

Memo



Date: June 14, 2011
File: 1140-53
To: City Manager
From: Manager, Property Management
Subject: License of Occupation - 759 Crowley Avenue
Report Prepared by: T. Abrahamson, Property Officer

Recommendation:

THAT Council approves the City entering into a four (4) year and six (6) month License of Occupation, with R870 Holdings Ltd. (Canna Bay Enterprises Ltd.), for road at 759 Crowley Avenue to be used for equipment storage and parking, with the option to renew for an additional five (5) year term, in the form attached to the report of the Manager, Property Management, dated June 14, 2011;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the License of Occupation Agreements and all documents associated with this transaction.

Purpose:

To enter into a four (4) year and six (6) month License of Occupation with R870 Holdings Ltd., (Canna Bay Enterprises Ltd.), for the purpose of equipment storage and parking.

Background:

The City entered into a lease with Canna Bay Enterprises Ltd. in July 2004 for a term of five (5) years, with a further five (5) year renewal which was exercised in October 2010. The perimeter fence included both the legal lot plus a portion of the roadway fronting the property. This enclosed area was assumed to be part of the legal lot and therefore included in the lease. An examination of this area revealed that the fence enclosed a portion of the roadway adjacent to the lot, and requires a license of occupation for the business to continue to operate within the fenced enclosure.

The Lessee pays market rent for the leased lot. As the leased premises were assumed to be strictly the legal lot, market rates will not be applied to the license portion. In consideration of the payment of \$1.00 for the term, the Licensee will assume all costs to repair, maintain and insure the property as is required for the adjacent lease area.

The initial term of the License is four (4) years and six (6) months with a further five (5) year renewal, and will run concurrent with the Lease, terminating at the same time as the Lease expires.

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Considerations not applicable to this report:

Internal Circulation:

Existing Policy:

Financial/Budgetary Considerations:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Personnel Implications:

External Agency/Public Comments:

Community & Media Relations Comments:

Alternate Recommendation:

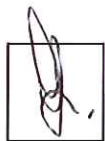
In light of the above, the Property Management branch of the Real Estate & Building Services department request Council's support of this license.

Submitted by:



Ron Forbes, RPA
Manager, Property Management

Approved for inclusion:



Doug Gilchrist, Director, Real Estate & Building Services

cc: Director of Financial Services



