

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Development and Real Estate Division

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| Report to: Chair and Members Planning & Economic Development Committee | Submitted by: Lee Ann Coveyduck General Manager Planning and Economic Development Department |
| Date: November 18, 2005 | Prepared by: David Cuming (905) 546-2424, Ext. 1215 |

SUBJECT: Funding of Structural Repairs to the Main House, Auchmar Estate, 88 Fennell Avenue West (PED05216) (Ward 8)

RECOMMENDATION:

That the request of Hamilton's Municipal Heritage Committee that a source of funding be found in order to undertake emergency repair work at the Auchmar Estate, located at 88 Fennell Avenue West, with such funding not exceeding \$100,000, be referred to the 2006 Capital Budget process for consideration.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

At its meeting of October 27, 2005, the Hamilton LACAC (Municipal Heritage Committee) was advised by Planning and Economic Development Department staff of the findings of a limited structural inspection report on a portion of the main house on the Auchmar Estate. The structural inspection was carried out at the request of staff of the Cultural Services Section (Public Health and Community Services Department). The report noted a number of deficiencies with specific concern regarding structural distress around the main doorway on the north facade. Accordingly, the Hamilton LACAC (Municipal Heritage Committee) considered the matter to be of some urgency and recommended that a source of funding for repairs be found.

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BACKGROUND:

The Auchmar Estate, located at 88 Fennell Avenue West, comprises a 3.765 hectare (9.5 acre) site currently owned by the City of Hamilton. The lands are distinguished by a mid-nineteenth century, Ontario Gothic manor house (built for Isaac Buchanan, a local merchant and politician), a carriage house, dovecote and substantial stone garden walls. The site, formerly owned by the Sisters of Social Service, was the subject of a development proposal in 1999 to develop the lands for residential purposes.

As a result of considerable community opposition, both to the proposed development and the potential loss of a significant cultural heritage resource, the former City of Hamilton acquired the property in exchange for developable City-owned land on the east Mountain. The former City of Hamilton then entered into negotiations to develop the Auchmar site for a “wellness centre”. Following the failure of the proponent to fulfill the terms of the agreement entered into, the property was, subsequently, vacated in the spring of 2001. The Estate has since been used for a number of film shoots.

In establishing the terms of agreement for the former proponent, a number of guiding principles were developed by the former City of Hamilton (Report PDC99098B) as follows:

“Based on the intended direction of Council, and input from LACAC, the community, and staff, the following guiding principles have been compiled:

- (a) establishment of a Heritage Easement for the entire property in favour of the City/Ontario Heritage Foundation.
- (b) Creation of “National Historic Site” status for the property.
- (c) Commitment to sustainable public access to the entire property, including all buildings and structures.
- (d) Commitment for the funding of the restoration of all buildings and structures and maintenance of all grounds at no additional expenditures to the City of Hamilton.
- (e) Commitment to sustainable long-term public ownership of a restored cultural heritage property for the City of Hamilton.
- (f) Commitment by all parties, including the tenants, the City and the community, to work co-operatively towards the long-term preservation of the property in the public interest.
- (g) Ensure that the initial property value, which the City of Hamilton invested (i.e., \$2,000,000), is protected.
- (h) Adaptive re-use and long term occupancy of the heritage buildings on the property is critical to its preservation and financial sustainability.”

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The guiding principles have continued to provide the framework for staff initiatives regarding the Auchmar Estate. With respect to item (a) an Ontario Heritage Foundation (now the Ontario Heritage Trust) (OHT) conservation easement was registered on title in 2001. In January 2002, a base-line documentation report was prepared by the Ontario Heritage Trust that the City signed-off on as a condition of the easement agreement. This has been undertaken. Staff has also met on several occasions with OHT staff to review the integrity and condition of the building fabric.

The care and maintenance of the property is the responsibility of the Cultural Services Section (Culture and Recreation Division, Public Health and Community Services Department). As part of the on-going management of the site, a recently commissioned structural inspection of a portion of the main house has revealed a number of structural issues. These include a large and diagonal crack that runs through the structure from upper floor level to the basement, separation of the floor from the walls in the upper floor, separation of the north exterior wall from the interior wall at the main floor level, rotation and settlement of a north projecting bay, crumbling stone and mortar in the basement and evidence of persistent high humidity and excessive damp conditions. Some of these issues can be ameliorated by better site drainage and more efficient ventilation of the basement on a year round basis. Other areas require active intervention, including the repair of masonry units (both brick and stone), as well as replacement of rotted wood members.

ANALYSIS/RATIONALE:

The limited structural inspection highlights the need to address both immediate and short-term repairs, as well as a longer term conservation strategy for the entire building envelope. A comprehensive structural investigation, a report of findings and recommended courses of action are a pre-requisite for addressing a long-term strategy.

Currently, there is no allocation of Capital funding to Auchmar. A previous Capital submission for the 2005 Capital Budget requested \$300,000 each year for 2005 through 2009, for a total of \$1.933 million. This also included \$433,000 for other expenditures such as architectural services. A reserve fund has been established to receive funds from filming activities at Auchmar that now stands at approximately \$99,000. These funds are intended to offset ongoing maintenance of Auchmar.

Staff of the Planning and Economic Development Department has been advised by Cultural Services Section staff that there is a Capital Budget submission that has been submitted by the Community Buildings Section (Culture and Recreation Division) for 2006 in the amount of \$100,000. This submission will be part of the 2006 recommended Capital list, separate from the Community Buildings' block funding.

Potential sources of limited funding for immediate deficiencies may be found jointly within both the Public Health and Community Services Department (i.e., the reserve fund specifically established for Auchmar) and the Planning and Economic Development Department (e.g., Hamilton Community Heritage Fund). In the absence of detailed or accurate cost estimates, City staff is not able to advise further on an appropriate or adequate source of funding.

ALTERNATIVES FOR CONSIDERATION:

Take no action

Failure to initiate action with respect to funding for immediate structural repairs will result in further attrition of the structural integrity of Auchmar's main house. This will be contrary to the intent of the conservation easement agreement between the City and the OHT.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: The Hamilton LACAC (Municipal Heritage Committee) recommendation was made without the benefit of a detailed cost estimate for repair of the structural deficiencies. A Capital Budget submission for 2006 has been submitted by Community Buildings Section (Culture and Recreation Division) for Council's consideration in the amount of \$100,000, which is separate from Community Buildings' block funding. The Culture and Recreation Division will report back to Council in late January / early February of 2006 on the status of Auchmar, outlining a complete ten-year Capital funding forecast for necessary, ongoing repairs.

Staffing: None.

Legal: Inappropriate care of the Auchmar Estate may be contrary to intent of the heritage conservation easement agreement between the City and the OHT.

POLICIES AFFECTING PROPOSAL:

The former City of Hamilton's Official Plan policies provide for the management and conservation of cultural heritage resources. Providing funding for adequate care of this property will be in accord with the intent of these policies.

RELEVANT CONSULTATION:

At its meeting of October 27, 2005, the Hamilton LACAC (Municipal Heritage Committee) was advised by Planning and Economic Development staff of the findings of a limited structural inspection report of a portion of the main house on the Auchmar Estate. The structural inspection was carried out at the request of staff of the Cultural Services Section (Public Health and Community Services Department). The structural inspection report was not available to the Committee at the time of their meeting, nor did the Committee have before it a staff report detailing the report's findings with any cost analysis or budget considerations.

Accordingly, given the report's findings, the Hamilton LACAC (Municipal Heritage Committee) considered the matter to be of some urgency. In the absence of a detailed

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costing it was discussed and concluded that a source of funding for repairs should be identified and the following motion was passed:

“That the Committee advise Council that in the forthcoming budget deliberations a source of funding be found in order to undertake repair work at Auchmar and that such funding not exceed \$100,000.”

This recommendation is the basis for the advice to the Planning and Economic Development Committee contained at the outset of this report.

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**

Arts, culture, archaeological and cultural heritage are supported and enhanced.

Financial commitment to this heritage property of local and provincial significance will ensure the property’s continued longevity.

Environmental Well-Being is enhanced. **Yes** **No**

Human health and safety are protected.

The sense of continuity and familiarity with the past provided by heritage buildings contributes to emotional well-being in human mental health.

Economic Well-Being is enhanced. **Yes** **No**

Hamilton's high-quality environmental amenities are maintained and enhanced.

As part of the Hamilton’s built and natural environment, Auchmar comprises a component of the heritage environment that contributes to overall environmental amenity

Does the option you are recommending create value across all three bottom lines?

Yes **No**

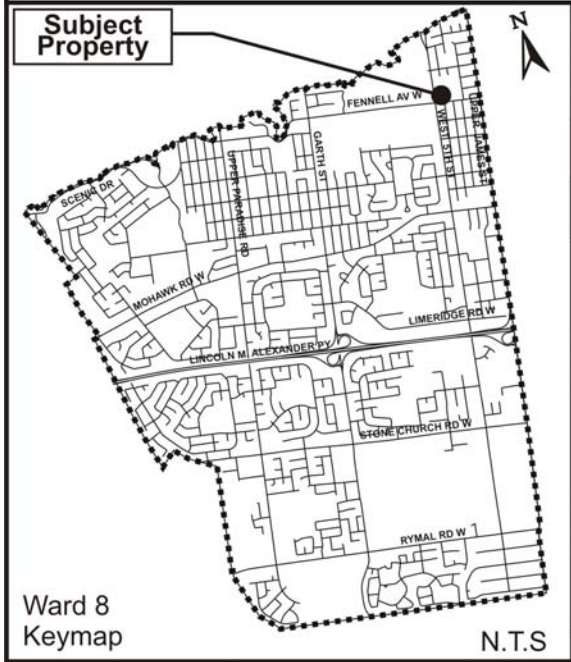
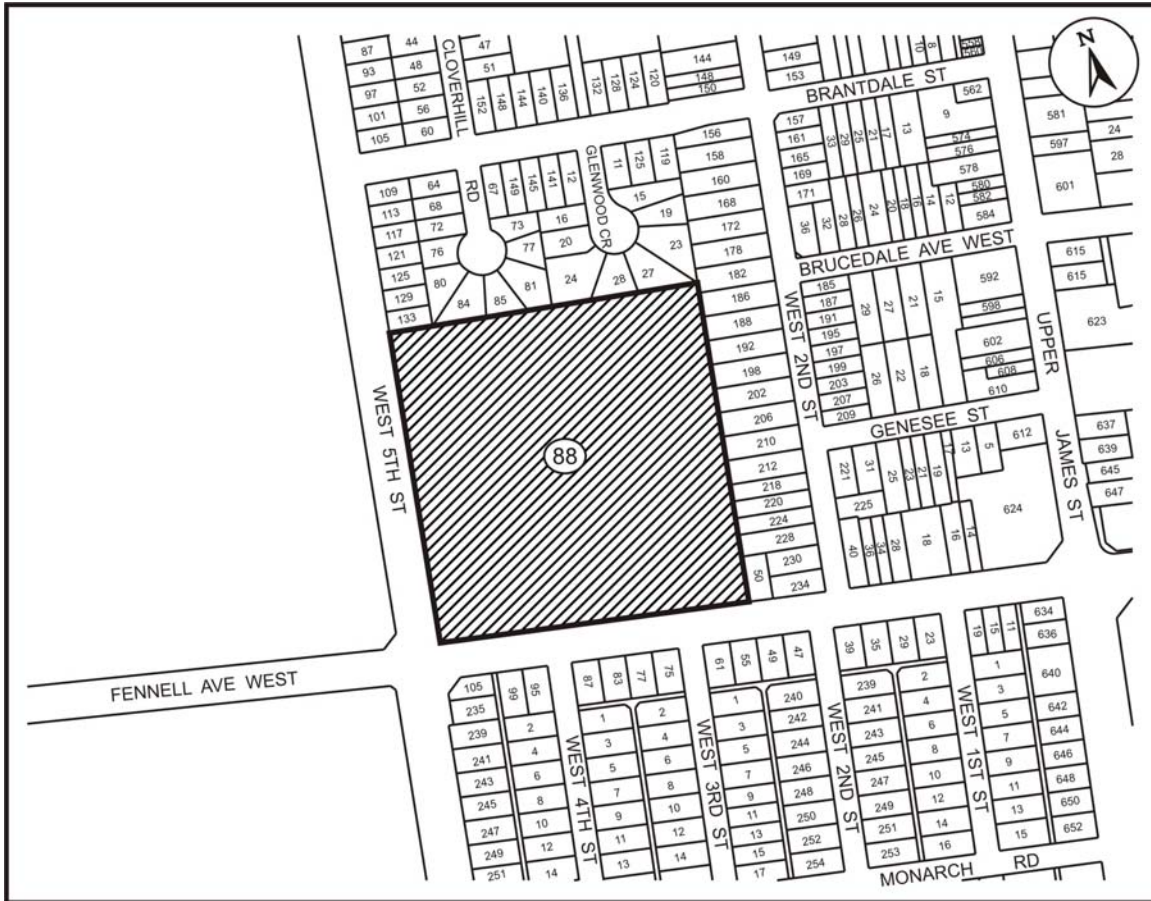
Do the options you are recommending make Hamilton a City of choice for high performance public servants?


Yes **No**

The recommended option attests to the City’s desire to set a high standard in attempting to maximize opportunities to promote its programme of, and achievements in, heritage conservation.


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Attach. (1)




 Planning and Economic Development Department
Location Map

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| File Name/Number: 88 Fenell Ave W | Date: July 14, 2005 |
| Appendix "A" | Scale: N.T.S |
| | Planner/Technician: DC/MZ |


Subject Property

T&C File Name: N:\1T&c\Location_Maps\2005July\Core\88 Fenell Ave W.cdr