

Addendum Item B

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

22 JANUARY 2014

Ground Lease Agreement Jackson's Point Harbour Town of Georgina Update

RECOMMENDATIONS

1. That the Chief of Police be authorized to exercise the option to renew on behalf of The Board, the lease for a further period up to 25 years upon a negotiated market rent.

SYNOPSIS

Since 2011, York Regional Police has budgeted funds for the establishment of a water-based facility for the Marine Unit. At the January 23, 2013 Police Services Board Meeting, the Board authorized the proposed ground lease of land and use of docking facilities between the Board and The Corporation of the Town of Georgina, at Jackson's Point Harbour, 1 Bonnie Boulevard, Jackson's Point for a period of 25 years at an annual cost of \$18,000.00. The lease term payments commence upon the date that the new facility is occupied for its intended purposes as a Marine Facility by York Regional Police. The anticipated date is April 2015.

At this same meeting and as part of the lease negotiation, it was requested that there be no increase in rent applicable to the 25 year renewal term.

The Corporation of the Town of Georgina approved the proposed construction of the Marine Unit on lands owned by the Town of Georgina at the Jackson's Point Harbour. Since that time, staff have been working with The Regional Municipality of York Legal Services and the Town of Georgina to finalize the lease arrangements in the best interest of both parties.

As part of the finalization of the lease on January 17, 2014, the Town has advised that at year 25, the rental payment due under the lease must be negotiated at a fair and reasonable price based on fair market value. If the Town of Georgina and The Board are unable to agree upon a fair market rent the rent will be determined by arbitration.

For the purposes of establishing a water-based facility for the Marine Unit, the location of Jackson's Pont Harbour will ensure that York Regional Police is able to maintain a long-term, efficient and effective presence on Lake Simcoe, which will ensure that York Regional Police is prepared to respond to the future development of the Town of Georgina area and enhance our capacity to serve the community.

FINANCIAL IMPLICATIONS

The ground lease rent is \$18,000.00 per annum, payable monthly in advance in the amount of \$1,500.00 per month. As the lease commencement date does not occur until such time as the building is completed and the space is occupied by York Regional Police for its intended use, it is anticipated that the lease costs will commence in 2015 and will be included in the 2015 Budget.

York Regional Police will be solely responsible for the cost of the construction, operation and maintenance of the building. At the end of the lease, The Town of Georgina will acquire ownership of the building at no cost; however, execution of the lease will rely on a provision that the Town does not have any right to terminate the lease during the course of the lease or the renewal period which would allow York Regional Police to maintain the use as a Marine Facility over a 50-year period.

BACKGROUND

As per the *Provincial Adequacy Standards*, York Regional Police is responsible for providing police services on all navigable waterways and courses of water within its jurisdictional boundaries. Consequently, its greatest waterway policing responsibility is maintaining a presence on Lake Simcoe. In addition to being directly responsible for the 350 square kilometers of the Lake that fall within the territorial jurisdiction of York Regional Police, the *Canadian Shipping Act* dictates that in emergent situations, York Regional Police must provide policing services to the entire 750 square kilometers of Lake Simcoe, regardless of jurisdictional boundaries.

In accordance with its legislated responsibilities, the 11 full-time members, four alternate members of the Marine Unit and the additional 11 part-time members of the Underwater Recovery Team maintain a year-round presence on Lake Simcoe. Depending upon the time of year and conditions, the Unit is able to respond to calls for service via vessel, airboat, all-terrain vehicle or snowmobile 24 hours a day, seven days a week.

Boating, swimming, fishing, ice fishing, snowmobile and all-terrain vehicle enthusiasts alike, as well as island commuters, all contribute to the demands for service on Lake Simcoe. Not including vessels that visit Lake Simcoe, Transport Canada estimates that there are between 7,000 and 10,000 vessels registered in the area. In addition, in 2012, there were approximately 4,200 ice huts registered to local residents.

The lease of the land and use of the municipal docks and parking are addressed in the ground lease and funds have been identified in the 2014 Budget for the construction of a new Marine Facility.

The facility would be a one level facility of approximately 9,000 square feet containing office space for staff, meeting/parade room, locker rooms, kitchen space and appropriate storage space for the Marine Unit equipment and three enclosed slips for the larger vessels. As required by the Town of Georgina, the proposed facility would include a small harbour office with tourism information, public washrooms and showers as part of the ongoing partnership with the Town. Pending the necessary approvals, it is anticipated that the facility would be completed and occupied by the April 2015.

As the community continues to grow and develop, and to ensure that York Regional Police is capable of providing efficient and effective policing services on Lake Simcoe, it is recommended that the Board proceed with the conditions of the lease and authorize the tendering of the project for the purposes of constructing a Marine Facility.

A handwritten signature in black ink, consisting of several loops and curves, enclosed within a hand-drawn oval border.

Eric Jolliffe, M.O.M., BA, MA, CMM III
Chief of Police

EJ:bs
Attachment