

# CITY OF HAMILTON

## NOTICE OF MOTION

General Issues Committee Date: July 10, 2017

**MOVED BY COUNCILLOR L. FERGUSON.....**

**Lease Agreement for the Ancaster Society of the Performing Arts Corporation at 357 Wilson Street, Ancaster**

WHEREAS, the City of Hamilton (“City”) is pursuing a collaborative initiative with the local arts community for the redevelopment of the former Ancaster Memorial School, which school is owned by the City, as a centre for community artistic expression;

WHEREAS, the Ancaster Society of the Performing Arts Corporation is leading the collective effort of 12 community arts groups on a major capital campaign to raise \$3M of the costs of the creation of the centre, and developing an operating plan for how the initiative is to be managed;

WHEREAS, at its meeting of June 22, 2016, Council approved item 7.6, which outlined Council’s commitment to the Ancaster Performing Arts Centre and resolved that the Mayor correspond with the Federal and Provincial governments to provide financial support to this initiative; and,

WHEREAS, the Ancaster Society of the Performing Arts Corporation is seeking funding from the Canada Cultural Spaces Fund for \$3M, such application requiring a lease of at least 10 years;

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of the Planning and Economic Development Department, or his designate, be authorized and directed to negotiate and enter into a lease with the Ancaster Society for the Performing Arts Corporation for all or a portion of the City-owned property known as the former Ancaster Memorial School located at 357 Wilson Street, Ancaster, in a form satisfactory to the City Solicitor, on the following basis:
- (i) 10 year term at a nominal net rental rate;
  - (ii) use provisions to ensure equitable participation by all local arts groups and to ensure that the intended City objectives of the initiative are achieved;
  - (iii) provision for a capital maintenance reserve;
  - (iv) consistent with a fully net and care free City standard form of lease; and,

- (v) on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development and General Manager, Finance and Corporate Services;
  
- (b) That any term or condition of the lease between the City of Hamilton and the Ancaster Society for the Performing Arts Corporation for all or a portion of the City-owned property known as the former Ancaster Memorial School located at 357 Wilson Street, Ancaster, that would result in an annual operating impact to the City be brought back to the General Issues Committee for consideration and approval;
  
- (c) That the General Manager of the Planning and Economic Development Department or designate, acting on behalf of the City as landlord, be authorized to provide and execute any consents, approvals and notices related to the lease between the City of Hamilton and the Ancaster Society for the Performing Arts Corporation for all or a portion of the City-owned property known as the former Ancaster Memorial School located at 357 Wilson Street, Ancaster;
  
- (d) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute the lease and all necessary ancillary documents between the City of Hamilton and the Ancaster Society for the Performing Arts Corporation for all or a portion of the City-owned property known as the former Ancaster Memorial School located at 357 Wilson Street, Ancaster, in a form satisfactory to the City Solicitor.