

**Amending Agreement – Ground Lease Archbishop Jordan Catholic High School
(Ward 4)****Report Purpose**

To provide information to Council to approve an Amending Agreement to amend the Ground Lease with The Board of Trustees of Elk Island Catholic Separate Regional Division No. 41 (Archbishop Jordan (ABJ) Catholic High School).

Recommendations

1. THAT an Amending Agreement to amend the Ground Lease between Strathcona County and The Board of Trustees of Elk Island Catholic Separate Regional Division No. 4, to include the matters set out in paragraph two of the June 11, 2019 Planning and Development Services report, be approved.
2. THAT administration be authorized to amend the lease boundary, as set out in Enclosure 1 to the June 11, 2019 Planning and Development Services report, for future changes that will accommodate any recommendations made by the Traffic Operational Review, provided that the boundary limit changes do not exceed 10% of the gross area of the site.

Our Prioritized Strategic Goals

Goal 1 - Build strong communities to support the diverse needs of residents

Goal 5 - Foster collaboration through regional, community and governmental partnerships

Goal 7 - Provide opportunities for public engagement and communication

Report

The Emerald Hills Regional Park on the County-owned lands, Lot 2MR, Block 175, Plan 0928954 was developed as a joint-use site that includes ABJ, the Emerald Hills Leisure Centre and Sports Pavilion. Since the fall of 2016, the County and Elk Island Catholic Schools have been exploring options to meet the operational needs for both parties. These include emergency protocols and procedures, exterior ground maintenance, parking and parking lot maintenance, snow clearing, signage and waste and recycling stations. As a result, an amendment to the current Ground Lease is required.

The most substantive amendments contained within the Amending Agreement consist of changing the Leased Premises area to remove the leisure centre facility from the Leased Premises and to add parking area Lot D. In addition to the Leased Premises and parking changes, the Amending Agreement also provides for other administrative amendments which include:

1. Correction to indemnity provision;
2. Clarification of ownership of onsite and municipal services;
3. Schedule "B" Leased Premises;
4. Parking areas and hours of use;
5. Clarification of Municipal Improvements;
6. Access to the Leased Premises to perform such obligations or work as determined necessary by the County; and
7. Access to the Leased Premises to use the waste and recycling station

Elk Island Catholic Schools administration is in full support of the Amending Agreement.

Council and Committee History

August 28, 2012 THAT Council authorize administration to enter into a Ground Lease Agreement with The Board of Trustees of Elk Island Catholic Separate Regional Division No. 41 for the operation and management of the Emerald Hills High School facility located on Lot 2MR, Block 175, Plan 0928954 within the NW 11-53-23-W4.

Other Impacts

Policy: SER-012-011 Land Management

Legislative/Legal: The *Municipal Government Act* provides that Council may transfer or grant an estate or interest in land. The form of agreement has been reviewed by the Elk Island Catholic Schools' administration and Legislative Legal Services and found to be acceptable. The Amending Agreement provides the necessary legal documentation to establish the relationship between the County and Elk Island Catholic Schools.

Interdepartmental: Recreational Parks and Culture, Transportation and Agriculture Services

Master Plan/Framework: n/a

Enclosure

1 Leased Premises