

**CITY OF HAMILTON**

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Tourism and Culture Division**

<b>TO:</b> Mayor and Members General Issues Committee	<b>WARD(S) AFFECTED:</b> WARD 8
<b>COMMITTEE DATE:</b> September 5, 2013	
<b>SUBJECT/REPORT NO:</b> Request for Information (RFI) - Auchmar Estate (PED13151) (Ward 8) (Outstanding Business List Item)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Anna M. Bradford (905) 546-2424 Ext. 3967
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That staff are directed to proceed with a Request for Proposal (RFP) for the potential private use and/or sale of the Auchmar Estate.

**EXECUTIVE SUMMARY**

On October 17, 2012, staff were directed to develop and implement a Request for Information (RFI) process for the potential private use/and or sale of the Auchmar Estate and to report to the General Issues Committee on the results (Report PED12193). Please note: Procurement Policy makes reference to —a Request for Information (RFI) process and not an Expression of Interest (EOI) that was originally communicated.

The RFI process closed on June 20, 2013. A total of seven submissions were received from a variety of for-profit and not-for-profit organizations:

- Mohawk College of Applied Arts and Technology;

- Cobalt Connects;
- Sahar Hospitality, Inc.;
- Collaborative (Beverly Bronte-Tinkew and Diane Barrafato);
- Novacore;
- Landmark Group; and,
- Friends of Auchmar and the Hamilton Heritage Foundation.

The proposed uses/ideas submitted by the above respondents remain the intellectual property of the respondents and do not form part of the staff recommendation in this report.

The RFI asked proponents to provide information on:

- Overall approach and objectives;
- Knowledge of heritage issues and legislation;
- Previous experience of heritage preservation projects; and,
- Financial sustainability.

The RFI document was clear that results of the process would not constitute any award of a City contract to any respondent and was merely a request for information. In that regard, while staff could gather and collate the information, there is no provision in the RFI process to assess or rank the proposals.

The submissions varied significantly in approach. Following an analysis of the submissions, staff believe that there is sufficient interest and capacity within the community to warrant a Request for Proposal (RFP) process.

The requirements of the RFP will be similar but more detailed than the RFI. The principle difference will be that the proposals can be assessed and scored and a preferred option will be selected.

Importantly, following Procurement Policy provisions, the results of the RFP will be binding on the City and will form the basis of a contract.

***Alternatives for Consideration*** – Not Applicable

<b>FINANCIAL / STAFFING / LEGAL IMPLICATIONS</b>
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**Financial:** N/A

**Staffing:** N/A

**Legal:** N/A

## **HISTORICAL BACKGROUND**

### **Property Description and Ownership**

The Auchmar Estate, located at 88 Fennell Avenue West, is a 3.765 hectare (9.5 acre) site owned by the City of Hamilton. The property includes a mid-nineteenth century Ontario Gothic manor house (and associated gardens and outbuildings) built for Isaac Buchanan, a local merchant and politician.

After several owners and uses, the City of Hamilton acquired Auchmar in 1999 in exchange for developable City-owned land on the East Mountain. The acquisition followed a negative response from the public for a proposed housing development on the site and support for Auchmar's preservation as a cultural heritage resource. Although some stabilization efforts and repairs have been completed, the buildings are unoccupied and, therefore, vulnerable to on-going deterioration and vandalism.

The property has been designated by the City under Part IV of the *Ontario Heritage Act* (OHA) as a property of cultural heritage value or interest and any alterations that are likely to affect the "Reasons for Designation" require a heritage permit approval from the City.

The property is also subject to a Heritage Conservation Easement registered on title and held by the Ontario Heritage Trust (OHT) which protects the landscape features of the site, all buildings and structures, and the interior of the manor house. Any anticipated adaptive re-use of the building(s) and grounds will be subject to the provisions of the OHA and the terms of the OHT easement and will require sensitive implementation. The highest standards in heritage conservation practice and workmanship are also expected in undertaking any repairs or restoration work to identified heritage features.

In 2008, Council directed the (then) Culture Division, Community Services Department to complete a business plan for Auchmar, the last step of a comprehensive plan which would guide the site's long term and adaptive re-use.

In the past, several private and public sector proposed uses have been explored for the buildings and grounds. However, these options have either not been successful in the initial stages or are not feasible given the legal requirements of the easement. At present there is public support for mixed public and private use of Auchmar and an expectation by the public of open access to the grounds.

To guide the review of options for Auchmar's use, Council approved a framework to evaluate potential uses on October 13, 2010 (Auchmar Estate – Business Plan (CS10095)). The approach and resulting "use filter" included examination of best practices for heritage risk management and the heritage standards of the Ontario

Heritage Trust (OHT), as well as those related to municipally-owned, designated buildings in other jurisdictions.

#### **POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS**

*Ontario Heritage Act*, Part IV, Designation By-law 2000-37.

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 Auchmar Estate. Permit applications are also required for demolition. The designation identifies for preservation virtually all features of the historic landscape and garden as well as interior and exterior of the heritage structures.

#### **RELEVANT CONSULTATION**

The Procurement Section issued the RFI for Auchmar Estate.

Public information meeting as part of RFI process – June 3, 2013.

#### **ANALYSIS / RATIONALE FOR RECOMMENDATION**

On October 17, 2012, staff were directed to develop and implement a Request for Information (RFI) process for the potential private use/and or sale of the Auchmar Estate and to report to the General Issues Committee on the results (Report PED12193).

The RFI was released in May of 2013 and submissions were accepted until June 20, 2013. A total of seven submissions were received.

The provisions of the RFI were developed to accommodate the Municipal Designation and Heritage Easement requirements. In addition, the RFI was consistent with public expectations and feedback received from previous public consultations and the Council-approved use filter.

The RFI requested the applicant to provide the following information:

- A detailed description of the proposed adaptive use;
- A demonstration that the proposed use is compatible with the Municipal Heritage Designation and the OHT Heritage Easement;
- A detailed description of the nature of the public access to the property (as specified in OHT Easement); and,

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- A demonstration of the applicant's capacity, knowledge, expertise, and experience to carry out projects of this magnitude.

The RFI document noted that the prospective owner/tenant would make use of the existing heritage buildings and facilities with relatively few alterations to the identified heritage features. The RFI anticipated certain appropriate uses for the Auchmar property including, but not limited to:

- Corporate headquarters;
- Corporate retreat;
- Adult learning/study/training centre;
- Conference centre;
- Banquet Centre;
- Private School;
- Cooking or other day school; and,
- Administrative offices.

The submissions received included one or more of these uses.

The RFI document differs from an RFP in that an RFI is simply a request for information. It is not an assessment or selection process. As part of the process, no attempt was made to score or rank the submissions.

The submissions varied significantly in approach. Following a review of the submissions, there is clearly significant interest and capacity within the community to develop and implement an adaptive re-use project for Auchmar. This level of interest warrants a Request for Proposal (RFP) process.

The requirements of the RFP will be similar but more detailed than the RFI. The principle difference will be that the proposals can be assessed and scored and a preferred option will be selected. Following Procurement Policy provisions, the results of the RFP will be binding on the City. The leading submission will be awarded an agreement with the City to pursue the completion of their proposal.

<b>ALTERNATIVES FOR CONSIDERATION</b>
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Not Applicable

**ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:**

**Strategic Priority #1**

A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

**Strategic Objective**

1.1 Continue to grow the non-residential tax base.

1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.

**Strategic Priority #2**

Valued & Sustainable Services

*WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.*

**Strategic Objective**

2.2 Improve the City's approach to engaging and informing citizens and stakeholders.

**Strategic Priority #3**

Leadership & Governance

*WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.*

**Strategic Objective**

3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

**APPENDICES / SCHEDULES**

N/A

AB/ro