



Report to: General Committee

Report Date: April 14, 2014

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**SUBJECT:** Tennis Clubs Policy  
**PREPARED BY:** Mary Creighton, Director, Recreation Services

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**RECOMMENDATION:**

1. THAT the report entitled "Tennis Clubs Policy" be received; and
2. THAT Council approve the revised Tennis Club Policy as per Attachment A;
3. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To obtain Council approval of the updated Tennis Clubs Policy.

**BACKGROUND:**

Council approved a Tennis Court Development and Maintenance Policy in 1980 with revisions in 1984 and 1991. The Policy was last updated in 2006 to include a provision that required new clubs (established post 1993) to provide 6 hours of prime time access to public at no cost. (4 hours for clubs established pre 1993).

Council approved in principle a revised policy in June 2013 that provides a framework for a more effective relationship with Community Tennis Clubs. The policy provides guidelines for departments to adhere to and enables a fair and consistent approach in managing the expectations of the stakeholders. The Policy further provides clear expectations around operations of Clubs on City owned property, including development of processes that reflect current business conditions and changes in business practices.

Council directed Staff to further review and consult with Tennis Clubs and bring forward the final policy for approval.

**DISCUSSIONS**

Staff has met with the Tennis Clubs for further review of the policy and their concerns/comments/queries have been addressed and incorporated into the Policy as per Attachment A.

The discussions with the Clubs and clarifications sought related to:

1. Formation of new clubs
2. Ownership of Club House
3. Insurance Requirements for the Club House
4. Administration and rights of free memberships

5. Signage/Banners on Court/Club property
6. Public Access to courts and Prime Time Hours
7. Responsibility for payment related to Utilities and Services

These items have been addressed in the Policy as follows:

**1. Formation of New Clubs**

The Policy Statement section includes a statement “New Clubs may be formed with a Council Resolution; however in reviewing the application to form a Club, Council may consider other options including direction to merge the Club with an existing Club within the geographical area”

**2. Ownership of Club House**

Clause 3.3.3 of the Policy refers to Ownership as follows:

“The Club house is the property of the City and will be leased back to the Clubs for a nominal amount (\$2 annually)”

**3. Insurance Requirements for the Club House**

Clause 4 of the Policy refers to Insurance:

“The Club shall, at its sole cost and expense, take out and maintain with respect to the Leased Premises and the Club’s use and occupation thereof Commercial General Liability naming the City as additional insured.

In addition, it is the Clubs responsibility to insure the clubhouse and all of the Club’s contents & equipment, as any damage or loss incurred to either the Clubhouse or the Club’s contents and equipment is not the responsibility of the City. The specific details of the insurance requirements are outlined in the annual permit”

**4. Administration and Rights of Free Memberships**

Clause 5.1.1 of the Policy refers to Public Access to Tennis Courts and includes the following:

“All Clubs will be required to provide 10 memberships annually to the City of Markham. The City will determine how memberships are distributed. These memberships will entitle holders to all rights and privileges of any other member of the Tennis Club. The City of Markham will notify a club with contact information of the individual when a Membership has been issued”.

Note: It was further clarified to the Clubs that these membership will be administered through the Recreation Coordinator and are eligible to become executives of the Club if so voted at the Annual General meeting (AGM) of the Clubs. These memberships will have the same access privileges as paying membership and must abide by all rules and regulations established by the Club.

**5. Signage/Banners on Court/Club property**

Clause 5.1.3 of the Policy refers to signage and includes the following:

“Signage promoting the Club will be restricted to the Clubs name and contact information. This signage can be in the form of a sign on the club house or a banner on the fence surrounding the courts. The signage will be administered as per City regulations and By-laws. All costs related to signage promoting the Club will be at the Club’s expense. The fences surrounding the tennis courts shall not be utilized for advertising or promotion of private entities (Promotion and sponsorships of club events and tournaments are exempt).”

**6. Public Access to courts and Prime Time Hours**

Appendix C of the Policy refers to Public Access to Courts and the classification of Prime Time hours during week days and weekends. Public access to tennis courts will be provided for a minimum of 4 hours/court/week subject to a minimum of 16 hours/ week for each Club.

Note: Of the seven (7) Clubs, 2 Clubs will be required to confirm to the minimum 16 hours/week/Club, two (2) Clubs will conform to the minimum 16 hours/week/ Club while three (3) Clubs will be able to provide 24 hours/week/Club.

**7. Responsibility for payment related to Utilities and Services**

Clause 5.2.1 of the Policy refers to Tennis Courts Maintenance and includes the following:

“The repairs and maintenance costs of lights and fences will be borne by the City. All hydro costs for the lights will be borne by the Clubs”

Clause 5.2.2 of the Policy refers to Club House Maintenance and includes the following:

“The routine service, repairs and maintenance costs for proper upkeep of the club house as well as hydro, gas, and janitorial services will be borne by the Club.”



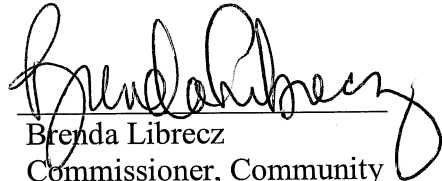
Note: Council approved in principle the Policy in June 2013 included payment of water and sewer costs to be made by the Club (even though the City was bearing this cost before). Based on discussions with the Clubs it has been recommended to revert back to the City bearing this cost as has been the practice.

Apart from the concerns from the Clubs being considered in the enclosed Policy there were certain administrative requirements relating to Management Committee composition (inclusion of a Ontario Tennis Association (OTA) representative), decisions of the Committee requiring consensus, invoicing deadlines, following City policies relating to outstanding receivables were updated.

**FINANCIAL CONSIDERATIONS:**

The enclosed policy identifies that the City of Markham assume 50% of the responsibility for major capital repairs to the envelope and systems of the building. This will ensure that all work is being done regularly, and that facilities are subjected to annual assessment. In June 2013 report staff identified that the cost to the City to administer this program has been included in the Life Cycle Replacement Reserve.

**RECOMMENDED BY:**

  
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Mary Creighton  
Director, Recreation  
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Paul Ingham  
Director, Operations  
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Phoebe Fu  
Director, Asset Management  
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Brenda Librecz  
Commissioner, Community  
& Fire Services

**ATTACHMENTS:**

1. Tennis Clubs Policy