TO: Chair and Members
    Emergency & Community Services Committee

WARD(S) AFFECTED: WARD 2

COMMITTEE DATE: September 8, 2010

SUBJECT/REPORT NO:
St. Mark's Church - Future Use of the Property, 130 Bay St. South (CS10064(a)) (Ward 2)
(Outstanding Business List Item)

SUBMITTED BY:
Joe-Anne Priel
General Manager
Community Services Department

PREPARED BY:
Anna M. Bradford
(905) 547-2424 ext. 3967

RECOMMENDATION

(a) That the unfunded $8,918.72 spent to-date on the St. Mark’s Church project (cost of studies, administration, WIP #3620741701) be funded from Culture Division’s Works-In-Progress Capital Project 7100341101.

(b) That the $350,000 cost to stabilize St. Mark’s Church be borrowed ($165,000) from Culture Division Works-In-Progress Capital Project 7100341101 and $193,919 from the City’s Unallocated Capital Reserve #108020.

(c) That the $165,000 borrowed from Culture Division Works-In-Progress Capital Project 7100341101, to be used for the stabilization of St. Mark’s Church, be replaced through the Culture Division’s 2011 Capital Block Funding.

EXECUTIVE SUMMARY

At the June 2, 2010 Emergency and Community Services Committee (E&CS) meeting staff were directed to conduct an in-house feasibility study for St. Mark’s Church, as a cultural programming space to be administered by Whitehern Historic House & Garden.
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

staff, and report back to the E&CS Committee; and, that recommendations (b) through (e) of Report CS10064, be referred back to staff for further discussion and consultation with the Ward 2 Councillor.

Recommendations (b) through (e) outlined the costs of stabilizing the building and possible funding sources.

St. Mark’s Church has been empty since 1994 and is in a derelict state. The west wall of the 1925 Sunday School is currently being supported structurally through an interior bracing, which has been in place since 1995. The Sunday School portion of St. Mark’s Church cannot be saved; therefore, the Municipal Heritage Committee has agreed, in principal, to the demolition of the Sunday School portion of the church. The cost to demolish the Sunday School and stabilize the building is estimated at $350,000.

Staff are in the process of starting the feasibility study for St. Mark’s Church as a cultural programming space to be administered by Whitehern Historic House & Garden staff and will report back to Committee in early 2011.

Alternatives for Consideration – See Page 7

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial:
There is currently a Capital Works-In-Progress project #3620741701 (Redevelopment of St. Mark’s Church), which has no approved budget, but has unfunded life to-date expenditures of $8,918.72. These expenditures were for studies and administration that occurred in 2003. This report is recommending that this balance along with the requested $350,000 net structure stabilization expense for a total of $358,919 be borrowed ($165,000) from Culture Division Works-In-Progress Capital Project 7100341101 and $193,919 from the City’s Unallocated Capital Reserve #108020.

Project Costs for Stabilization:

<table>
<thead>
<tr>
<th>Cost of Sunday School Demolition and stabilization of building</th>
<th>$ 358,919.</th>
</tr>
</thead>
</table>

Project Funding Source:

<table>
<thead>
<tr>
<th>Borrow from Capital Account 7100341101 – to be replaced in 2011 Capital Budget</th>
<th>$ 165,000.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City’s Unallocated Capital Reserve #108020.</td>
<td>$ 193,919.</td>
</tr>
<tr>
<td>Total</td>
<td>$ 359,919.</td>
</tr>
</tbody>
</table>
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
b) Annual maintenance costs to keep building intact and site as an open space use; and,

c) Consideration of the costs and options associated with Option 6 Neighbourhood Park, as outlined in Appendix D, to report PED08128.

On October 21, 2008, Economic Development & Planning staff reported back to Committee regarding the above noted direction. Committee approved the following recommendation:

“(a) That Report PED08128(a), Information Report – Costs Related to St. Mark’s Anglican Church (Hamilton), be received.

(b) That the cost of appropriate and essential repairs, and on-going requirements to keep the building secure, be recommended for approval in the 2009 Budget process.

(c) That staff be directed to prepare a Business Case, for the future use of the building for neighbourhood uses including the involvement of neighbourhood partners, and that this be presented to Committee.

(d) And that Council rescind its previous Motion which declared the building surplus.”

Economic Development & Planning Committee referred the question of St. Mark’s future use to the Emergency and Community Services Committee with the following direction: “That staff be directed to determine possible uses for the St. Mark’s Church site, 130 Bay Street South, Hamilton and report back to E&CS Committee.”

On June 2, 2010, a report was presented to E&CS Committee recommending the acceptance of donation for in-kind demolition services for the Sunday School section of St. Mark’s Church by a local contractor. In addition, funds in the amount of $270,000 were also sought to stabilize the church. Staff also recommended that an in-house feasibility study for St. Mark’s Church as a cultural programming space to be administered by Whitehern Historic House & Garden staff be conducted.

Committee declined the offer of demolition services. Staff were directed to complete the feasibility study. The study is scheduled to be presented to E&CS Committee in Q1 2011.
POLICY IMPLICATIONS

Ontario Heritage Act, Part IV Designation By-Law

The property is designated by By-law 95-13 under Part IV of the Ontario Heritage Act. Permits are required for any alterations or additions that affect the Reasons for Designation contained in the By-law. The By-law provides context on the historical and cultural significance of the St. Marks’ structure. Permit Applications are also required for demolition.¹

In 1877, construction of St. Mark's Anglican Church began at the southwest corner of Bay Street South and Hunter Street West. By January 1878, the church had its first service. Subsequently, a corner bell tower was erected on its Bay Street facade and, in 1925; the Sunday School was added to the west end of the sanctuary. The grounds in front of St. Mark's traditionally have been landscaped, creating a park-like setting for the church.

Official Plan Policies and Designation

Under the City of Hamilton's Official Plan, Schedule 'A'- Land Use Concept, the St. Mark's site is identified as "RESIDENTIAL". The intent of the residential designation is to provide for a variation of densities and housing types, while ensuring the maintenance of amenities for residents. However, as stated in Section 2.1.3 of the Official Plan additional uses permitted within the "RESIDENTIAL" designation are:

i. Public parks less than 0.4 hectares in size;

ii. Schools, churches and similar institutional uses less than .4 hectare in size, in accordance with the provisions for Major Institutional uses as set out in Subsection A.2.6 of this Plan;

iii. Individual retail or service stores in a multiple dwelling containing at least 100 dwelling units, expressly to serve the occupants therein; and,

iv. Limited individual or groups of commercial uses on sites not exceeding 0.4 hectare in area, excluding Automobile Service Centres, in accordance with the Commercial Polices as set out in Subsection A.2.2 of this Plan.

The City of Hamilton Official Plan has policies specific to historic and architectural resources. It is the intent of the Official Plan that those resources of historic, architectural, archaeological and aesthetic merit will be preserved where feasible. Section 6.9 of the Official Plan states:

¹ The Municipal Heritage Committee has agreed in principal to the demolition of the Sunday School.
“6.9 A Heritage Impact Assessment may be required by the City for any development or redevelopment, both public and private initiatives, that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that meet one or more of the following criteria: (O.P.A 160):

i) The properties are designated under the Ontario Heritage Act or are adjacent to buildings/structures that are designated under the Ontario Heritage Act”.

Neighbourhood Plan Policies

The St. Mark's site is located within the Durand Neighbourhood. Under the Neighbourhood Plan the subject site is designated “Civic & Institutional”.  

City of Hamilton Museums Standards (Provincially Mandated Policies)

The recommendation supports the following City of Hamilton Museum Standards

• The City of Hamilton Civic Museums Community Policy
• The City of Hamilton Civic Museums Public Program Policy

RELEVANT CONSULTATION

• Museums & Heritage Presentation, Culture Division, Community Services
• Capital Projects, Culture Division, Community Services
• Capital Budget and Development Section, Financial Planning and Policy Division, Corporate Services Department

ANALYSIS / RATIONALE FOR RECOMMENDATION

St. Mark’s Church is currently a vacant heritage facility and in need of immediate repair. Requests for funding through the Capital budget have not been approved. It continues to deteriorate and has been sited on the recent “by-law crawls”.

The site needs a long-term adaptive re-use plan for the preservation, presentation and financial sustainability of the site.

2 St. Mark’s Anglican Church: Site Potential, p 2-3 - Official Plan Policies and Designation
City of Hamilton, Long Range Planning & Design, Community Planning and Design
The Urban Hamilton Official Plan outlines policies related to the adaptive reuse of commercial and industrial heritage properties and the importance of downtown renewal to the health and vitality of the overall city. St. Mark’s operating as a cultural space can help fulfil the intent of this policy.

**ALTERNATIVES FOR CONSIDERATION**

Committee could decide not to approve the recommendation to invest the needed $358,919 to stabilize the church.

This option is not recommended as St. Mark’s Church is an important part of Hamilton’s heritage and is designated under Part IV of the Ontario Heritage Act. It has also been part of the community for over one hundred years. Use as a cultural space will return this heritage building to the community and, once again, its space will support the development of our citizens. If not acted on St. Mark’s will continue to remain empty and deteriorate as no other option for use has been determined.

**Financial:**
There are no financial implications to the above alternative for consideration.

**Staffing:**
There are no staffing implications to the above alternative for consideration. If the Sunday School portion is not removed and no stabilization of the structure occurs there is no need for a feasibility study for use of the church as a cultural programming space.

**Legal:**
There are no legal implications to the above alternative for consideration.

**Policy:**
There are no policy implications to the above alternative for consideration.

**CORPORATE STRATEGIC PLAN**


**Social Development**
- People participate in all aspects of community life without barriers or stigma

**Healthy Community**
- Plan and manage the built environment

*Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.*
*Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork*
• An engaged Citizenry

**APPENDICES / SCHEDULES**

There are no appendices or schedules attached to Report CS10064(a).