



TOWN OF MINTO

DATE: May 10, 2016

REPORT TO: Mayor and Council

FROM: Bill White, CAO/Clerk

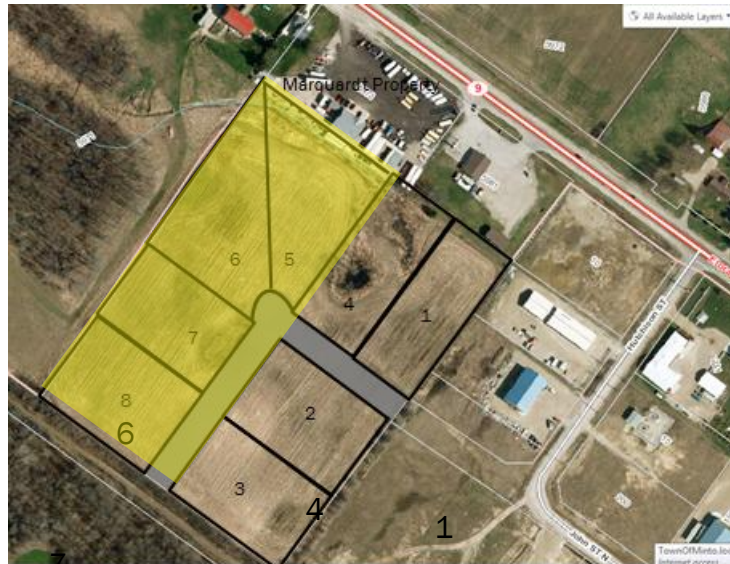
SUBJECT: Marquardt Updated Lease; Monster Truck Rides

STRATEGIC PLAN:

- 4.3 Ensure there is sufficient serviced/serviceable land for a variety of uses in Minto's three urban areas, and maintain a supply of municipally owned serviced industrial land for sale to business in accordance with Town policies.
- 8.1 Regularly communicate tourism and marketing strategies including successful tactics, timing and performance measures. Promote Minto through testimonials from current successful tourism businesses.

BACKGROUND

Murray Marquardt submitted a request that the Town consider leasing land adjacent to his property for a monster truck ride. The area to be leased is about 6 acres in size and is shown in yellow below.



A draft lease was prepared and present to Council in December 2015. The draft lease required the Marquardt's as tenants to secure proper zoning for the monster truck rides. An application to zone the lands for temporary use was completed when the Marquardt's were out of Country. The public meeting was scheduled in May so they could attend upon return.

At the public meeting Council heard further detail from the Marquardt's about the vehicle to be used and the plans they have for the lands. In addition to public concerns about insurance, noise, vibration and dust from the one vehicle giving rides, some neighbours had concerns that monster truck rallies, "mudding", multiple vehicles, loud speaker noise, and damage to roadways would occur. At no time was anything contemplated for the lands that involved anything but rides for children on one vehicle with speed control on very low lying grade changes built on-site.

The draft lease before Council in December and included in the staff report at the public meeting addressed most all of the concerns expressed. The draft lease allowed the Town to stop any activity that caused excessive noise, vibration, odour etc.

COMMENTS:

Considering the public comments received the revised draft lease is acceptable to the Marquardt's with the following terms:

- Up to three year lease as per temporary use by-law with option for three year extension in line with by-law; 6 acres maximum size
- Applicants may also plant pumpkins, corn or similar on part of the lands to support their adjacent business
- Rides to be provided between May long weekend and Thanksgiving long weekend each year except for special occasions
- Town can automatically cancel lease if there is any violation of the agreement
- Specifically allows one "approved vehicle" only that does not create dust, noise, odour or vibration likely to disturb people in the area. Vehicle to have speed control limiting it to 10km/hour, and sufficient exhaust to meet emissions and prevent noise likely to disturb inhabitants in the area.

The revised lease addresses concerns regarding acceptable vehicle, dust, defining "noise" and allows immediate cancellation by the Town if there is a violation of the terms. On the basis of the revised draft lease staff supports passing the temporary use by-law, and passage of a by-law authorizing Mayor and C.A.O. Clerk to sign the lease.

FINANCIAL CONSIDERATIONS:

The lands will generate revenue similar to an agricultural lease.

RECOMMENDATION:

That Council receives the CAO Clerk's report dated May 10, 2016 regarding the Marquardt Updated Lease; Monster Truck Rides and that a by-law authorizing signing of the lease be considered when the Marquardts sign the lease once the temporary use by-law is adopted.

Bill White, C.A.O. Clerk