

**AFFECTS  
WARDS 5 & 10**

**CITY OF HAMILTON**

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Development and Real Estate Division**

<b>Report to:</b> Chairman and Members Planning & Economic Development Committee	<b>Submitted by:</b> Lee Ann Coveyduck General Manager
<b>Date:</b> September 30, 2005	<b>Prepared by:</b> Helene Marcotte
<b>File:</b> 2005 162	Ext. 7021

**SUBJECT: Potentially Surplus Property, Ontario Realty Corporation, 560 Grays Road in the City of Stoney Creek, now in the City of Hamilton (PED05155) (Wards 5 & 10)**

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**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 that the City of Hamilton has no interest in acquiring the lands municipally known as 560 Grays Road (attached as Appendix "A" to Report PED05155) that has been declared surplus by Ontario Realty Corporation.

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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 is seeking Council's direction to advise the Ontario Realty Corporation that the City of Hamilton has no interest in acquiring the surplus lands at 560 Grays Road.

**SUBJECT: Potentially Surplus Property, Ontario Realty Corporation, 560 Grays Road, in the City of Stoney Creek, now in the City of Hamilton (PED05155) (Wards 5 & 10) - Page 2 of 4**

**BACKGROUND:**

The information and recommendation contained in this report primarily affect Wards 5 and 10.

The subject land is located at the north-east quadrant of Grays Road, bounded by the North Service Road and Frances Avenue. The subject property is described as Parts 1 and 2 on Plan 62R15557 (attached as Appendix "B" to Report PED05155) and encompasses an area of approximately 1.119 hectare (2.765 acres).

The subject property has split zoning and in particular, Part 1 is zoned "AA" (Agricultural District) in the City of Hamilton Zoning By-law No. 6593 and Part 2 is zoned "HC(H)" (Highway Commercial) - "H" (Holding) in the Stoney Creek Zoning By-law No. 3692.

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.

**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.

**Staffing:** There are no identified staffing implications.

**Legal:** There are no identified legal implications.

**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.

**SUBJECT: Potentially Surplus Property, Ontario Realty Corporation, 560 Grays Road, in the City of Stoney Creek, now in the City of Hamilton (PED05155) (Wards 5 & 10) - Page 3 of 4**

The following comments were received:

**Community Planning:**

- “Stoney Creek Official Plan Designation – Highway Commercial

**Archaeological:**

“On the basis of current site conditions, it is noted that the subject property is within 150 metres of a Lake Ontario inlet, and encompasses the 1875 location of Thomas Stewart’s farmstead. As a result, these criteria define the property 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 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:**

1. “The subject lands are partially in the former municipality of Hamilton (westerly portion) and partially in the former municipality of Stoney Creek (easterly portion). The lands under Hamilton Zoning By-law #6593 are zoned “AA” (Agricultural District) and shall be developed in accordance with the requirements of this district.
2. The lands under Stoney Creek Zoning By-law 3692 are zoned “HC(H)” (Highway Commercial) and shall be developed in accordance with the requirements of this district once “H” (Holding) has been removed from the property. 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.

**SUBJECT: Potentially Surplus Property, Ontario Realty Corporation, 560 Grays Road, in the City of Stoney Creek, now in the City of Hamilton (PED05155) (Wards 5 & 10) - Page 4 of 4**

3. To develop the entire parcel for either a commercial or residential use, an application for Zoning By-law Amendment is necessary.
4. No outstanding work orders.”

**Traffic Planning:**

“Future purchasers should be advised that access to North Service Road will not be permitted.

Any new or change in access to the subject property requires an Access Permit from this office. The applicant can call the Traffic Engineering office at 546-2424, ext. 5925 for additional details, however a site plan drawing must be submitted with payment of \$62.47 to initiate the process. Any costs for traffic sign or utility relocation, or other items are the sole responsibility of the applicant/owner.”

**Strategic & Environmental Planning:**

“Potential Owners should be aware that there is existing municipal water and sanitary sewer on Grays Road (west side of Part 1) and there is also existing municipal water, sanitary and storm sewer available at the north east location of the property (Frances Avenue and Drake Drive). Comments from MTO should be obtained since it appears they have Building and Land Use Permit Jurisdiction over the south side of the property adjacent to the North Service Road.”

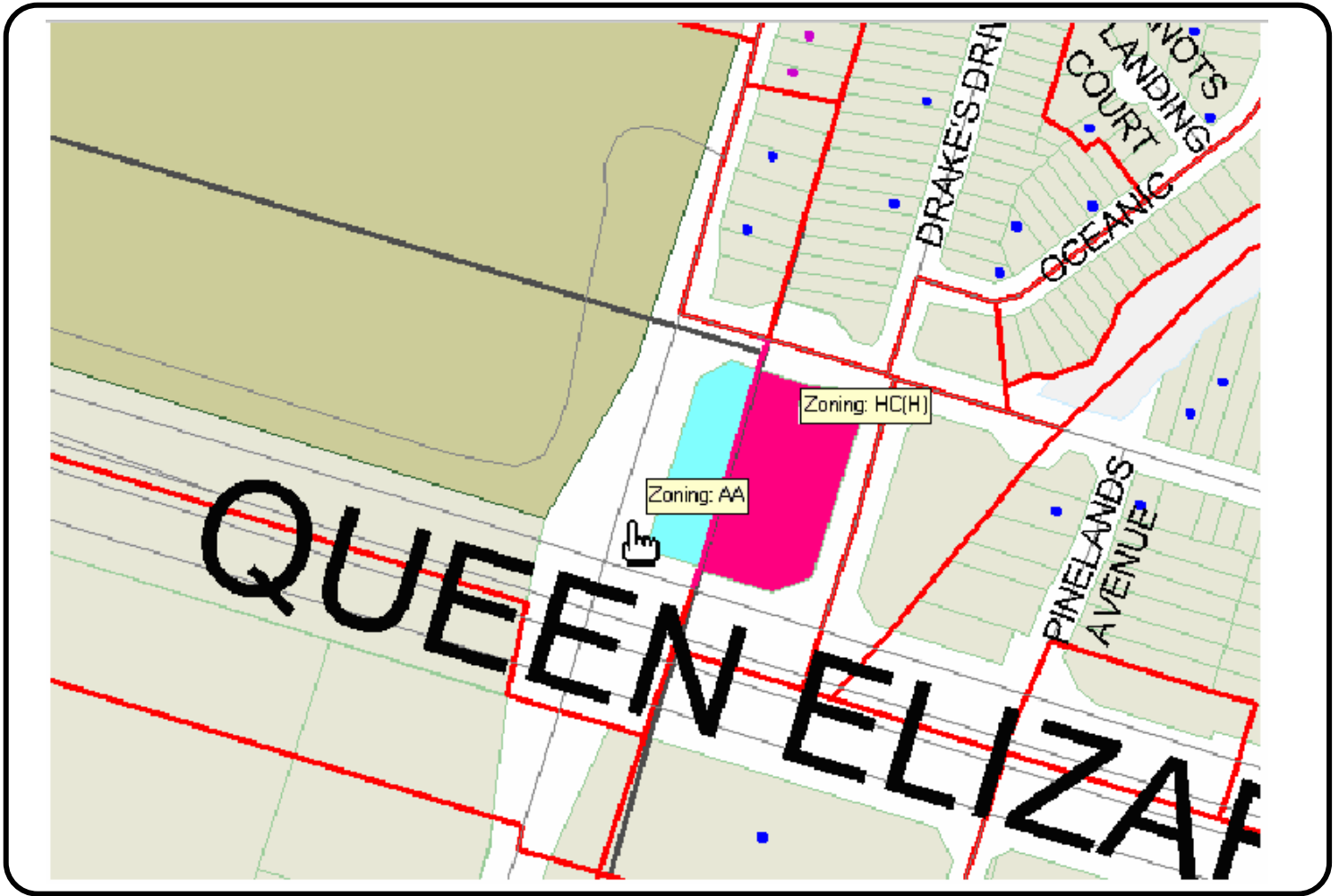
The above noted comments will be relayed to the ORC upon approval of this report.

**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.”

:HM

Attachs. (2)



### KEY MAP



### LOCATION PLAN

560 Grays Rd.  
 Stoney Creek  
 REAL ESTATE SECTION  
 PLANNING & ECONOMIC DEVELOPMENT  
 CITY OF HAMILTON

### LEGEND



SCALE  
 NOT TO SCALE

DATE  
 2005-10-12

REFERENCE FILE NO. 2005 162

