



OAKVILLE

REPORT

Council

Meeting Date: June 21, 2021

FROM: Legal Department

DATE: June 8, 2021

SUBJECT: Oakville and Milton Humane Society License Renewal

LOCATION: 425 Cornwall Road

WARD: Ward 3

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RECOMMENDATION:

1. That staff be authorized to renew the license agreement with the Oakville and Milton Humane Society for a storage building in Cornwall Park, to be executed in accordance with By-law 2013-057.
2. That the Town Solicitor be authorized to execute any renewals or minor amendments to this agreement.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The Oakville and Milton Humane Society (“OMHS”) currently uses a portion of Cornwall Park for a storage building.
- The license expires on August 15, 2021 and OMHS has requested a 5 year extension.
- The space used by OMHS does not materially impact the use of the park by the public.
- The license agreement will include a termination right on one year’s notice in case the Town has need of this space in the future.
- No fees are being proposed for the use of this space and there are no costs to the Town.
- Staff are recommending renewing this agreement as requested by OMHS.

BACKGROUND:

The Town and OMHS entered into a license agreement on August 15, 2006 for the use of a small portion of Cornwall Park. OMHS uses this area for a storage building as shown outlined on Appendix A. OMHS has limited space in their main building because it is used primarily for supporting animal care needs, so the use of this storage building is important to their operations.

The existing license agreement is set to expire on August 15, 2021. OMHS has requested a renewal of the license agreement for a further 5 years to give them time to explore options for a potential new site to meet the growing demands.

COMMENT/OPTIONS:

Staff are supportive of renewing the license agreement for a further 5 years. The agreement will contain a termination right for both parties in case the situation changes and the Town requires this area for park purposes or OMHS finds a new location and wants to end the agreement early. OMHS was charged a nominal fee under the current agreement, and staff are supportive of this continuing for the additional 5 years.

OMHS is a not-for-profit organization that has relied on the use of this space for the past 15 years. It helps them avoid large offsite storage costs to house historical files, animal care equipment, and seasonal fundraising and community program materials. Without this space, OMHS would have to incur significant costs to remove the building and pad and relocate the contents to an offsite location at a time where their financial resources are limited. The COVID-19 pandemic has caused OMHS to cancel or modify many of their traditional revenue sources like camps, children's programming, and special events.

This area of the park is not currently used by the public, and Parks staff do not anticipate needing this area for park purposes in the next 5 years. Therefore, staff are recommending renewing the license on similar terms for an additional 5 years.

CONSIDERATIONS:

(A) PUBLIC

The inclusion of this report in the public Council agenda will provide public notification.

(B) FINANCIAL

No fees are charged to OMHS under the license agreement and there are no costs to the Town.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

This report was prepared with staff from the Parks and Open Space Department.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal to be the most livable town in Canada.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – Map showing the licensed area

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Town Solicitor