
RECOMMENDATION:

That the Mayor and City Clerk be authorized and directed to execute the Licence Agreement, between the City of Hamilton and the Ancaster Minor Sports Association, as per the Key Terms and Conditions (attached as Appendix A Report CS09064) for the Association’s use of the property known as the Richard Hammill House, located at 314 Wilson Street East, Ancaster, as a one-stop location for local residents to register their children in various Ancaster minor sports, upon final completion of the building renovations, and in a form satisfactory to the City Solicitor.

Joe-Anne Priel
General Manager,
Community Services Department

EXECUTIVE SUMMARY:

Staff is requesting approval of the Licence Agreement, as per the Key Terms and Conditions (attached as Appendix A to Report CS09064), between the City of Hamilton and the Ancaster Minor Sports Association (the “Association”), for the use of the Richard Hammill House (“Hammill House”), located at 314 Wilson Street, as a one-stop location for local residents to register their children in various Ancaster minor sports. Hammill House is currently vacant and has been minimally maintained. The Term of the Licence Agreement would be for a period of 10-years, with a nominal licence fee of one dollar ($1.00) for the duration of the ten (10) year Agreement. The facility would be open to the public between the hours of 10:00 a.m. and 6:00 p.m., Monday through
Saturday. In addition, to the registration of participants, it will be used for administrative activities related to the Association and for records storage.

The Association is required to provide staff, at their cost, to operate the facility. In addition, the Association is responsible for consumables, such as paper products and for maintaining their own insurance. Because of the building’s historical designation, alterations to the building are not permitted without consent.

The City of Hamilton (the “City”) is responsible for the cost of utilities, maintenance, repairs and cleaning services.

**BACKGROUND:**

The Hammill House is a heritage property owned by the City, and designated by By-Law 76-86, under the Ontario Heritage Act.

At the March 20, 2008, Capital Budget Priority Setting Session, a project to renovate Hammill House to host the Ancaster Minor Sports Association was identified. The project proposed that the Association, an association of not-for-profit minor sports members, occupy the Hammill House to provide one-stop shopping for local residents to register their children in Ancaster minor sports. On Wednesday, June 11, 2008, Council approved the projects identified in the Capital Priority Session, which included the renovation of the Hammill House to accommodate the Association.

The renovations to the premises are currently in the planning phase. An architect has been hired and is currently working with Culture Division staff, along with the Heritage and Urban Design Section of the Planning and Economic Development Department and the Municipal Heritage Committee, as the Ontario Heritage Act will require that heritage permits be obtained for this property before any investigations or work can commence.

**ANALYSIS/RATIONALE:**

The social and health benefits of children participating in organized sport are well documented. One objective of the Ancaster Minor Sports Association is to provide easy access for local residents to enrol their children in a sports program of their choice. Operating a facility, such as the Hammill House, allows the minor sports organizations to collectively offer joint registration and information services at one location. In addition, by providing administration areas to each member organization and shared meeting facilities, the individual member organizations will themselves benefit through joint networking.

The re-adaptive use of a vacant heritage facility offers many benefits to the City. Well-conserved and interpreted heritage places add to the social infrastructure and cultural identity of their local community. The Canadian Heritage Foundation provides several arguments such as:
• Curb landfill – re-adaptive use helps reduce Canada’s annual 10 million tonnes of construction and demolition waste;
• Reduction of emissions and energy consumption from new construction; re-adaptive construction uses less than half the energy of new construction;
• Re-adaptive use optimizes existing infrastructure by avoiding new road, sewer, and hydro infrastructure; and,
• Re-adaptive use saves our heritage – Canada has lost over 20% of its pre-1920 buildings in the last 30 years. The preservation of heritage buildings is an important principle in Hamilton becoming a Creative City.¹

In addition, the Hammill House forms part of the unique Ancaster Square, which is composed of a number of both heritage and modern structures used by the Municipality for community purposes. The renovation of the Hammill House and the upcoming renovation of the historic Tisdale House will complete this picturesque square in Ancaster.

**ALTERNATIVES FOR CONSIDERATION:**

None.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial:**

The capital project submission, which was reviewed and approved by Council in June 2008, included a capital budget of $500,000 with associated operating costs of $25,000. As per existing City practice, regarding previously approved capital projects, the Culture Division’s base maintenance budget will be increased in 2010 to accommodate the increased operating costs of Hammill House.

**Staffing:**

There are no staffing implications associated with the recommendations of Report CS09064.

**Legal:**

As contained in the Key Terms and Conditions to the Licence Agreement (attached as Appendix A to Report CS09064).

¹ Adapted from Heritage Canada Foundation Web Site - http://www.heritagecanada.org/eng/services/advocacy.html
POLICIES AFFECTING PROPOSAL:

Hammill House was designated under By-Law 76-86 under the Ontario Heritage Act.

RELEVANT CONSULTATION:

- Corporate Services Department, Legal Services Division (Agreement)
- Corporate Services Department, Budget & Finance Division
- Community Services Department, Recreation Division
- Municipal Heritage Committee

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and 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
Human health and safety are protected.

Economic Well-Being is enhanced.  ☑ Yes  ☐ No
Investment in Hamilton is enhanced and supported.

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
Key Terms and Conditions of Licence Agreement

Term:
- Ten (10) year term commencing on September 1, 2010, subject to the building and tenant improvement renovations being completed.
- Commencement date to be extended by any renovation completion delay with the termination date of September 1, 2020 being subject to an extension to reflect the renovation completion delay.

Property and Use:
- 314 Wilson Street, Ancaster, Ontario including basement, first and second floors; and,
- a one stop location for the registration of children for various Ancaster minor sports, administrative activities associated with Association members and their records storage.

Licence Fee:
- Licence fee of One Dollar ($1.00) for the Term.

City’s Costs and Responsibilities:
- to renovate the premises, prior to the Licensee’s occupancy to preserve its unique historic and architectural characteristics as currently designated;
- for the costs of all utilities (including heat and hydro); and,
- to maintain, repair and clean the premises.

Licensee’s Costs and Responsibilities:
- for the costs of installation, maintenance and any fees associated with internet and telecommunications connections and use;
- for the costs of all consumables such as paper products;
- to obtain, maintain and pay the costs of insurance, pay all deductibles in the event of damages and provide insurance certificates, all as may be required by Risk Management;
- to staff the reception area of the premises between the hours of 10:00 am and 6:00 pm Monday through Saturday (except statutory holidays) with sufficient staff to ensure that there is full-time staff coverage of the premises and to pay any costs associated with such staffing; and,
- to provide to the City, on an annual basis, an Association Budget, Schedule of Events and confirmation that all Association Members remain not for profit.
Special Conditions:

- The Premise is designated by By-Law 76-86 under the Ontario Heritage Act, as being of historic and architectural value and interest. The Licensee will be required to acknowledge and agree that it will not attempt to change, restore or rehabilitate the Premises and/or any of the Premises’ character defining features, including, but not limited to:

  - the building’s general architectural form, style, materials, design, scale, proportions, organization of windows, doors, and other openings; interior architectural elements that are integral to the building’s historic character or significance such as the banister, floors and floor coverings, paint colours and baseboards; exterior materials, coatings, textures, details, mass, roof line, porch and other aspects of the appearance of the building's exterior.

  - In addition, no attaching of any furniture, bookcases, posters, pictures or papers to the walls are allowed. The Culture Division of the City of Hamilton will work with the occupants in hanging pictures and/or information boards, such as whiteboards, chalkboards and/or cork boards, or any other materials to conduct business and the Licensee will contact the Culture Division, Director of Culture or designate in respect to such activities.