



**30 April 2012**

## **City Council Committee Report**

**To: Mayor & Council**

**Fr: John Nabb, City Facilities Supervisor**

**Re: Property Lease – Hap’s on the Harbourfront – Bernier Drive**

### **Recommendation:**

That Council give three readings to a by-law to authorize the execution of a three year lease agreement with the Hap’s on the harborfront Inc. for municipal property (municipal sidewalk area) abutting Bernier Drive and 130 Main St South, Plan3 blk 1 lot 4 PCL 10770 Design as RP 23R6182 PTS 12, 13 & 14 for the amount of (\$350.00) three hundred and fifty dollars per the term (3) three years.

### **Background:**

Mr. Bissonette owner of Haps on the Harbourfront indicated that he would like to increase the exterior portion of his current patio on to City property which would provide for the City entering into a lease agreement with Mr. Bissonette. After a full review it was determined that the portion of sidewalk required would not provide any issues’ or concerns to the City, it was noted Mr. Bissonette’s request was consistent with our tourism consultants view of alternative use of sidewalks enhancing the downtown business area.

A letter of undertaking (site plan control approval) was provided to the lessee indicating the responsibilities relating to the property development which was accepted and signed by Mr. Bissonette.

Further, with direction from Council a lease shall be executed for the said property in the amount indicated;

### **Option #1** (Minimum contractual amount)

City lands & properties leased for commercial patios shall be charged (\$1.00) one dollar for the negotiated term.

### **Option #2** (Established minimum property lease amount)

City lands & properties leased for commercial use shall be charged (\$350.00) Three Hundred dollars for the negotiated term.

My recommendation of \$350 is a nominal amount which I have established in creating all leases to cover the costs associated with staff time to develop and administer leases

within the City. The nominal amount is in no way to make money for the City in the leasing of the lands, it simply covers administration costs.

**Budget:**

N/A

**Communication Plan/Notice By-law Requirements:**