



# Staff Report to Council

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**DATE: Monday, July 18, 2022**

**DEPARTMENT: Administration**

**SUBJECT: Disposition of land at 2826 Bryn Maur Road**

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## **BACKGROUND:**

The City purchased 2826 Bryn Maur Road in late 2021 as part of the development of the neighbouring property. The existing building is currently vacant and will have three separate strata lots available.

The Vancouver Island South Film & Media Commission (the “Commission”) promotes the locations, skills, and creativity on Vancouver Island to the global film industry. The Commission wishes to lease one of the strata lots to move their business to Langford. This is important to the City in supporting our local arts community, and in establishing a greater theatre and film industry in Langford.

Sea-Isle Rehabilitation Services Ltd., operating under the registered charity of March of Dimes Canada, provides day programs for people living with an acquired brain injury, focusing on enhancing social interactions, life skills, and connection to the community. Their building is undergoing extensive renovations, and they need a short-term location to continue offering their services to the community. As they are located in Langford, they wish to enter into a short-term lease agreement with the City so they may remain in Langford to continue their operations while their permanent location is renovated.

The City purchased 1103 Goldstream Avenue from iMagic Productions Ltd. in order to facilitate improvements to the intersection at Leigh Road and Goldstream Avenue. iMagic productions has not had success in finding a suitable property in which to relocate. iMagic productions desires to purchase a strata lot at 2826 Bryn Maur Road to continue their operations.

## **COMMENTARY:**

As per the staff report to Council dated October 18, 2021, 2826 Bryn Maur Road was purchased to relocate Langford businesses. The property has an existing building that is currently not occupied. Staff recommend entering into two lease agreements, and a contract of purchase and sale, for the three strata units of the building.

The sale requires the creation of third strata unit, iMagic Productions will undertake the necessary survey and registration at their sole cost. Required renovations to create the third unit will be borne by the March of Dimes and iMagic Productions.

**FINANCIAL IMPLICATIONS:**

If approved, staff recommend entering into a two-year lease agreement with the Commission for \$1,200.00 per month.

Staff also recommend entering into a two-year, triple net lease agreement with March of Dimes Canada for \$1.00 per year, as a way to support their charitable purpose and enable them to remain in Langford during their renovations.

Finally, staff recommend entering into a purchase and sale agreement with iMagic Productions for one strata lot for the purchase price of \$350,000.00. A condition of this purchase is an agreement for the City to buy back the property for the purchase price, plus 25% of the BC assessment valuation increase.

**LEGAL IMPLICATIONS:**

Entering into lease agreements will require the City to take on the legal obligations and responsibilities of a landlord under the *Commercial Tenancy Act*, RSBC 1996 c 57.

Advertisements for the dispositions have been placed as required by the *Community Charter*.

**OPTIONS:**

**Option 1**

THAT Council approve the lease and sale agreements for the strata lots at 2826 Bryn Maur Road, and that the Mayor and Chief Administrative Officer be authorized to enter into an agreement with iMagic Productions Ltd. for the sale of the strata lot for not less than \$350,000.00, with a buy back option clause;

AND THAT Council approve a two-year lease agreement with the Vancouver Island South Film and Media Commission for \$1,200 per month;

AND THAT Council approve a two-year triple net lease agreement with March of Dimes Canada for \$1.00 per year, in which the utilities would be paid for by the charity.

**OR Option 2**

THAT Council take no action at this time with regard to the disposition of land at 2826 Bryn Maur Road.

**SUBMITTED BY: Jordyn Dryden, Acting Manager of Legal Services**

**Concurrence:** Marie Watmough, Acting Director of Corporate Services

**Concurrence:** Donna Petrie, Senior Manager of Business Development and Events

**Concurrence:** Will Ying-udomrat, Manager of Legislative Services

**Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

**Concurrence:** Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Darren Kiedyk, Chief Administrative Officer