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NEW LEASED SPACE AT THE TANNERY MALL FOR COURT SERVICES

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated February 9, 2009, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. The Region enter into a one-year and one-month lease, commencing on April 1, 2009 with Bonseph (Tannery) Ltd. located at 465 Davis Drive, Suites 206-207 in Newmarket, on behalf of Court Services to expand courtroom requirements for approximately 2,116 square feet of space.
2. The Regional Chair and the Regional Clerk be authorized to execute the lease on behalf of The Regional Municipality of York, subject to review by Legal Services, Corporate Services Department.
3. The Commissioner of Corporate Services be authorized to sign a lease extension agreement with the landlord, if required, for up to an additional five-year term at the then current market rent, subject to review by Legal Services.

2. PURPOSE

This report recommends that the Region enter into a lease for Court Services, so that it can expand its existing space on the second floor of the Tannery Mall to include a new court room and expanded waiting area.

3. BACKGROUND

Workload continues to increase

In order to comply with the Charter of Rights, the Provincial Offences Act and the Memorandum of Understanding, Court Services must provide the public with access to justice in a timely fashion.

York Region Court Services are the second largest Provincial Offences Act (POA) court operation in Ontario (based on number of charges filed). Presently York Region operates at 170% of the average volume of charges per court room when comparing with other local POA court offices. The workload has grown on an average of 12.5% per year.

These volumes are dictated by activity levels of enforcement agencies and are not controllable by court staff or judicial officers.

Not only are the number of charges laid increasing, more defendants are requesting court dates rather than paying the set fine.

Court Services received Council approval of its capital budget on December 18, 2008 for this Capital Project.

Approximately 2,116 square feet of space adjacent to the existing court administration area has become available at the Tannery. This space is required to enable the construction of a further courtroom contiguous to the existing secure judicial corridor.

4. ANALYSIS AND OPTIONS

Space is available adjacent to existing Courts

Property Services staff conducted a search for available office space within Newmarket in order to accommodate Court Services' request for additional space. Coincidentally, space became available at the Tannery Mall adjacent to the existing Court Services space.

To locate the new courtroom adjacent to existing space at the Tannery Mall is the most cost effective and expedient option. The lease period is until May 2010 at which time the lease for the existing Court space expires. This will enable a consolidated new courts lease to be negotiated in 2010. The Courts facility at the Tannery Mall may be relocated to the new Central Services Centre in 2012.

5. FINANCIAL IMPLICATIONS

The capital budget has been approved by Council

Property Services Branch has reached a tentative agreement with the Landlord, whereby the said space would be leased by the Region upon the same terms and conditions as the existing lease, for a gross rent of \$17.00 per square feet.

Table 1
Lease Cost Analysis for Court Services

Lease Term	Proposed Gross Annual Rent
One-Year and One-Month	\$35,972.00

Annual costs noted in Table 1 include base rent, operating costs, realty tax and utilities.

This proposed lease complies with the Region's recently amended Capital Financing and Debt Policy relating to financing leases, such amendment being approved by Council on September 18, 2008, (Clause 8 of Report No. 7 of the Finance and Administration Committee held September 18, 2008).

All capital costs associated with this lease (\$600,000) were included in the approved 2009 Capital budget. The operating costs will be accommodated in the proposed Corporate Services Department 2009 Operating Budget.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

7. CONCLUSION

This office space at the Tannery Mall will accommodate staff in a convenient and cost-effective location, and consolidate Court Service facilities in Newmarket.

For more information on this report, please contact Barry Crowe, Director Property Services at Ext. 1684.

The Senior Management Group has reviewed this report.