

## Staff Report

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**Report To:** City Council  
**Report From:** Pamela Coulter, Director of Community Services  
**Meeting Date:** December 18, 2023  
**Report Code:** CS-23-133  
**Subject:** Amendment to Lease with Transport Canada – Kelso Beach at Nawash Park (C0008103)

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### Recommendations:

THAT in consideration of Staff Report CS-23-133 respecting Amendment to Lease with Transport Canada – Kelso Beach at Nawash Park (C0008103), City Council directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute the amending agreement, ending June 30, 2028.

### Highlights:

- The City has several agreements with Transport Canada for waterfront properties along the East and West Harbour. These leases are key in ensuring continued public access and use of the waterfront.
- An amended lease is provided by Transport Canada for lands that comprise the north portion of Kelso Beach at Nawash Park and an adjacent water lot.

### Strategic Plan Alignment:

This report supports the delivery of Core Service.

## **Climate and Environmental Implications:**

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by considering climate adaptation in the development of the City's strategies, plans and policies.

## **Previous Report/Authority:**

The City has previous agreements with Transport Canada for a portion of Kelso Beach at Nawash Park. Amendment No. 5 covered the period of July 2020 to June 2023.

## **Background:**

The City has several leases with Transport Canada (TC) for lands along the inner and outer harbour. The City has had a lease with TC for Kelso Beach at Nawash Park since 2000.

There have been several renewals of this agreement since that time. The current renewal is Amendment No. 6.

The leased lands are shown in Attachment 1. The lands include approximately 7.5 acres of land at the north end of the park. The area includes the majority of the playing field, paved trails, benches, and shoreline. A water lot is also part of the lease and is shown in the attachment as well. The water is approximately 9.5 acres in area.

Email correspondence from Transport Canada has provided an Amending Agreement for the lease.

## **Analysis:**

The updated term of the Agreement is from July 2023 to June 30, 2028. The wording in this article has been replaced in the Amendment to match standard Transport Canada wording.

A new waterfall rate structure is proposed as follows:

Year 1: \$607.30 + HST

Year 2: \$1,214.60 + HST

Year 3: \$1,821.90 + HST

Year 4: \$2,429.20 + HST

Year 5: \$3,036.50 + HST

This increase reflects Transport Canada's updated approach to setting lease rates for waterfront properties. The next update to the City's Fees and Charges By-law should consider these costs relative to the updated fees for the use of the park.

### **Financial Implications:**

The lease costs are covered in the Parks operating budget. In subsequent years, the amount in the budget will need to be increased.

### **Communication Strategy:**

Staff have been communicating with Transport Canada on the update to the lease.

### **Consultation:**

The City Solicitor has reviewed the draft amendment and noted no concerns.

### **Attachments:**

1. Map of Leased Area

### **Recommended by:**

Pamela Coulter, Director of Community Services

### **Submission approved by:**

Tim Simmonds, City Manager

For more information on this report, please contact Pamela Coulter, Director of Community Services, at [pcoulter@owensound.ca](mailto:pcoulter@owensound.ca) or 519-376-4440 ext. 1252.