

COMMITTEE OF THE WHOLE - APRIL 20, 2009

THORNHILL PARK TENNIS CLUB SEASONAL TENNIS DOME – WARD 5

Recommendation

The Commissioner of Community Services and Directors of Building and Facilities, Recreation and Culture, Parks Development and Parks Operations and Forestry, in consultation with the Directors of Legal Services and Reserves and Investments, recommend:

- 1) That the City enter into an agreement authorizing the Thornhill Park Tennis Club to install a seasonal tennis dome annually over the Thornhill Park tennis courts beginning in October 2009;
- 2) That the Thornhill Park Tennis Club obtain all necessary City approvals and permits including, but not limited to, Committee of Adjustment approval, Building Permit, and all required City Departments at their cost;
- 3) That all costs associated with the purchase, maintenance, installation and removal of the tennis dome be the responsibility of the Thornhill Park Tennis Club;
- 4) That the existing license agreement with the Thornhill Park Tennis Club for their exclusive use of the Thornhill Tennis Clubhouse for six months of each year, be amended to include, but not limited to:
 - extend access from the current six months to a full year; and,
 - assign the responsibility of the additional operating costs to maintain the Thornhill Tennis Clubhouse for the additional six months to the Thornhill Park Tennis Club;
- 5) That the terms of the agreements take into account the conditions identified by Heritage Vaughan, comply with the Thornhill Heritage Conservation District Plan, the Ontario Heritage Act, and be to the satisfaction of the City Solicitor; and,
- 6) That by-laws be enacted to authorize the execution of the agreement for the seasonal tennis dome and the amending license agreement for the Thornhill Park Tennis Club's use of the Thornhill Tennis Clubhouse.

Economic Impact

The Thornhill Park Tennis Club (TPTC) will be responsible for all costs associated with the proposed tennis bubble including, but not limited to, the purchase of the bubble, maintenance, utilities of the bubble and permit fees for the rental of the tennis courts and as a result no economic impact to the City.

The TPTC will also assume the responsibility for the full costs to operate the Thornhill Tennis Clubhouse for the additional six months and to offset the costs to refurbish the tennis courts from the extended wear.

Communications Plan

Council's direction on this matter will be relayed to the executive of the Thornhill Park Tennis Club. In turn, the executive will communicate the information to the existing members of the association as well as promote it to potential members as they launch the fall, winter tennis programs through such mediums as direct mailing, newspaper ads, posters within community centres, the Recreation and Culture guide and the City of Vaughan website.

Purpose

The purpose of this report is to seek Council approval to enact a by-law authorizing the execution of an agreement with the Thornhill Park Tennis Club that outlines the terms for the annual installation of a seasonal tennis dome over the Thornhill Park tennis courts and to amend the terms and provisions of the license agreement with the Club for their use of the Thornhill Park Clubhouse.

Background - Analysis and Options

The Thornhill Park Tennis Club (TPTC) is a non-profit organization and is the tenant of the Thornhill Tennis Clubhouse and tennis courts. Via a Management Team appointed by its Board of Directors, the TPTC has applied for a Heritage Permit for a seasonal tennis dome or "bubble" that will be erected every year in October and be maintained until the end of April in order to house the club's winter tennis activities.

Heritage Vaughan Review

The Thornhill Park, the Thornhill Tennis Clubhouse and tennis courts at 26 Old Yonge Street are property owned by the City of Vaughan (Site Map shown on Attachment). Thornhill Park is located within the Thornhill Heritage District and, therefore, is designated under Part V of the Ontario Heritage Act. As such, any changes to the property (including exterior alterations, additions or demolition) require, in addition to all other City approvals, the approval of a Heritage Permit application in accordance with the Thornhill Heritage Conservation District Plan and the Ontario Heritage Act.

The Heritage Vaughan Committee reviewed the tennis bubble proposal at its meeting of December 2008 and had no objections to the proposal.

Analysis of Proposal

The proposed "tennis bubble" is a seasonal structure, and will be made of an opaque polyester fabric that will largely block any lighting from within the dome seen from the outside and will be supported by mechanically supplied air. Blackmore Tennis Club in Richmond Hill uses a structure like this to cover its courts through the winter season enabling the club to provide amenity to the community year-round.

The maximum height will be 37 feet, as it will span to cover all four courts presently there. When it is put away, it will be stored off-site or possibly on-site without the requirement of an additional structure. The construction of an additional structure or shed will not be needed in order to store the dome during the summer.

Staff met with the TPTC and reviewed the details related to their business plan. The basis of the agreement will include, but not be limited to, the discussion points and the contents of the plan summarized below.

Winter Tennis Program

- The winter tennis program will operate from October to April and the daily (weekday and weekend) hours of operation will be within the 7am to 11pm time frame.

Financial

- The initial investment will be approximately \$400,000 and will be mortgaged through a number of investors including a financial institution. The TPTC has projected a 3 to 4 year repayment plan bases on projected users.

- In respect to any potential leasehold mortgage the City would require that in the event of default, the City's consent would be required prior to the exercise of any default remedies.

Community Consultation and Benefit

- The proposal has the support from the Society for the Preservation of Historic Thornhill (SPOHT), and a community survey issued during the Thornhill Village Festival has revealed community endorsement; 152 of 157 (97%) indicated interest in winter tennis at the TPTC.
- In addition to offering scheduled lessons and leagues, the TPTC will also allocate a portion of the week to pay-as you-go drop in program to allow the public at large to benefit from casual tennis.

Maintenance, Installation and Removal

- The TPTC will be solely responsible for the annual maintenance, installation and removal of the bubble and for any damages to the tennis courts. Note: The City reserves the right to be present and approve the structure placement and methodology.
- Ground repairs and/or restoration needed from the annual removal of the courts will be the responsibility of the TPTC.

Reserve Fund for Tennis Courts Resurfacing

- On an annual basis the TPTC contributes to a reserve fund established to offset the costs to refurbish the tennis courts.

Committee of Adjustment and Building Permit

- The TPTC will be responsible for obtaining all necessary City approvals and permits including but not limited to, Committee of Adjustment approval, Building Permit, and all required City Departments at their cost.

Lights

- Lights will be contained within the bubble and existing pole lights will not be used.
- The material of the bubble would be opaque so lights from within the bubble would be very minimal from outside of the bubble.

Noise

- The air pump will be installed against the current court fence on the east side. Noise level is very low and meets standards against the current distance to businesses and resident homes.

Parking

- The current parking lot can be used with any overflow parking redirected to the Park parking lot just down the street.

Insurance

- The TPTC will be responsible for obtaining the necessary liability insurance that indemnifies and holds harmless the City from all claims and actions arising from the use of the courts during the winter season.
- The liability insurance certificate will be for a minimum of \$2,000,000, name the City as an additional insured and submitted to Recreation and Culture at least one month prior to the installation of the bubble.

Thornhill Park Tennis Clubhouse License

- The existing license for the TPTC's use of the Thornhill Park Tennis Clubhouse grants them exclusive use for six months (April 15 to October 15) of the year with corresponding terms and provisions.
- The intent of this proposal is to offer indoor winter tennis from October to April and access to the clubhouse will be required for 12 months. The terms and provisions of the existing license must therefore be amended to coincide with the extended term. Additionally, the terms will be amended to include the responsibility of the TPTC to offset the costs to maintain the clubhouse for the additional six months.

Summary

The tennis bubble will not be in direct contact with any historical buildings; therefore its impact is contextual, as a backdrop within the Heritage District – specifically in views north from Centre Street and views west from Old Yonge Street and Yonge Street.

The presence of the structure is entirely reversible, in the sense that it can be taken down and there would be no historic fabric in the Heritage Conservation District that would be damaged or having lost cultural value by it having existed.

The trends analysis completed as part of the **Active Together Master Plan** confirms the increasing participation in tennis by the older adult demographic and the stable participation in other ages. As well, over the past few years staff have received requests from residents for indoor tennis.

Staff recognize the use of the facility year-round as a beneficial activity to have available to the community within the Thornhill Park and are satisfied with the details of their business plan.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- **STRATEGIC GOAL:**
Service Excellence - Providing service excellence to citizens.
- **STRATEGIC OBJECTIVES:**
Enhance and Ensure Community Safety, Health & Wellness.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no regional implications associated with this report.

Conclusion

This report provides Council with information on the Thornhill Park Tennis Club's proposal to erect a seasonal tennis dome over the Thornhill Park tennis courts.

The tennis bubble will not be directly in contact with any historical buildings the presence of the structure is entirely reversible, in the sense that it can be taken down and there would be no historic fabric in the Heritage Conservation District that would be damaged or having lost cultural value by it having existed.

Staff have reviewed the terms outlined by the TPTC and are satisfied that they are responsible. Further, staff recognize the use of the facility year-round as a beneficial activity to have available to the community within the Thornhill Park.

The Legal Services Department advises that the Agreement would contain standard terms such as indemnification. In respect to any potential leasehold mortgage the City would require that in the event of default, the City's consent would be required prior to the exercise of any default remedies.

Attachments

1. Thornhill Park Site Map

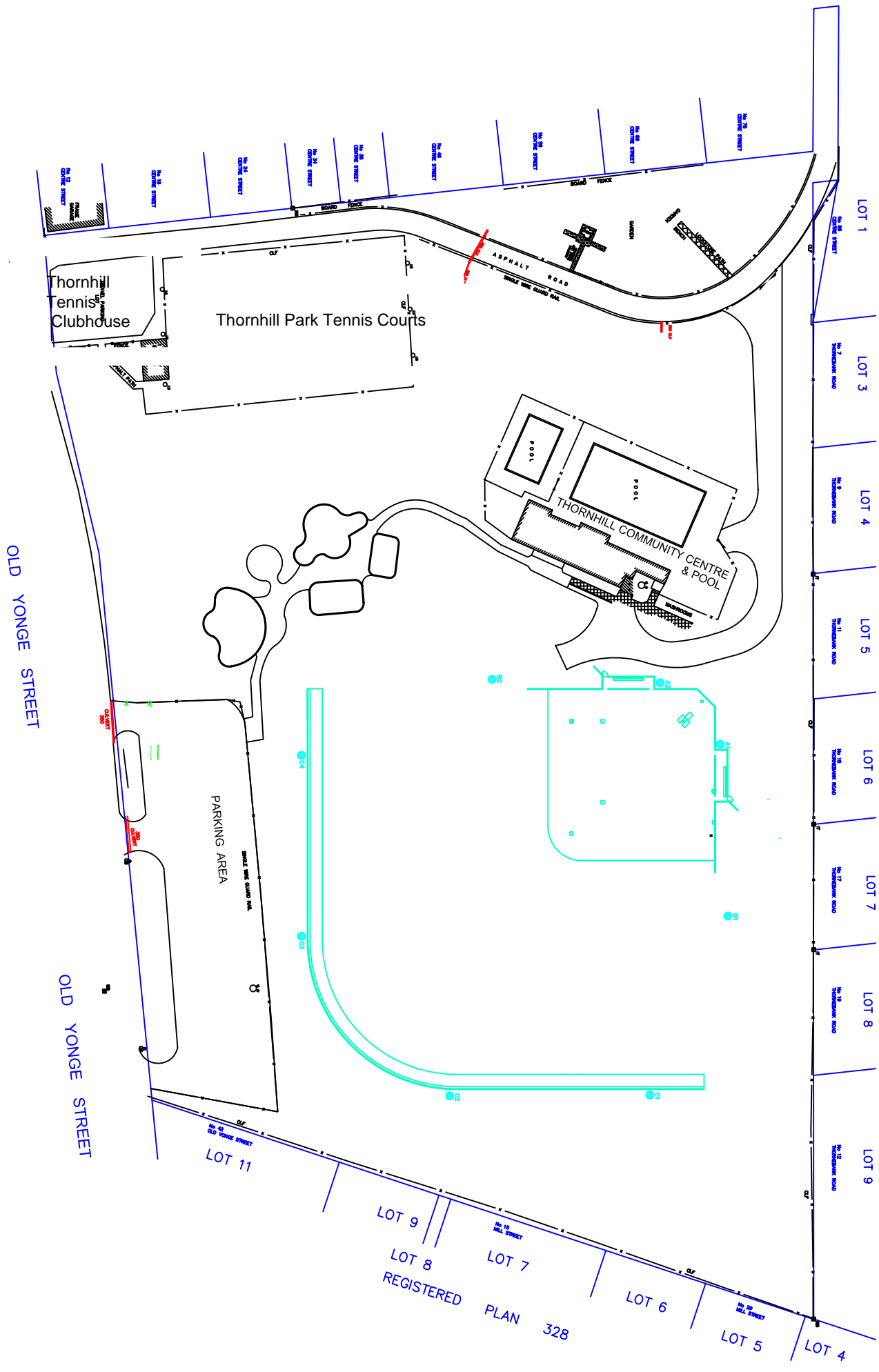
Report Prepared By

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Respectfully submitted,

Marlon Kallideen
Commissioner of Community Services

CENTRE STREET



REGISTERED PLAN 2951

REGISTERED PLAN 328

OLD YONGE STREET

OLD YONGE STREET

LOT 11

LOT 9

LOT 8

REGISTERED PLAN 328

LOT 7

LOT 6

LOT 5

LOT 4

LOT 1

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

Thornhill Tennis Clubhouse

Thornhill Park Tennis Courts

THORNHILL COMMUNITY CENTRE & POOL

PARKING AREA

No. 12 CENTRE STREET

No. 16 CENTRE STREET

No. 20 CENTRE STREET

No. 24 CENTRE STREET

No. 28 CENTRE STREET

No. 32 CENTRE STREET

No. 36 CENTRE STREET

No. 40 CENTRE STREET

No. 44 CENTRE STREET

No. 48 CENTRE STREET

No. 52 CENTRE STREET

No. 56 CENTRE STREET

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No. 68 CENTRE STREET

No. 72 CENTRE STREET

No. 76 CENTRE STREET

No. 80 CENTRE STREET

No. 84 CENTRE STREET

ASPHALT ROAD

SINGLE LANE QUAD RAIL

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