Agenda - Council – December 16, 2009

Report - Standing Policy Committee on Property and Development – December 3, 2009

Item No. 9 Lease Agreement Amendment - Charleswood Seniors Centre Inc. - 5006 Roblin Boulevard (Charleswood-Tuxedo Ward) eFile FI-2.2(31)

STANDING COMMITTEE RECOMMENDATION:

On December 9, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That an Option Agreement between the City and Charleswood Seniors Centre Inc., to add the use of garage space to the existing Principle Lease Agreement, be approved in accordance with the terms and conditions as contained in the report from the Winnipeg Public Service dated November 5, 2009.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Report - Standing Policy Committee on Property and Development – December 3, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 9, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On December 3, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service with the following amendment, namely:

- Amend Recommendation 1. by adding the word “Principle” after the word “existing”

and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

ISSUE: **To Seek Committee Approval to Add the Use of the Garage Space to the Existing Agreement with the Charleswood Seniors Centre Inc. Located at 5006 Roblin Boulevard**

Critical Path: **Standing Policy Committee on Property and Development, EPC, Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Klassen	D. Joshi	N/A	P. Sheegl Deputy CAO

RECOMMENDATIONS

1. That an Option Agreement between the City and Charleswood Seniors Centre Inc., to add the use of garage space to the existing Lease Agreement, be approved in accordance with the terms and conditions as outlined herein.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

IMPLICATIONS OF THE RECOMMENDATIONS

In accordance with the Council Order of July 18, 1979, the Standing Policy Committee on Property and Development shall authorize the leasing or rental of City property for which the Director of Planning, Property and Development has no authority. In this regard, the Planning, Property and Development Department has negotiated terms and conditions of a Lease Agreement in favour of Charleswood Seniors Centre Inc. and Charleswood Historical Society Inc. to provide programming for seniors and the museum and to enter into an Option Agreement with the Charleswood Seniors Centre Inc. to add the use of garage space to the existing Lease Agreement.

The Department has determined there are no general, policy, regulatory, environmental, human resource or financial implications to add the use of garage space to the existing Lease Agreement as outlined on the attached Miscellaneous Plan No. 9347/3, and further detailed on the attached Sheet A-2.

On October 13, 2009, Charleswood Seniors Centre Inc. advised they have sufficient funds to develop the garage space into a multi-purpose use and have requested that the City provide an Option Agreement upon the same terms and conditions of the Principal Lease.

HISTORY

On November 29, 2005, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and recommended to Council the following:

- That a Lease Agreement between the City and Charleswood Seniors Centre Inc. and the Charleswood Historical Society to use space, within the building located at 5006 Roblin Boulevard, for their respective programming for an initial twenty (20) year term, which expires September 30, 2025, and with one (1) five year renewal at the tenant's option be approved.

- That an Option Agreement, between the City and the Charleswood Seniors Centre Inc. for the use of the existing garage be approved.

On December 14, 2005, Council adopted the recommendation of the Standing Policy Committee on Property and Development to approve a Lease Agreement between the City and Charleswood Seniors Centre Inc. and Charleswood Historical Society Inc. and an Option Agreement between the City and the Charleswood Seniors Centre Inc. to add the use of garage space to the existing Lease Agreement.

Charleswood Seniors Centre Inc. advised that they have sufficient funds to move forward on a proposal to convert the existing garage, at the rear of 5006 Roblin Boulevard, to programmable space and have requested that the City provide an Option Agreement upon the same terms and conditions of the principal lease. Details of the subject property are as follows:

Owner:	City
Tenant:	Charleswood Senior Centre Inc.
Location:	5006 Roblin Boulevard, as shown on the attached Misc. Plan No. 9347/3
Use:	Senior Centre Programming
Term:	Remaining term on Principal Lease
Option Period:	Two (2) years commencing October 1, 2005, expiring September 30, 2007
Exercise of Option:	Upon receipt of written notice from the Tenant and evidence of sufficient funding to complete the conversion of the garage area to multi-purpose space.
Area:	As shown on the attached Sheet A-2
Rent:	$1.00 plus GST
Realty Taxes:	Exempt pursuant to By-law 89/2005
Cancellation:	Upon (180) days written notice by the Tenants or by default
Insurance:	Tenants to provide separate Comprehensive General Liability in the amount of $2.0 Million dollars including all necessary endorsements, as well as, all property policies and endorsements as yet to be determined
Charleswood Senior Centre Inc. Responsibilities: and to conversion of the programming space	To complete a feasibility study and to provide detailed plans and specifications for and subject to the Director's approval obtain all financing required to complete the garage space to seniors

Although Council's directive approved the Lease Agreement which included an Option Period expiring September 30, 2007, the Planning, Property and Development Department is recommending that the Charleswood Seniors Centre Inc. be permitted to develop the garage space on the terms and conditions as outlined herein.

FINANCIAL IMPACT

Financial Impact Statement **Date:** November 3, 2009

Project Name:

Approval to Add the Use of the Garage Space to the Existing Lease Agreement with the Charleswood Seniors Centre Located at 5006 Roblin Boulevard

COMMENTS:

The recommendations contained in this report include that an Option Agreement between the City and Charleswood Seniors Centre Inc., to add the use of garage space to the existing Lease Agreement, be approved in accordance with the terms and conditions as outlined herein.

Other than the nominal rental amount of $1 per annum, there are no financial implications associated with these recommendations.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this Report there was consultation with:

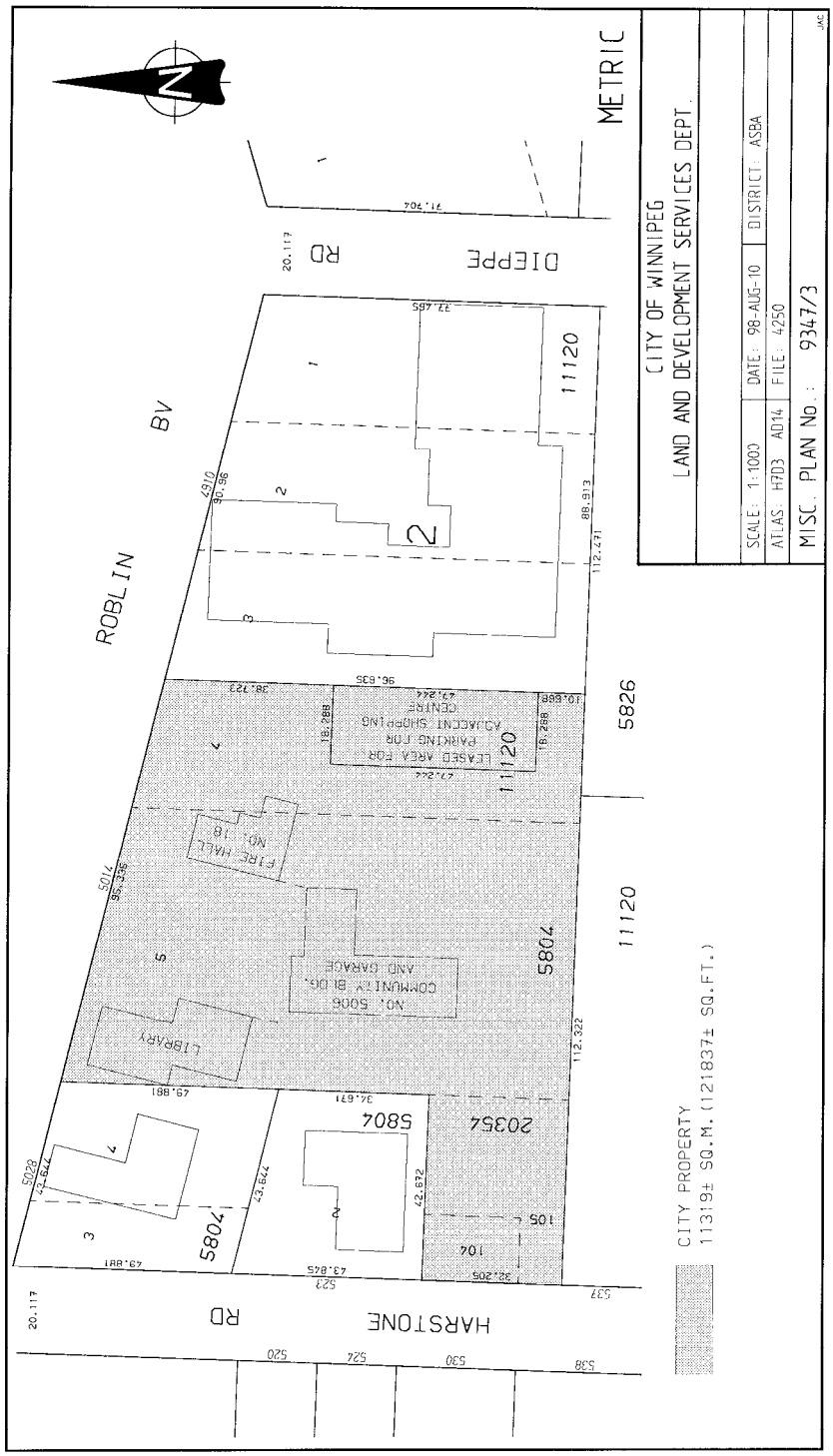
Corporate Finance Department

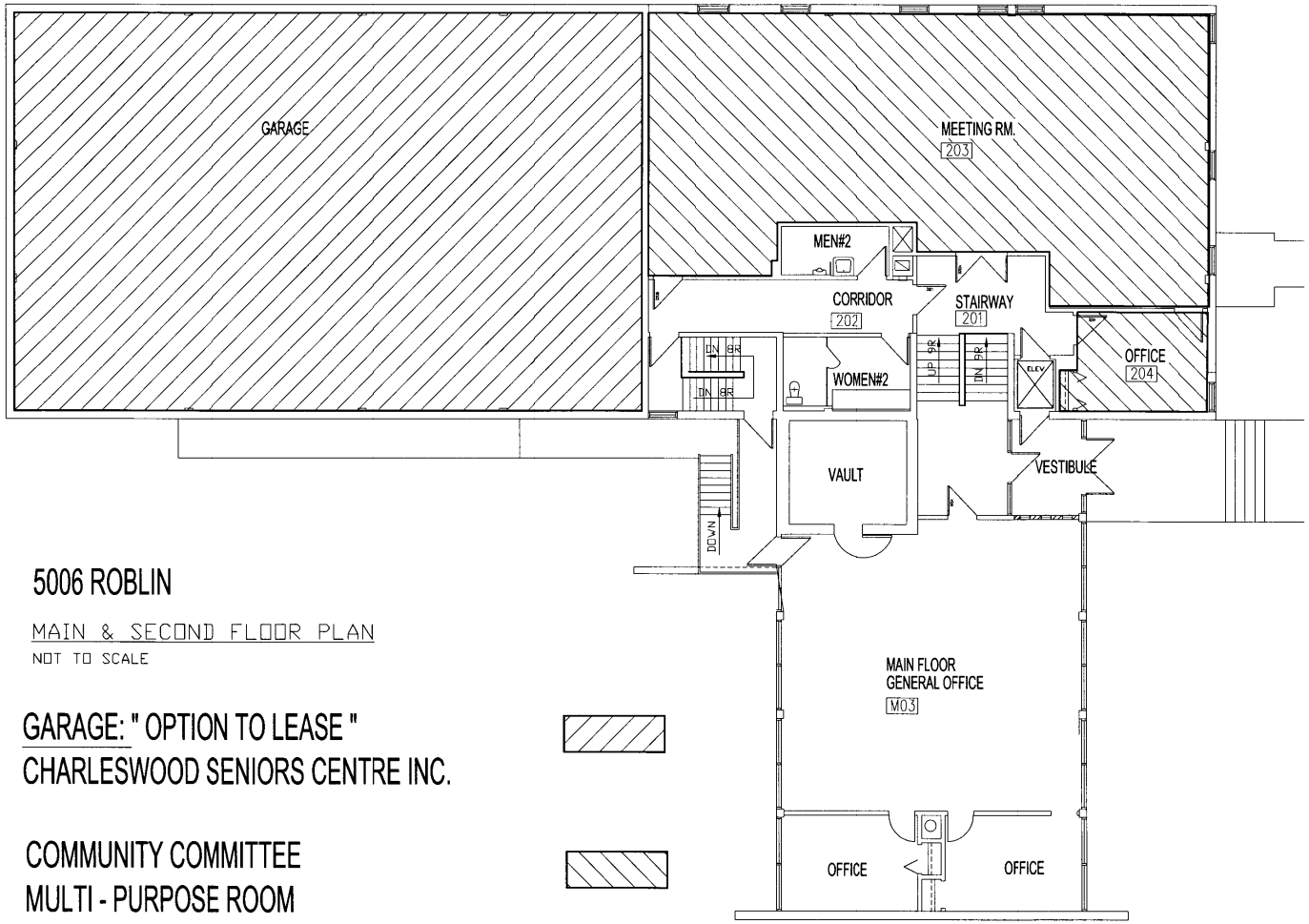
Corporate Support Services - Legal Services Division (as to Legal Issues)

SUBMITTED BY

Department	Planning, Property and Development
Division	Real Estate
Prepared by	M. Clayton
Date:	November 5, 2009
File No.	4250 (V2)

O:\Reports Directive\Real Estate\Leasing\(mpc)Lease Option Agmt-Charleswood Seniors Centre Inc.doc


METRIC
CITY OF WINNIPEG
LAND AND DEVELOPMENT SERVICES DEPT.
SCALE: 1:1000
DATE: 98-AUG-10
DISTRICT: ASBA
ATLAS: H7D3 AD14
FILE: 4250
MISC. PLAN No.: 9347/3
CITY PROPERTY
11319± SQ.M. (121837± SQ.FT.)
ROBLIN BV
DIEPPE RD
HARSTONE RD
11120
5826
5804
20354
LEASED AREA FOR PARKING FOR ADJACENT SHOPPING CENTRE
FIRE HALL NO. 18
COMMUNITY BLDG. NO. 5006 AND GARAGE
LIBRARY



5006 ROBLIN

MAIN & SECOND FLOOR PLAN

NOT TO SCALE

GARAGE: " OPTION TO LEASE "
CHARLESWOOD SENIORS CENTRE INC.

COMMUNITY COMMITTEE
MULTI - PURPOSE ROOM
(JOINT USE AREA)

SHEET: A - 2