

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 17, 2018

MOVED BY COUNCILLOR C. COLLINS.....

Proposed Renewal and Amendment of Barangas On The Beach Existing Lease at Confederation Beach Park

WHEREAS, in 1993, 852850 Ontario Inc. operating as Barangas On The Beach (the “Tenant”) was granted a fifteen (15) year lease agreement that included the Tenant investing and expanding the former schoolhouse located on the site into a lakeside restaurant facility (the “Leased Premises”);

WHEREAS, this same Tenant has been occupying and operating at its current location at Confederation Beach Park since 1993;

WHEREAS, by a Lease Agreement dated the 1st day of May 2008 (the “Lease”) the Tenant’s leasehold interest was continued with the grant of a further fifteen (15) year term (the “Term”) as contained in the Lease to be fully ended and completed on the 30th day of April 2023; and,

WHEREAS, the Tenant has expressed its desire to commence earlier negotiations towards obtaining a further term of its leasehold interest in the Leased Premises for the primary purpose of making further investment into the Leased Premises through completing significant and substantial renovations and improvements, at its expense, towards remaining marketable fresh, operationally efficient and competitive;

THEREFORE, BE IT RESOLVED:

- (a) That staff of the Real Estate Section of the Planning & Economic Development Department, be authorized and directed to commence early negotiations with the Tenant, based on the identified primary purpose for these negotiations being the Tenant’s intent of making further investment into the Leased Premises, which negotiations may include, in addition to the salient business terms of a new Agreement and the Tenant’s continued leasehold interest, any other terms and conditions deemed relative to the Tenant’s continued occupancy and its continued success from the Leased Premises, and report back to the General Issues Committee; and,
- (b) That staff of the Policy and Programs Section of the Public Works Department in consultation with Confederation Beach Park manager, Hamilton Region Conservation Authority, be authorized and directed to implement basic pedestrian safety measures for patrons crossing Van Wagners Beach Road to Barangas on the Beach, and to evaluate functional design changes to available

parking in the area including the possibility of adding parking adjacent and to the north-west of the Leased Premises that may potentially be implemented in conjunction with negotiations of the Lease, and report back to General Issues Committee with the outcome of negotiations and any proposed pedestrian safety and parking alterations.