



City of  
**Peterborough**

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**TO:** Members of the Arenas Parks and Recreation Advisory Committee

**FROM:** Rob Anderson, Recreation Division Coordinator

**MEETING DATE:** March 15, 2011

**SUBJECT:** Report APRAC11-009  
Rugby Clubhouse Update

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## **PURPOSE**

A report to provide the Arenas Parks and Recreation Advisory Committee with background information and an update on the status of the relocation of the Lawn Bowling Club's former clubhouse to Nicholls Oval Park, by the Peterborough Rugby Union Football Club.

## **RECOMMENDATIONS**

That the Arenas Parks and Recreation Advisory Committee approve the recommendations outlined in Report APRAC11-009 dated March 15, 2011, of the Recreation Division Coordinator, as follows:

- a) That the report be received for information;
- b) That the preferred site plan for locating the clubhouse within Nicholls Park, as identified in Appendix A, be endorsed

## **BUDGET AND FINANCIAL IMPLICATIONS**

All expenses related to the City's support of the project, can be accommodated within the approved 2011 Capital Budget under project number 6-10.04, as referenced on

page 369 of the 2011 - 2020 Capital Budget Details book. The approved budget is comprised of a grant of \$120,000 and an interest-bearing loan to a maximum of \$378,373. The term of the loan will not exceed 10 years. In 2010, Council approved that costs totalling up to \$31,500 be charged to the Heritage Implementation Plan account for the relocation of the Clubhouse to Nicholls Oval, if required.

The total cost of the project is \$589,873. With the City's contribution of \$151,500 and the \$130,000 that the Peterborough Rugby Union Football Club (PRUFC) has raised through fund raising efforts, the maximum loan requirement is reduced to \$308,373. The Club is continuing with it's fund raising efforts.

The PRUFC is applying for the maximum grant of \$150,000 through the Ontario Trillium Foundation. If their application is approved, the maximum loan required from the City would be reduced to \$158,373.

## **BACKGROUND**

### **Former Lawn Bowling Clubhouse Becomes Available**

In June 2009, The Peterborough Lawn Bowling Club (PLBC) announced that it had received a Recreation Infrastructure Canada (RINC) Grant to build a new Clubhouse facility on their McDonnell Street site. This new building makes the existing Clubhouse redundant. The initial plan of the PLBC was to demolish the existing building. However, Council recognized the historical contribution the PLBC has made to Peterborough, of which the Clubhouse played a significant part.

While the City was not interested in obtaining ownership of the building, Council was interested in making efforts to preserve its heritage values. In January 2010, Council directed Staff to work with the PLBC to seek an alternative adaptive re-use for the building. If such a re-use was not secured by March 31, 2011, the PLBC could demolish the building, at their expense.

### **Peterborough Rugby Union Football Club's Interest in the Clubhouse**

The Peterborough Rugby Union Football Club (PRUFC) has a considerable representation of players and coaches on provincial teams, as well as players on Team Canada. The local teams have been very successful at their current level of competition. The lack of a washroom/change room facility has prevented the PRUFC from advancing to the highest level of competition in the province. The presence of the Clubhouse will provide the PRUFC with the means to meet this requirement and provide the community with sport tourism opportunities, by hosting provincial and national level events.

The PRUFC is the main tenant of the sport field at Nicholls Oval Park. A pre-existing agreement between the Corporation of the City of Peterborough and the PRUFC, dated August 12, 2008, continues in effect until November 30, 2013. That agreement,

addressed terms and conditions with respect to the use of and improvements to the Nicholls Oval Rugby field. Specifically, the PRUFC paid for the provision of additional seating and certain irrigation works, in exchange for exclusive use of the Nicholls Oval Rugby Field for the purpose of rugby, including regular play, practice time, and special events. The PRUFC is required to reasonably permit the use of the playing field by other recreational users, as scheduled by the City.

The PLBC established an agreement with the PRUFC for the sale and purchase of the Clubhouse. However, the sale was conditional on the PRUFC receiving City approval to relocate the Clubhouse to Nicholls Oval Park and securing appropriate financing to cover all relocation, renovation and servicing expenses.

### **Neighbourhood Consultation**

City Staff mailed invitations to attend an information meeting on August 19, 2010 at 7:00 pm, at the Pavilion in Nicholls Oval Park. Invitations were mailed to the organizers of major recurring events that take place at Nicholls Oval Park, and to residences bordering Nicholls Oval Park (within the perimeter of Parkhill Road from Auburn St to Curtis Road; south to Euclid Street, and west across Rogers Street, Ross Street to the west end of Dufferin Street). The Consultation was attended by eight neighbourhood residents, and the organizers of the Kawartha Dog show, the General Electric Picnic, and the Folk Festival were in attendance. The PRUFC was present as a co-facilitator of the event.

Staff provided a description of the type of activities that would be taking place at the Clubhouse, and presented the preferred site plan, attached to this report as “Appendix A”. It was identified by City Staff that various alternative locations were considered within the Park, but were determined unsuitable. The criteria used to identify the most suitable site plan is described further in this report under the heading “Initial Recommendations to Council”.

The following information was provided in response to questions and concerns raised by those in attendance:

1. The Rugby Club will own the building but will have a long-term lease with the City for the use of the land. The Rugby Club will be the primary user of the facility, but they will encourage use by other user groups or individuals. For example, it would be an ideal location for wedding photos, meetings, etc. Such uses will also provide a source of revenue for the Rugby Club.

The inclusion of a Clubhouse in Nicholls Oval will not change Rugby Club’s scheduled use of the park and field area. They will continue with games and tournaments as they presently do. They want to be respectful of the neighbourhood and will not book events that would disrupt the neighbours.

The terms included in the land lease agreement can address these issues.

2. Once the clubhouse is moved to the new location, it is possible to re-examine the facility to see if it meets the criteria for historical designation. City Council approved recommendations from staff not to designate the building in its current location at 581 McDonnell Street, allowing the Lawn Bowling Club to move forward with their new building. If a new use for the building could not be found by March 31, 2011, the Lawn Bowling Club would then be able to demolish the building at their own expense, to prepare the site for their new clubhouse.

If the project were approved, a long-term land lease agreement would be executed. The agreement will include a clause that the Rugby Club will preserve the historical features of the clubhouse and construction of any auxiliary buildings would be in the same style.

3. The intent of this meeting is to present to the neighbours and other park users the idea of having a clubhouse in the park, and to seek their input regarding such a proposal. All the details of this project have not been worked out. A report will be presented to City Council on August 30<sup>th</sup>, with recommendations related to funding, site plans, land lease agreement, etc. The public will have further opportunity to speak to this issue at the Council meeting on September 7, 2010.
4. The City strongly supports working with community partners in a range of different ways. City Staff view this project as an opportunity to partner with the community. The Rugby Club has raised substantial funds to go towards this project. They are also eligible to apply for other funding, such as a Trillium Grant. City Staff will review the capital accounts to see if it would be appropriate to allocate funds to this project from any of those accounts. The scope of the work involves labour that the City may be able to provide as an in-kind service. Previously, the City has entered into agreements to provide loans to sports user groups. Council will make the final decision related to funding, based on the recommendations presented by Staff.
5. The historic gates at the corner of Armour Road and Parkhill Road will not be changed as part of this project.
6. There is a possibility of losing half a dozen parking spots due to the proposed location of the clubhouse. The Rugby club believes the remaining parking space will be sufficient to accommodate their activities, even with the intent of hosting larger tournaments.
7. There are currently vehicle entrances into the Park from Armour Road, Ross Road and Rogers Street. There are no plans to increase the number of entrances into the park, as part of this project. The addition of a clubhouse within the Park is not anticipated to introduce new activities that would require these entrances to be widened.

8. A concern was raised about how much power (hydro) this clubhouse would have on other park uses? For example, the Dog Show must bring in several generators for their event, as there is not enough power in the park. A permanent electrical upgrade would be required to eliminate their need for generators. The Clubhouse building would have no more draw on power than a regular house and would not require electrical upgrades to the Park. However, hydro upgrades can be considered during the planning process.
9. An attendee commented that this is an emergency move in order to save this building. She feels this location would be very positive and would likely reduce damage and vandals in the park.

### **Initial Recommendations to Council**

On September 7, 2010, Council received staff report CSRS10-008, Relocation of the Lawn Bowling Clubhouse to Nicholls Oval, attached as “Appendix B”. The recommendations of that report gave consideration to the issues and concerns raised at the Neighbourhood Meeting held on August 19, 2010, and presented the preferred site plan.

The preferred site plan is attached to this report as “Appendix A”. In establishing a preferred Site Plan, Staff explored the viability of various locations within the Park. The goal was to identify the most suitable location that would:

- Avoid a reduction in the green space used to accommodate major events that are traditionally held within the park.
- Avoid or at least limit the removal of mature trees
- Avoid the removal or relocation of other man made amenities within the Park. For example; the children’s play structure, basketball court, wading pool, pavilion, or public washrooms, etc.
- Avoid being in close proximity to the houses immediately abutting the Park property
- Allow the Clubhouse to be situated in close proximity to and have a clear view of the sport field
- Situate the clubhouse near the existing formal parking to reduce the need to create additional parking elsewhere in the Park.
- Situate the clubhouse in an area where it is least susceptible to vandalism
- Allow the required servicing to be provided to the clubhouse with the least disruption to the parkland and for the lowest possible cost.
- Avoid interference with the historical entrance located at the northeast corner of the Park.

Using the above criteria, the preferred site pan for the clubhouse has been identified as the north side of the rectangular sport field, as identified in “Appendix A”.

The footprint of the building showing on the site plan includes the entire basement, which is approximately 44 feet by 60 feet larger than the clubhouse. The additional space will be built below ground, and will not be visible from above.

On September 13, 2010, Council approved in principle the relocation of the Lawn Bowling Club's former clubhouse from its current location on McDonnell Street to Nicholls Oval Park, with the following amendments being made to the Staff recommendations of Report CSRS10-008:

That Council approve the recommendations outlined in Report CSRS10-008 dated September 7, 2010, of the Director of Community Services, as follows:

- a) That the preferred option (Option 1) identified in this report be approved, specifically as follows:
  - i) That the sale of the Peterborough Lawn Bowling Club's Clubhouse facility to the Peterborough Rugby Club be considered an acceptable adaptive re-use of the facility;
  - ii) That costs totaling up to \$31,500 be charged to the Heritage Implementation Plan account for the relocation of the Clubhouse to Nicholls Oval if required;
  - iii) That staff include a 2011 Capital Budget Project in the Draft 2011 Capital Budget for the new Council's consideration to provide a grant and an interest-bearing loan to the Peterborough Rugby Club, to assist with expenses in excess of their original capital reserve investment, their acquired Trillium Funding, and any funds issued by the City in 2010 to support this project for Council's consideration;
  - iv) That the proposed relocation of the Clubhouse facility to Nicholls Oval Park be approved in principle with further financial details to be provided;
  - v) That City staff be directed to enter into a 50-year land lease agreement with the Peterborough Rugby Club to situate the Clubhouse in Nicholls Oval Park, and that a by-law be prepared authorizing the Mayor and Clerk to sign the land lease agreement;
  - vi) That for a period up to November 30, 2015, the City accepts donations, issues income tax receipts to donors, and deposits all monies received in an interest-bearing account held by the City in support of the Peterborough Rugby Club's fund-raising efforts.

At the September 13, 2010 Council meeting, two individuals appeared in delegation regarding report CSRS10-008. One was a representative from PRUFC and the other was a concerned City Resident.

### **Comments Received From the Public – September 2010 to January 2011**

Between the September 13<sup>th</sup> Council meeting and the approval of the 2011 budget on January 31, 2011, Recreation division staff was contacted by two individuals who reside in the Nicholls Oval Park neighbourhood. One had a concern that placing the clubhouse in the preferred location would reduce the view of the Park from the vantage point of her home. The other individual had questions about the types of activities that would take place at the clubhouse. She was also concerned the addition of the clubhouse would dramatically increase the traffic into the Park, thereby increasing traffic flow and parking on her street. She expressed other concerns not related to the clubhouse project regarding undesirable/illegal activity taking place in the park.

Staff responded to the concerns and informed each individual that they could express concerns to members of Council through either direct contact and/or by speaking in delegation at the public Budget Committee meeting in January 2011.

### **Council Approval of the Capital Project**

On January 31, 2011, Council approved Capital Project Number 6-10.04 Rugby Clubhouse at Nicholls Oval, authorizing the relocation of the clubhouse to proceed. Council did not deliberate on this budget item. The public was given two opportunities to speak to this item at public Budget Committee meetings, held on January 25 and 27, 2011. Only one delegation was presented, and that was from the PRUFC.

### **Advancing the Project at the Preferred Site**

Time is of the essence in confirming the ability to move ahead with the preferred site plan. Based on Council's approval of Capital Project Number 6-10.04, the PRUFC finalized their purchase of the clubhouse from the PLBC. The sale closed in February 2011, with a requirement that the clubhouse be removed from the PLBC property no later than June 30, 2011. Failure to meet this deadline results in significant financial penalties to the PRUFC.

The PRUFC has applied for a \$150,000 grant through the Ontario Trillium Foundation. The result of that application is pending. Success of that application is dependant on a formal lease agreement being in place between the PRUFC and the City. The PRUFC is in discussions with the various contractors/service providers required to facilitate the relocation of the clubhouse, including providing down payments to Peterborough Utilities and Bell Canada.

Cost estimates to locate the Clubhouse on the south side of the sport field, rather than at the preferred site on the north side, would significantly increase the project expenses. The increased cost for sewer and water services alone for could exceed \$70,000. Such an increase in cost would make the project unachievable for the PRUFC.

City staff from the following Divisions continues to provide assistance and direction to the PRUFC, as they work through the steps required to complete this capital project:

Planning, Building, Public Works, Legal, Heritage Preservation, Finance, and Recreation.

### **Further Opportunity for Public Consultation**

Since January 31, 2011, Recreation Division staff has been made aware of one individual who had made an inquiry through the Mayor's office about the possibility of further public consultation. A member of Council has also contacted Recreation staff requesting further opportunity be provided for the preferred site plan to be presented to the public, with opportunity for the public ask questions and provide comment.

Obtaining endorsement from the Arenas Parks and Recreation Advisory Committee for the project to proceed based on the preferred site plan, is the first step in obtaining further input from the public.

### **Municipal Capital Facility**

The Municipal Act, 2001(the "Act") provides a mechanism for exemption from development charges and property taxes by enabling municipalities to declare certain types of facilities as Municipal Capital Facilities (MCF). "Municipal facilities used for cultural, recreational, or tourism purposes" is one category contained in the Act that applies to the PRUFC.

When a property is designated as a MCF, there is usually a requirement that the owners provide the City with a reversionary interest in the premises, indicating that the MCF shall, at the option of the City, be conveyed to the City by the owners on default of their obligations under the agreement. This reminds the organizations that receive the tax-exempt status that the City and taxpayers are absorbing the costs. The MCF Agreement identifies these obligations.

A report will be presented to Council in the near future seeking approval of the required by-laws authorizing the Mayor and City Clerk to sign the following agreements when they are prepared: (1) a 50-year Land Lease agreement and issuance of a grant, (2) an interest-bearing Loan agreement, (3) a Municipal Capital Facility agreement, and (4) a site plan agreement.

Staff would be pleased to receive input from the Arenas Parks and Recreation Advisory Committee at this time.

## **SUMMARY**

Relocating the Lawn Bowling Clubhouse to Nicholls Oval Park creates opportunity to preserve a building of historic significance, provides amenities required to allow the Peterborough Rugby Union Football Club to advance to the highest level of play both provincially and nationally, creates sport tourism opportunities, and improves the services to Nicholls Oval Park at a reduced rate for the City. Council has approved the

appropriate funding to allow the project to proceed. Staff is requesting the Arenas Parks and Recreation Advisory Committee's endorsement of the preferred site plan.

Submitted by,

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Attachments:

Appendix A - Preferred Site Plan  
Appendix B – Report CSRS10-008, Relocation of the Lawn Bowling Clubhouse to  
Nicholls Oval