

Municipality of Chatham-Kent

Chief Administrative Office / Infrastructure and Engineering Services

Legal Services / Parks, Fleet and Facilities

To: Mayor and Members of Council

From: Dave Taylor, Director, Legal Services
Robert Pollock, Director, Parks, Fleet and Facilities

Date: May 12, 2023

Subject: St. Clair College Donation of Land for Recreational Purposes

Recommendation

It is recommended that:

1. The Mayor and Clerk be authorized to execute the necessary agreement(s) with St. Clair College of Applied Arts and Technology, satisfactory to the Director, Legal Services, for part of Property Identification Number (PIN) 00787-0106 to be donated to the Municipality for recreational purposes.

Background

The St. Clair College of Applied Arts and Technology (“St. Clair College”) owns PIN 00787-0106, which is a parcel of land off Bear Line in Chatham. St. Clair College has agreed to transfer approximately 19.5 acres of this parcel to the Municipality (the “Land”). The terms of the donation are to allow the Municipality to develop the Land into a regional park. St. Clair College will be retaining the remaining portion of the parcel for potential future construction of college related facilities, such as residences.

Attachment “A” is a map of the Land proposed to be donated to the Municipality for the proposed park location. Execution of the agreement(s) to donate the Land will allow the Municipality to move forward with next steps for development of the park.

Comments

If Council authorizes the execution of the necessary agreement(s), the planned closing date for the Land to be transferred to the Municipality will be scheduled and is being targeted for July or August 2023.

The Agreement of Purchase and Sale for the Land contains the following key terms:

- The transfer of the Land will be a donation, or for nominal consideration.

- That the Municipality will be able to conduct environmental testing of the Land prior to receiving the donation and can choose not to proceed with the donation in the event any issues are discovered.
- That the Municipality will grant an easement to St. Clair College to permit pedestrian and vehicular traffic from the remainder of the College's land to the donated Land.
- That if the development of the park does not proceed within 3 years of the transfer of the Land, or if in the future the donated Land is not being actively used for recreational purposes, the Land would be returned to St. Clair College.
- That the Municipality will include the name of St. Clair College within the overall park name including appropriate signage and publicity, while also allowing naming rights for other donors at other specific facilities within the park to be sold or approved by the Municipality, and
- That St. Clair College will be permitted to use the Municipality-operated facilities, fields, and common areas on the Land on a priority basis during weekdays from 8:00am to 3:30pm at no charge, so long as the usage is booked through the Parks, Fleet and Facilities division. The College will be required to book and pay for uses beyond these times, or for use of privately-run facilities.

Areas of Strategic Focus

This report supports the following areas of strategic focus:

			
Economic Prosperity	Healthy & Safe Community	People & Culture	Environmental Sustainability
	2.3		

Consultation

In November 2022, the Municipality conducted a Let's Talk survey on its website to ask Chatham-Kent residents for ideas as to how the Hydro One Networks Inc. Community Benefit Contribution of \$1,000,000 can be used for culture or recreation in their area. This community consultation will guide decisions as to what types of recreational activities should be included at the proposed park. St. Clair College has indicated its priorities for the park would be a cricket pitch and indoor practice area for cricket, and basketball/volleyball courts.

The Chief Financial Officer and Chief Administrative Officer have also been involved in the review of the proposed donation and support the recommendation herein.

Communication

There will be information sent to sports field user groups to get their input on what should go on the donated Land. Meetings and further conversation with user groups will occur after the information is sent out. Online Community Engagement for the public to provide feedback will be available through Let's Talk Chatham-Kent and will be posted on social media.

Communication of this project will occur by posting to the corporate municipal website page under media releases, radio interviews with the Mayor/Councillors, social media campaigns, and a project page on Let's Talk Chatham-Kent providing information on the project and periodical updates.

Diversity, Equity, Inclusion and Justice (DEIJ)

Should the recommendation in this report be approved, administration will include DEIJ considerations in its approach to developing the Land so needs of equity-deserving communities using the proposed recreational facilities are reflected.

Accessibility will be a significant consideration in the development of the park.

Financial Implications

At its meeting of September 26, 2022, Council authorized the execution of a Community Support Agreement with Hydro One Networks Inc. Part of this agreement included a Community Benefit Contribution of \$1,000,000 to be paid annually to the Municipality from Hydro One for recreational and cultural purposes. Some of the funding for this initiative is intended to come from this Community Benefit Contribution.

Costs of accepting the Land donation will include the creation and deposit of a reference plan to depict the Land, and small fees for the registration of documents necessary to transfer ownership of the Land to the Municipality. Together, these costs would be estimated to be no more than \$5,000.00. Administration has also agreed to recognize the donation by installing appropriate recognition on the Lands, once developed, and the Municipality will bear the costs of such installation(s).

As other development of the park proceeds, costs will be approved as necessary per the Purchasing Bylaw in future Open Session reports to Council.

Prepared by:

Dave Taylor, Director, Legal Services

Robert Pollock, Director, Parks, Fleet and Facilities

Reviewed by:

Edward Soldo, P.Eng., General Manager, Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Gord Quinton, General Manager, Finance, Budget, ITT

Michael Duben, Chief Administrative Officer

Attachment: Attachment "A" – Map of Donated Land