



Date: October 2, 2001

TO: Board Members - Parks and Recreation
FROM: General Manager - Parks and Recreation
**SUBJECT: DR SUN YAT-SEN CLASSICAL GARDEN SOCIETY -
OPERATING AGREEMENT RENEWAL**

RECOMMENDATION

- A. *THAT the Board approve a 15 year renewal to the operating agreement to the Dr Sun Yat-Sen Garden Society of Vancouver, with the rent remaining at \$1.00 per annum and any changes being subject to the approval of the General Manager and Director of Legal Services.***
- B. *THAT this agreement includes provisions that the horticultural and operations support presently funded by the Board be reviewed on an annual basis.***
- C. *THAT no legal rights shall arise and no consents, permissions or licences are granted hereby and none shall arise or be granted hereafter unless and until all contemplated legal documentation has been executed and delivered by all parties.***
- D. *THAT once the form of all legal documentation has been approved by the General Manager and the Director of Legal Services for the City of Vancouver, that the General Manager be authorized to execute and deliver such documentation on behalf of the Board.***

BACKGROUND

On July 21, 1986 the Board approved a 15 year operating agreement with the Dr Sun Yat-Sen Garden Society of Vancouver.

On August 27, 1990 a delegation from the Society appeared before the Board to request the Board's assistance in the maintenance program at the Garden. The Society was experiencing serious financial and operating problems in the restoration of the Garden. The Society requested additional funding in its budget to provide for necessary repairs and for horticultural and building maintenance.

From 1990 onwards funding has been allocated to the Society to assist with these costs. In 2001 it totaled \$67,500.

On July 19, 1999 the Board gave approval in principle to the Society to expand the Classical Garden in front of the present gift shop for the purpose of an education / presentation hall, public washrooms, a volunteer lounge and a larger gift shop.

At the same meeting the Board also gave approval in principle to the donation of a seven storey pagoda to be built in Dr Sun Yat-Sen Park and operated by the Society. Due to increasing cost estimates for this project the donor eventually withdrew his offer to finance the pagoda.

The Dr Sun Yat-Sen Gardens was until recently the only authentic Classical Chinese Garden outside of China. Last year other Gardens opened in Portland, Oregon and New York City.

DISCUSSION

The Dr Sun Yat-Sen Garden exists to promote peace and harmony through an appreciation of classical Chinese symbolism and design. Designed and constructed in the authentic tradition of the Ming dynasty, the Garden is made mainly of materials brought from China.

The Dr Sun Yat-Sen Society was formed in 1981 with the purpose of raising funds for the development of the Gardens. In 1985 the Society requested authority to operate and administer the Garden and this was approved by the Board.

The Society has requested that their operating agreement with the Board be renewed for a further 15 year term. (August 1, 2001 - July 31, 2016). In order to plan effectively for the future and continue to solicit funds for their expansion it is believed that a 15 year term is justified. The Gardens have been well managed in the past and annual attendance is estimated at 92,000 for 2001. Approximately 85% of all visitors are from outside of the Lower Mainland.

Appropriate changes to update the agreement will be subject to the approval of the General Manager and the Director of Legal Services. Since the Society is non-profit and all proceeds revert back to the Gardens it is recommended that the rent remains at \$1.00 per annum.

Since 1990 the Board has contributed an annual amount to cover some of the horticultural and building maintenance costs at the Gardens. In 2001 the amount was \$67,500. It is recommended that the approval of this allocation is reviewed on an annual basis. Over the next 15 years the Board could be faced with setting budget priorities and thus requires the flexibility to adjust this budget if necessary. It is also possible that during the term of this agreement if the Society becomes able to fully fund all operational maintenance at the Gardens, then their budget will be adjusted accordingly.

SUMMARY

The Dr Sun Yat-Sen Garden Society has successfully raised the profile of Chinese culture and operated a Garden that has built a reputation of tranquility and serenity in a heavily populated area of Vancouver.

A further 15 year term will enable the Society to effectively plan for the future and work towards completing the expansion program approved by the Board in 1999.

Prepared by:

Revenue Services, Stanley District
Board of Parks & Recreation
Vancouver, BC
/pj