

HALIFAX


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Item No. 14.1.5
Halifax Regional Council
November 22, 2016

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

Original Signed by 

Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: October 25, 2016

SUBJECT: Lease Renewal for the Woodside ball fields and the Dartmouth Lawn Bowls Club,
Pleasant Street, Dartmouth

ORIGIN

This report originates with a request from the Halifax Regional Municipality (Tenant) to renew the lease agreement with the Province of Nova Scotia (Landlord) for the Woodside ball fields and the Dartmouth Lawn Bowls Club, known as Lots M-1 and M-4, Pleasant Street, Dartmouth as the lease agreement will expire on April 30, 2017.

LEGISLATIVE AUTHORITY

The recommended action complies with HRM Charter Section 61(5) a. The Municipality may acquire property, including property outside of the Municipality, which the Municipality requires for its purposes or for the use of the public.

Administrative Order 35, Procurement Policy Section 8(10) e. states that negotiations with one or more suppliers for the supply of goods, services, construction and facilities shall take place when the extension or reinstatement of existing contracts would be more cost effective or beneficial to the Municipality.

Under the Transaction Policy, approved by Regional Council October 8, 2002, lease expenditures with a lease term of over five (5) years requires the approval of the Regional Council; the Mayor and Municipal Clerk are the Signing Officers of the Agreement. The report complies with the Transaction Policy, as approved by Regional Council on October 8, 2002.

RECOMMENDATION

It is recommended that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a lease agreement with the Province of Nova Scotia for the Woodside ball fields and the Dartmouth Lawn Bowls Club, known as Lots M-1 and M-4, Pleasant Street, Dartmouth as per the key terms and conditions set out in Table 1 in the discussion section of this report.

BACKGROUND

The Municipality has been leasing land from the Province, for the Woodside ball fields and the Dartmouth Lawn Bowls Club, known as Lot M-1, since January 1974. The rent for the land is a nominal charge of one (\$1.00) dollar per term and recreational purposes was the permitted use as outlined in the agreement.

In 2007 the Halifax Regional Municipality entered into a new ten (10) year lease agreement for Lot M-1 which included an additional piece of land, known as Lot M-4. Although the leased area increased from 3.85 acres to 9.74 acres the rent continued at a nominal rate of one (\$1.00) dollar per term. The agreement commenced on May 1, 2007, and will expire on April 30, 2017.

DISCUSSION

The current land lease for the Woodside ball fields and the Dartmouth Lawn Bowls Club, Pleasant Street, Dartmouth will expire on April 30, 2017. The current agreement contains an option to renew for an additional ten (10) year term. The lands contain two scheduled HRM ballfields and a lawn bowling turf which is subleased to the Dartmouth Lawn Bowls Club (DLBC). HRM Parks and Recreation have confirmed the program requirement for these ball fields and the lawn bowling facilities.

The proposed Lease terms and conditions recommended by staff are outlined below in Table 1.

Recommended Key Lease Terms and Conditions	
Property Address	Woodside ball fields and the Dartmouth Lawn Bowls Club, known as Lots M-1 and M-4, Pleasant Street, Dartmouth (PID00232819)
Owner / Head Landlord	Province of Nova Scotia, Transportation and Infrastructure Renewal
Tenant	Halifax Regional Municipality
Area	9.74 acres (Lot M-1 = 3.85 acres) (Lot M-4 = 5.89 acres)
Renewal Term	Ten (10) years (May 1, 2017 - April 30, 2027)
Commencement Date	May 1, 2017
Use	Recreational purposes
Base Rent	\$1.00 for the term of the lease
Notice	Either party shall have the option to terminate this agreement upon providing six (6) months written notice to the other party.
Conditions	<ul style="list-style-type: none"> • The tenant is responsible for all operating and maintenance costs • Any alterations to the building or the grounds must have prior written approval from the Landlord • The tenant accepts the premises on an “as is, where is” basis. • The tenant may not sublet or assign all or any portion of the premises without the prior written consent of the Landlord. • This lease continues to be subject to a License Agreement between the Province and the Society for Supportive Housing for Young Mothers for the purpose of maintaining and using the lands to facilitate access to the lands owned by Licensee, together with overhead utility lines and poles.

FINANCIAL IMPLICATIONS

The base rent for the term of this agreement is a nominal amount of \$1.00.

The tenant will continue to be responsible for all operating and maintenance costs related to the premises.

At the end of the Lease with the province the land must be returned to the original condition with all improvements removed. The Dartmouth Lawn Bowls Club shall be solely responsible for the removal of the clubhouse and related improvements and all costs associated, if HRM requires the DLBC to remove the improvements. HRM shall be responsible for all other site improvements, unless otherwise indicated.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this Report.

COMMUNITY ENGAGEMENT

Community engagement was not completed as the municipality has continually leased the premises since 1974.

ENVIRONMENTAL IMPLICATIONS

There are no known environmental implications.

ALTERNATIVES

Halifax Regional Council could recommend that Halifax Regional Municipality not lease the property.

ATTACHMENTS

Attachment A - Lot M-1
Attachment B - Lot M-4

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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Original Signed

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ATTACHMENT "A" Lot M-1

