




# COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 27, 2023
<b>SUBJECT:</b>	Saltfleet Community Centre Structural Concerns and Closure (CFEM2301)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>SUBMITTED BY:</b>	Robyn Ellis Acting Director, Corporate Facilities and Energy Management Public Works Department
<b>SIGNATURE:</b>	

This Communication Update is to provide members of Council an update regarding structural concerns at the Saltfleet Community Centre, located at 605 Highway 8, which have resulted in the closure of the facility as well as the relocation of groups offering services and programs in the Centre.

Through this Communication Update, as well as prior updates, Staff continue to fulfil their obligation to report up the chain, up to and including an update to Council, the City Solicitor, the City Manager, and the General Manager of Public Works, regarding risks to safety, as well as mitigation plans, identified in consulting reports, per Public Works Level II Procedure: PW-P-008-001, issued January 2022.

Update:

- The Food Bank will be accommodated for the near future at Stoney Creek Municipal Centre. A meeting is scheduled onsite Monday morning to help plan the Food Bank's move to the new location;
- The Stoney Creek Municipal Centre had previously been identified as a location for a future 911 call centre, however as the project has evolved, updates regarding technology assets mean that Stoney Creek facility is no longer needed, making it available. Reports to both Council Committee, as well as the Police Services Board are forthcoming with a fulsome update regarding the 911 call centre project;

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- City staff will be arranging for and supporting a move of the Food Bank's operations ASAP to minimize disruption to their operations and reduce community impact;
- All tenants of the building will be provided with an accommodation plan. Site tours and conversations about proposed locations are currently underway and there is a draft accommodation plan for each group;
- Staff expect to have an accommodation plan for all other community groups located at Saltfleet Community Centre finalized shortly;
- Between Stoney Creek Municipal Centre, Winona Community Centre, Saltfleet Arena, among other City sites, all user groups can be accommodated;
- Building Department has issued an Order to Comply, related to Saltfleet Community Centre;
- Staff are working closely with the Building Department to complete any recommended shoring and repairs to ensure the safety of the public;
- Limited access to part of the building continues to be coordinated, with supervision by qualified third-party Structural Engineers.

Looking back at March 22, 2023 and Communications to Council:

- Saltfleet Community Centre was closed due to safety concerns (late March 21, 2023) and is expected to remain closed for the foreseeable future;
- Staff have proactively closed the facility while structural investigations and work is underway to determine if the Community Centre can be reopened safely;
- Facility closure is the safest approach for the building occupants;
- All occupants have been contacted and will be provided with alternative locations for their operations in coming days and to continue to provide their services.

Building History:

- 2010: The City of Hamilton purchased Alliance Church with the intent to demolish and build a new Recreation Centre, however, the building was repurposed to house community groups to run local programs supporting Ward 10 and the outlying areas;

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- 2011: Repairs were completed, following the purchase of the property;
- 2015: The facility was renamed Saltfleet Community Centre;
- 2017: Roof replacement work was completed;
- Late 2022: As part of Corporate Facilities and Energy Management's Building Audit program, a high level, routine lifecycle Building Condition Assessment (BCA) was conducted by a consultant with a general building science background. It was through that routine assessment that concerns related to the deterioration and safety of the building were brought to the City's attention, however the observations were initially limited to the East Wing. The extent and risk level of the concerns was unknown in 2022. Nevertheless, temporary measures were undertaken to limit access and provide signage within the East Wing and management was advised that a structural engineer would review the area of concern in early 2023. The new Ward Councillor was also briefed;
- March 2023: A Structural Engineer reviewed the area of concern. The Structural Engineer found several serious concerns when touring the East Wing, including worsening issues with the building's foundation. Immediate action was taken with exterior shoring to help support the building's East Wing;
- March 9, 2023: Pending a letter and draft report outlining recommendations and observations from the Structural Engineer, staff made the building safe on March 9 by locking out and blocking off the entire East Wing of the building. Shoring was also installed at the areas of concern. Impacted building occupants were notified of the change of access to the building. The food bank in the west wing as well as services in the central part of the building, such as Air Cadets, Football Association, and Community Gardens, were not impacted at the time. Both Senior Management and the Ward Councillor were kept apprised of the new development and safety concerns.

Rationale for Building Closure March 21, 2023:

Saltfleet Community Centre was closed late on March 21, 2023 for the following reasons, with notice given to the occupants:

- A report was received from the city's consultant, indicating that the building is unsafe in the areas examined in the East Wing, stamped by a qualified Structural Engineer. In conversations with the Engineer, it was identified that there are structural, safety and building code concerns throughout the facility, but that these areas had not yet been studied in detail;

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- Future and ongoing destructive testing of the building's structure was recommended by the Structural Engineer to fully determine all areas of concern within the building. Destructive testing should not be undertaken in an occupied public building and the building will be treated like a construction site during the investigation;
- While staff continue to take all reasonable measures to ensure public safety, the Occupier's Liability Act sets forth responsibilities of a property owner. There is a duty to take care to see that persons entering on the premises are reasonably safe while on the premises. This duty applies to the condition of the property as well as activities carried out on the property;
- Staff are required to report any known workplace hazard to the employer under the Occupational Health & Safety Act. Employers are obligated to take all reasonable precautions to protect the health and safety of workers and Owners must ensure that workplace facilities are provided and maintained;
- By taking appropriate steps to protect the public safety and work to remedy known safety hazards, the City avoids risk of liability and further property damage. Public Works Staff continue to consult with Risk Management Staff to ensure the City's obligations are met with respect to insurance;
- Additional interior shoring was recommended by the Structural Engineer, which is currently being scheduled;
- Determination of the root cause, including destructive testing and geotechnical analysis, is anticipated to require a minimum of two months. The root cause of the structural concerns will inform the scope of possible future repairs that are required to make the building safe;
- The Professional Engineers of Ontario (PEO), governed by the Professional Engineer's Act, has published the Structural Condition Assessments of Existing Buildings and Designated Structures Guideline, which outlines professional obligations, best practices, definitions, and references for structural condition assessments. A detailed condition assessment, which has not yet been completed at Saltfleet Community Centre, is typically based on the findings of a preliminary assessment, includes invasive investigation and extensive engineering work, and is intended to conclusively determine the structural adequacy of a building, or certain structural components. A Structural Engineer has been retained for this detailed assessment, which will commence once additional shoring is in place;

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- Beyond structural concerns, the building has lifecycle renewal concerns, including potential building code considerations, which need to be carefully reviewed and addressed in parallel with structural investigations. An example is the failing building envelope and fire safety issues such as egress;
- The probable extent of repairs required for this building will be disruptive to all occupants, therefore a new location is needed for occupants while shoring and destructive tests, as well as any subsequent repairs are underway.

Once the building is made safe for further investigations and tests, staff will undertake a feasibility of the building structure in its entirety with recommendations and options for the future of the facility and will continue to provide updates.

We appreciate the efforts of City Staff as they responded to protect public safety and continue to work with tenants to accommodate them in other facilities.

The City appreciates that the safety concerns with the facility represent significant challenges and inconveniences to the tenants and the services they provide to the community. The City is committed to working with all groups who were using the Saltfleet Community Centre to help them continue to operate and provide service to their members and clients.

Staff have been working on the accommodation plan for the groups located in Saltfleet Community Centre with Councillors Jeff Beattie, Matt Francis, and Brad Clark, as well as the Hamilton East-Stoney Creek MPP Neil Lumsden.

If you have any questions, please contact Robyn Ellis, Acting Director, Corporate Facilities and Energy Management at ext. 2616

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Communication Update CFEM2301 - Order to Comply



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
Building Division  
71 Main Street West  
Hamilton, Ontario, Canada, L8P 4Y5  
Phone: 905.546.2720 Fax: 905.546.2764  
www.hamilton.ca

## Order to Comply

Pursuant to Subsection 15.9(4) of the *Building Code Act, 1992*

**Order Number: 23-112502-00 EN**

**Date Order Issued:**

March 24, 2023

**Application/Permit Number:**

**Address to which Order applies:**

605 HWY 8 . STONEY CREEK

Order issued to:

City Of Hamilton C/O Treasury Dept  
71 MAIN ST. W  
HAMILTON ON L8P 4Y5

The inspection on or about March 22, 2023 at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below IMMEDIATELY.

Item	Reference	Description and location	Required action and compliance date
1.	Subsection 15.9-(2) of the Building Code Act, 1992	<p>The BUILDING is</p> <p>a) structurally inadequate or faulty for the purpose for which it is used; and</p> <p>b) in a condition that could be hazardous to the health or safety of persons outside the building or persons whose access to the building has not been reasonably prevented</p> <p>causing the building to be unsafe.</p>	<p>1. Secure building and make safe;</p> <p>2. Provide Professional Engineer's Letter for the structural stability of the building;</p> <p>3. Obtain building permit for remedial works.</p>

Order issued by: POSTED ON SITE AND REGISTERED MAIL.

Name: Joseph Pizzoferrato

BCIN: 15083

Signature: \_\_\_\_\_

Telephone No.: 905.546.2424 ext. 1368

**Note:**

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [*Building Code Act, 1992 s. 20*]
- An Order may be appealed to the Superior Court of Justice. [*Building Code Act, 1992 s. 25*]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [*Building Code Act, 1992 s. 24*]
- Failure to comply with this Order may result in an Order to prohibit the use or occupancy of the building and the Chief Building Official may cause the building to be renovated, repaired or demolished to remove the unsafe condition.
- Failure to comply with this Order is an offence which could result in a fine. [*Building Code Act, 1992 s.36*]
- No construction affected by this Order is to be covered until inspected and approved. [*Building Code Act, 1992 s.13*]