

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: October 17, 2019

SUBJECT: Halifax Wanderers Football Club – Request to amend License Agreement

ORIGIN

- April 24, 2018 Halifax Regional Council motion:
Moved by Councillor Mason, seconded by Councillor Mancini:
 1. Rescind resolution 14.1.13 from the June 20 and 21, 2017 Regional Council meeting:
 2. Direct and authorize the CAO, or his delegate, to negotiate and execute a one-year rental agreement with Sports & Entertainment Atlantic (SEA) for use of the Wanderers Grounds for 2018 as per Attachment 1: and
 3. Direct and authorize the CAO, or his delegate, to negotiate and execute a three-year rental agreement with SEA for use of the Wanderers Grounds for Canadian Premier League Soccer games in 2019, 2020 and 2021, based on the Key Terms and Condition outlined in Table 1 of this report which are consistent with Regional Council's previous direction with only a change to the number of games and with such changes or conditions as may be deemed by the CAO to be in the best interest of the Municipality. This will be subject to the consideration of any management issues with the sporting event(s) scheduled for 2018. **MOTION PUT AND PASSED UNANIMOUSLY**

This Report is in reference to Item #3 of the above motion. Item #1 and #2 have been completed.

- September 30, 2019 email from Derek Martin, President and Founder, Sports & Entertainment Atlantic requesting amendment to License Agreement.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter:

75(1) The Municipality may agree with any person for the provision of a service or a capital facility that the Municipality is authorized to provide.

75 (2) An agreement made pursuant to subsection (1) may allow for the lease, operation or maintenance of the facility or provision of the service by a person, including the sale or disposition to that person of property of the Municipality that continues to be required for the purposes of the Municipality.

....RECOMMENDATION ON PAGE 2

RECOMMENDATION

It is recommended that Halifax Regional Council direct and authorize the Chief Administrative Officer to negotiate and execute an amending agreement to the License and Rental Agreement between Halifax Regional Municipality and the Halifax Wanderers Football Club (“HWFC”) dated March 8, 2019 to delete the second sentence of section 13(m) that requires HWFC to remove any stadium seating or infrastructure installed along the Sackville and Summer Street sides of the Wanderers Grounds at the end of each season during the term of the agreement.

BACKGROUND

The Wanderers Grounds is an HRM-owned natural turf sport field located on a 9.66-acre parcel on the block bordered by Sackville Street, Bell Road and Summer Street. HRM completed a \$1M capital rehabilitation of the field in 2017 resulting in the site being upgraded to a premiere Class AA field that meets international standards.

In April 2018, Regional Council unanimously approved a staff report recommending that Council direct and authorize the CAO to negotiate a one-year rental agreement with SEA for 2018, and a separate three-year agreement for 2019–2021 for use of the Wanderers Grounds for Canadian Premier League (CPL) soccer games. The one-year Agreement concluded in October 2018, and in March 2019 a three-year Agreement with the Halifax Wanderers Football Club (HWFC) was executed. A key term included in the direction from Regional Council was that the agreement include a requirement that visual impact of the seating along Summer and Sackville Streets be addressed by means such as scale and appearance, and that those stands be removed at the end of each season.

In early spring of this year, the HWFC installed containers along the Sackville and Summer Street sides of the Property. Containers installed at ground level along the Sackville Street side provide locker rooms and shower facilities for both the home and away teams, as well as required space for media and game officials. Second level containers at this same location serve as side line spectator suites. Containers installed along the Summer Street side also serve as spectator suites (Attachment 1).

DISCUSSION

The Halifax Wanderers Football Club submitted a request to amend the Agreement on September 30, 2019 (Attachment 2). The request is specific to section 13(m) of the *License and Rental Agreement*. Section 13(m) states:

HWFC shall remove the Stadium by November 15th of 2021. Any Stadium Seating or Additional Infrastructure installed by HWFC along the Summer and Sackville St. sides of the Property must be removed at the end of each season during the Term of this Agreement.

HWFC is requesting that HRM remove the second sentence of this section of the agreement and allow the group to keep the containers and temporary stadium seating in place during the term of the agreement. HWFC has confirmed that this will save considerable time and costs associated with removing and reinstalling the containers each year of the three-year agreement. The annual date of removal depends on the conclusion of scheduled games, but based on the schedule, it would likely result in the containers being returned only 4 months after removal. Parks staff support the amendment as the removal of the containers and temporary seating at the end of the agreement would be less intrusive and less likely to cause field and site damage than yearly removal and replacement. In addition, HWFC intends to consult with HRM on the installation of artwork approved along the fencing on Sackville and Summer Streets, which would help to improve the visual impact along those streets.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendation in this report.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report. The risks considered rate Low. To reach this conclusion, consideration was given to operational and financial risks.

COMMUNITY ENGAGEMENT

None.

ENVIRONMENTAL IMPLICATIONS

None.

ALTERNATIVES

Alternative 1: Regional Council could choose not to approve an amendment of the License and Rental Agreement.

ATTACHMENTS

Attachment 1: Site Plan, 2019-2021 License and Rental Agreement

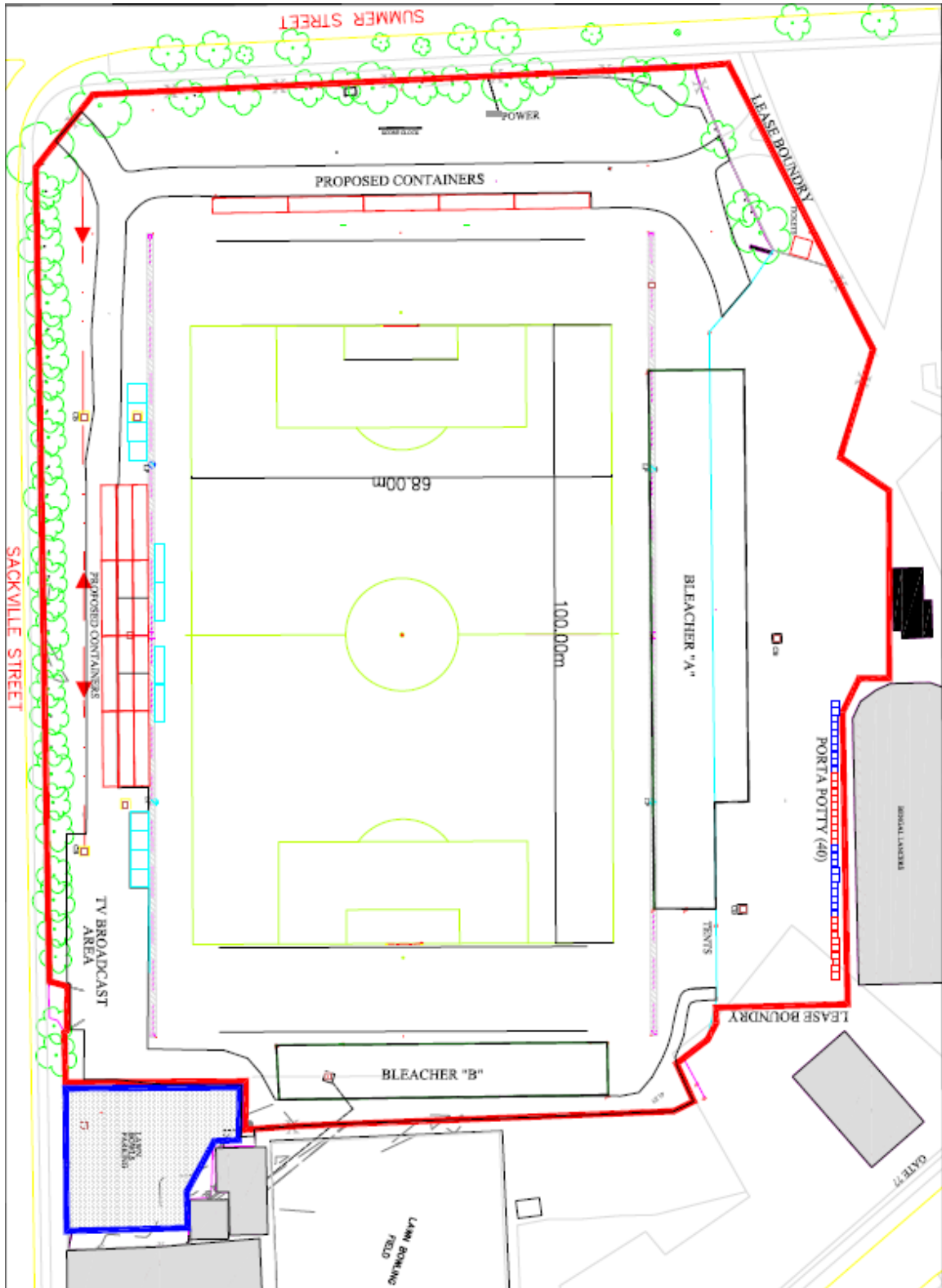
Attachment 2: Correspondence received September 30, 2019

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Bruce Chisholm, Major Facilities Coordinator, 490-4685

HALIFAX

SCHEDULE 'B' SUBJECT AREA – 2019 STADIUM LAYOUT



From: Derek Martin [REDACTED]
Sent: September-30-19 12:50 PM
To: Schofield, Denise
Subject: [External Email] Wanderers Grounds Lease Amendment

[This email has been received from an external person or system]

Dear Denise,

The inaugural season for the HFX Wanderers Football Club has been an amazing success both on and off the pitch. The support our club has received from the community has been outstanding and the impact we have had on the downtown core during our home games has been significant, with thousands of our fans visiting our local bars and restaurants before and after the game. Our relationship with HRM staff has also been very positive, as we greatly appreciate the dedication the grounds crew has demonstrated in maintaining a grass pitch to a high International playing standard.

As we near the end of the season, I want to propose an amendment to our lease agreement regarding the removal of "additional infrastructure installed by HWFC along the Summer and Sackville St sides of the property" as found in Section 13 (M).

I appreciate that there were concerns regarding the aesthetic of the Sea Can infrastructure and how it would fit within the historical context of the Wanderers Grounds but our club has made a concerted effort to minimize the visual impacts of this infrastructure by investing in new Sea Cans and ensuring that the footprint utilized was minimal. Due to the lack of existing infrastructure at the Wanderers Grounds, the Sea Cans were the only viable solution available for our club that could accommodate the needs for locker rooms, showers, toilets, media facilities and be installed in the limited amount of time available to us between the thawing of the ground in April and the start of our season on May 4th. As a founding member of the Canadian Premier League we are required to provide our partner clubs with certainty that we can meet our obligations to play our scheduled games in early May so removing and installing all of this infrastructure will put that commitment in serious jeopardy.

We are also concerned about the damage that will be done to the Wanderers Grounds if we are required to remove the Sea Cans in November, only to reinstall them again in March. Heavy machinery and extensive groundwork will be required to remove the Sea Cans for what will only be a short period of 4 months. Given that this will be during the winter months when foot traffic on Summer and Sackville streets is at its lowest, it is our assertion that removing the Sea Cans will do more harm than good.

All temporary infrastructure currently at the site such as scaffolding and fencing will be removed at the end of October and we would be more than happy to add artistic panels around the exterior of the iron fence on Summer and Sackville Streets highlighting the historical relevance of the Wanderers Grounds, our club's community engagement initiatives and other community driven messages as determined in consultation with HRM.

I welcome the opportunity to meet to discuss this amendment so that the HFX Wanderers Football Club can continue to deliver an outstanding community asset to the residents of HRM.

Sincerely,