine if/where site access to North Service Road can be provided.”

Strategic and Environmental Planning:

“The City will be completing Class Environmental Assessment studies for Watercourse 5 and 6 in Stoney Creek. The surplus land straddles the border between the Watercourse 4 and 5 subcatchment boundaries (Fruitland Road is the dividing line). The surplus property appears to be outside of the Class AE study area for Watercourse 5 and 6; however, the ORC should be made aware of these studies.

Staff notes that there appears to be existing municipal water, a sanitary sewer and a storm sewer on Lakeview Drive, adjacent to the north side of the surplus property. Comments from the Ministry of Transportation should be considered as it appears that they have Building and Land Use permit jurisdiction over the east and south side of the surplus property.”

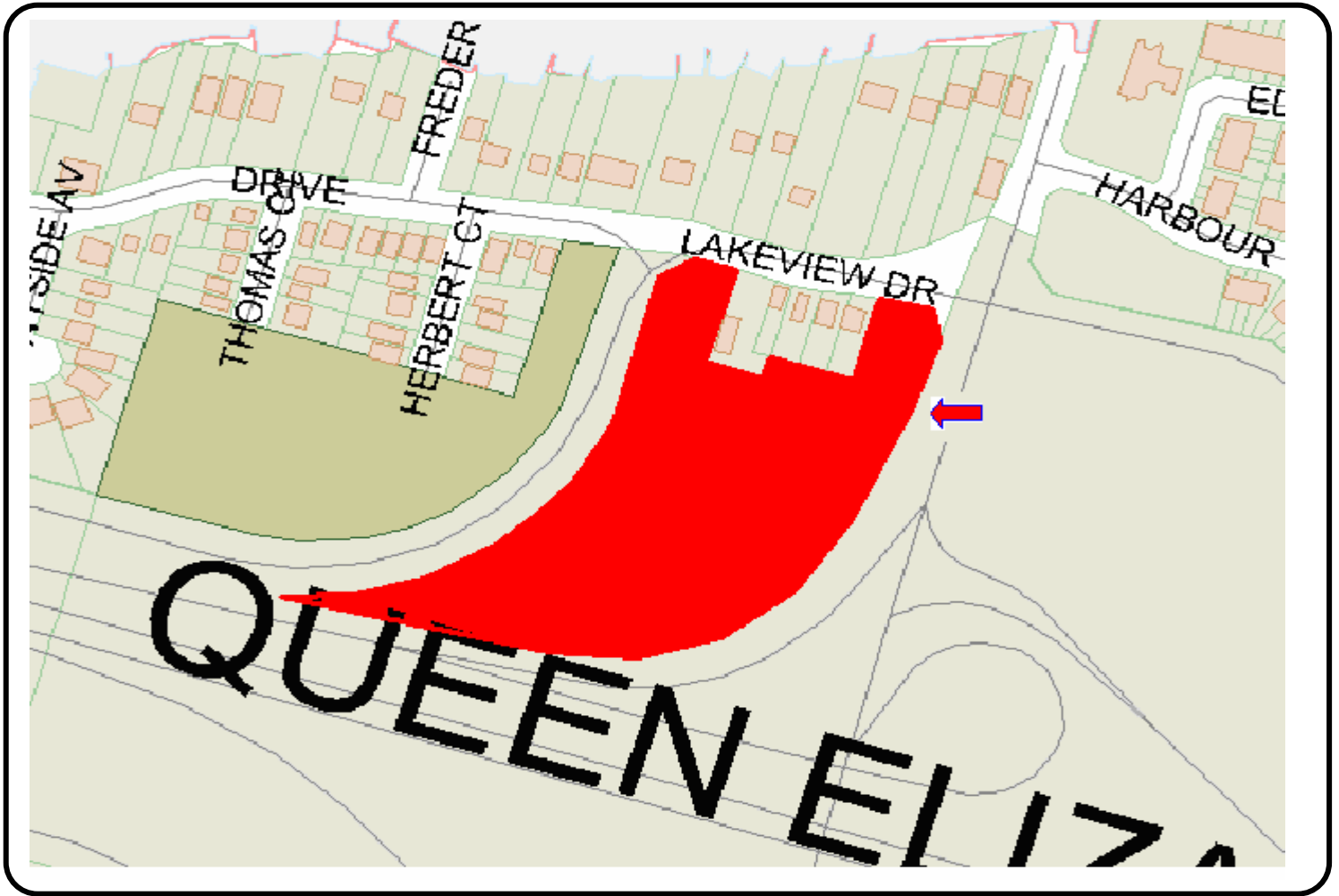
The above noted comments will be relayed to the ORC upon approval of this report.

CITY STRATEGIC COMMITMENT:

These recommendations have regard to Council’s approved goal including, more specifically, Goal 5 – “A City That Spends Wisely and Invests Strategically.”

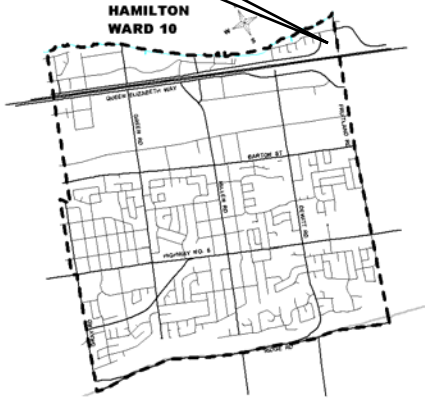
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Attachs. (2)



KEY MAP

LOCATION



LOCATION PLAN

Fruitland Road & North Service Road
Stoney Creek

REAL ESTATE SECTION
PLANNING & ECONOMIC DEVELOPMENT
CITY OF HAMILTON

LEGEND



SCALE
NOT TO SCALE

DATE
2005-10-12

REFERENCE FILE NO. 2005 163

