

## COMMON COUNCIL REPORT

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|--------------|-----------------|
| M&C No.      | 2021-163        |
| Report Date  | June 01, 2021   |
| Meeting Date | June 14, 2021   |
| Service Area | General Counsel |

Her Worship Mayor Donna Noade Reardon and Members of Common Council

**SUBJECT: Licence Agreement for Gahan Beer Garden at Loyalist Plaza**

### **AUTHORIZATION**

|                        |                         |                    |
|------------------------|-------------------------|--------------------|
| Primary Author         | Commissioner/Dept. Head | City Manager       |
| <i>Curtis Langille</i> | <i>Melanie Tompkins</i> | <i>John Collin</i> |

### **RECOMMENDATION**

1. That the City enter into a Licence Agreement with Murphy Investments Ltd./Gahan Saint John Inc. in the form as attached to M&C 2021-163; and further
2. That the Mayor and Common Clerk be authorized to execute the said Licence Agreement and all other documents ancillary thereto.

### **EXECUTIVE SUMMARY**

Murphy Investments Ltd./Gahan Saint John Inc. (Gahan) is seeking approval from the City to operate for a 2<sup>nd</sup> consecutive season, a beer garden at Loyalist Plaza. The facility would operate for a period of three months on the same premises as last year. Considering the COVID-19 pandemic and its impact on sales, Real Estate Services has not materially increased the rent for this season; there is a slight increase in rent for providing electricity to the business. The location for this beer garden will remain the same as last year but will have a slightly shorter season due to the anticipated construction schedule for Loyalist Plaza and the Market Square Boardwalk, forming part of the Fundy Quay development. The terms and conditions, which are set out in the attached Licence Agreement, remain largely the same as the previous year.

### **PREVIOUS RESOLUTION**

N/A

## **REPORT**

The Gahan Beer Garden operated last season at Loyalist Plaza. It was well supported by patrons and added vibrancy to the Market Square/Boardwalk area. Initially, it was anticipated this season that the Boardwalk and Loyalist Plaza area would be under construction as part of the Fundy Quay development; however, that construction timeline has been pushed to September, at the earliest. As a result, the City is in a position to offer a licence for the Gahan Beer Garden to operate again this year.

Since the Covid-19 pandemic is still ongoing, staff have not increased the rent over last season to mitigate a potential impact on sales. The Terms and Conditions under which Gahan operated last season will remain essentially the same for this year, except that cost of the power utility required to operate the business will be added to the rent being collected.

## **STRATEGIC ALIGNMENT**

Providing for entrepreneurial opportunities in the City's Uptown Core aids in creating a livable community that is vibrant and diverse, while providing an integrated approach to economic development.

## **SERVICE AND FINANCIAL OUTCOMES**

The Gahan Beer Garden situated in the Loyalist Plaza area will add to the vitality and commercial offerings in the City's Uptown area. This Licence will generate a total of \$4,362.00 in rent for the full term.

## **INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS**

Envision Saint John and Facilities Management have provided input into the preparation of this report. The General Counsel's office has reviewed the attached Licence and is satisfied with the Terms and Conditions of the agreement.

## **ATTACHMENT**

*Licence Agreement with Murphy Investments Ltd./Gahan Saint John Inc. for Beer Garden.*