



## TOWN OF MINTO

**DATE:** April 4, 2016  
**REPORT TO:** Mayor and Council  
**FROM:** Bill White, C.A.O. Clerk  
**SUBJECT:** Harriston Lawn Bowling Agreement

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### **STRATEGIC PLAN:**

Maintain and enhance recreation opportunities to benefit persons of all ages and abilities using existing well maintained parks and facilities, and ensure the location, supply and availability of major facilities considering the cost as well as community development benefits.

### **BACKGROUND**

Since fall 2014 staff has been in discussion with members of the Harriston Lawn Bowling Club about future operations. The group continues to maintain and use the facility on Arthur Street but has sustainability concerns mainly due to costs for insurance and property taxes. The remaining members agreed that the lands could be transferred to

the Town and that Lawn Bowling would run as a municipal program.



In the course of preparing an agreement to present to Council it was determined the land was transferred to the Harriston Lawn Bowling Club in November 27, 1920. The Club dissolved sometime in January 1963 although members continued to operate on the property as if the Club was still in place. The Club is still listed as owner on the tax roll.

The Town's Lawyer advised the Public Guardian and Trustee for the Province of Ontario is technically owns the land. The agency would not agree to transfer the land to the Town unless there was clear notice to remaining members that the Town was assuming ownership of the land, and an agreement on future use. Ray Harris has been the local contact and has supported the process through contacts with staff and the Town lawyer.

The attached agreement has been negotiated with the Public Guardian and Trustee with the following terms:

- The Public Guardian and Trustee consents to transfer to the Town at a nominal fee for public benefit as parkland
- Acknowledgement of the floodway zoning

- Town can use for recreation activities such as lawn bowling and enjoyment of the river, parkland and may do work flood and erosion control work to preserve as park
- Town cannot sell the lands for other purposes without consent of Public Guardian and Trustee
- If the lands are transferred or ceased to be used for parkland purposes fair market value is to be paid

Once the transfer is complete the Town will own the land and will reach an agreement with the remaining lawn bowlers on a suitable program so they can continue this activity.

### **COMMENTS:**

When staff began this process staff had no idea that the Public Guardian and Trustee would be acting as owner for the lands. This is because the Lawn Bowling Club has not had status for 52 years. Individuals have been paying taxes, maintaining the lands and running lawn bowling since that time.



The lands highest and best use is the current lawn bowling use, although the Trustee seems to be approaching this arrangement as if the Town was attempting to acquire development land. The Floodway zoning prevents site redevelopment for any other use. Staff believes the agreement with the Public Guardian and Trustee is unnecessarily restrictive, but recommends it be signed so the transaction can conclude and the Town takes ownership of the land to support lawn bowling for so long as there are interested participants.

If lawn bowling were to discontinue, the infrastructure would be removed and the lands naturalized as parkland. The lands may also have value for future road widening, intersection improvements or bridge repairs

### **FINANCIAL CONSIDERATIONS:**

Additional legal fees, above the \$9,500 reported at budget, will be needed to finish this transaction. The Public Guardian and Trustee was not interested in sharing in these costs.

### **RECOMMENDATION:**

THAT Council receives the C.A.O. Clerk's April 4, 2016 report regarding Harriston Lawn Bowling Agreement with Ontario's Public Guardian and Trustee and agrees in principle to the draft agreement subject to the terms being finalized to the satisfaction of the Town Solicitor and a by-law being passed authorizing signature by Town officials.

Bill White, CAO/Clerk