

Clause 23 in Report No. 9 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 18, 2017 and made public on May 25, 2017.

Committee of the Whole recommends adoption of the recommendations contained in the following report dated April 27, 2017 from the Commissioner of Corporate Services.

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Acquisition of Land
20 Bonnie Boulevard
Town of Georgina

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the following land required for a York Regional Police (YRP) marine facility in the Town of Georgina.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	2542960 Ontario Inc.	20 Bonnie Boulevard, Georgina	Part Block G Plan 69 and, Part Lots 13 & 14 Plan 168 (former Village of Sutton) and, Part of Water Lot in Front of Lot 2, Concession 9, Township of Georgina	Fee Simple
			Part Block G Plan 69 and, Part of Water Lot in Front of Lot 2, Concession 9, Township of Georgina	Permanent Easement
The permanent easement required is described as a limited interest in perpetuity being a permanent easement or rights in the nature of a permanent easement for unrestricted access in, over, along and through the Water Lot.				

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2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.
3. Council report back to Police Services Board with its recommendations.

2. Purpose

This report seeks Council approval to acquire land for the YRP marine facility in the Town of Georgina, as shown on the map in Attachment 1.

This report is being considered in private as it relates to a proposed acquisition of land by the Region pursuant to section 239(2)(c) of the *Municipal Act, 2001*, S.O. 2001, c.25.

3. Background

The York Regional Police (YRP) marine facility is currently located on Cook's Bay in Keswick

Since 2001, the YRP Marine Unit has moored its vessels and maintained a small office at Crate's Marina (now Krate's Marina) in Keswick. The present setup utilizes space at 3 District for additional offices and storage, approximately 11 kilometres away. The separation between the marina and 3 District results in an operational unit that is not as efficient as being located on one property on Lake Simcoe.

YRP has been searching extensively for a new Marine Unit location to replace its current facility

YRP has been searching for a property that would be suitable for a purpose built replacement facility since 2009. This involved an in depth search which evaluated over 25 properties. The YRP marine facility's operational requirements for water depth, access and office accommodation limit the number of suitable properties.

Two properties were identified as potential candidates, one in 2012 and one in 2015, that initially appeared to meet YRP's criteria for water access, size and location. Due diligence was undertaken and on closer scrutiny, neither property resulted in a recommendation due to water depth, access issues and environmental concerns.

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An opportunity to partner with MSR Holdings Inc. (MSR) was presented to the Police Services Board in March 2016

On March 23, 2016, the Police Services Board approved a report from the Chief of Police outlining an opportunity to enter into an agreement with MSR for a 50% interest of an existing marina known as Bonnie Boats Marina. The site is situated on Lake Simcoe at 20 Bonnie Boulevard in the community of Jackson's Point in Georgina.

On October 26, 2016, the Police Services Board authorized the Chief to enter into negotiations with MSR for a portion of the lands for the development of a new YRP marine facility.

4. Analysis and Implications

YRP has confirmed that the site is well suited for a police marine facility

YRP has reviewed the Bonnie Boats Marina property and found it to provide the features required to provide their services to the lake community.

Bonnie Boats Marina is an established marina with eight buildings including three covered water slips and 60 boat slips that have been at this location since approximately 1950. It has a channel with covered boat slips and offers year round boating and ice fishing services. The entire property is about 3.41 acres in size including a 1.41 acre water lot which was granted to Bonnie Boats Marina and its successors in title by Her Majesty The Queen in Right of Canada on July 17, 1991. Water lots can be held in private ownership but only if the owner owns the adjacent waterfront property (i.e. uplands). The subject water lot was designated as a water lot by Her Majesty the Queen in Right of Canada (by Crown patent). MSR's successor in title was granted exclusive rights to the land under the water as well as exclusive uses, passage and enjoyment of the water through the Crown patent.

The MSR proposal for the subject property includes redevelopment on approximately half the site and the transfer of the other half to the Region for a YRP marine facility. A share of the established marina offered the necessary amenities for the facility.

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Negotiations have been successfully completed

Negotiations have been successfully completed with the developer and an Agreement of Purchase and Sale is being prepared. In accordance with the Region's Corporate Land Acquisition Policy, two independent appraisals were completed in October and November 2016 to determine compensation for the land. MSR purchased the subject property under the name 2542960 Ontario Inc., now MSR Lalu Jackson's Point Inc., on January 17, 2017.

The proposed transaction will involve the acquisition by the Region of 50 percent of the Bonnie Boats land and exclusive use of the water lot via a permanent easement. The purchase price was agreed at 50 percent of the price paid by MSR when it purchased the site in 2017.

A reference plan depicting the property extents is currently underway. The areas shown on the map and draft reference plan in Attachment 2 are approximate. The final reference plan shall be subject to the review and approval by the Region prior to it being deposited.

Environmental due diligence will be completed prior to the Region taking ownership of the Lands

The Agreement of Purchase and Sale with MSR will be conditional upon the Region's standard geotechnical and environmental due diligence requirements which are to be completed by Regional staff's satisfaction prior to acquisition. The agreement will proceed only with the satisfactory completion of the due diligence requirements.

A Phase One Environmental Site Assessment was completed for the subject property in March 2017 and it was recommended that it proceed to a Phase Two Environmental Site Assessment. Staff is in the process of completing this environmental investigation. In the event environmental impacts are identified, staff will consult with Legal Services to take the necessary steps to minimize the risk to the Region.

5. Financial Considerations

The funding for this acquisition is included in the 2017 York Regional Police Capital Budget.

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6. Local Municipal Impact

The construction of a police Marine Unit will support demand for safety, community protection and law enforcement on Lake Simcoe.

YRP has approached the Town of Georgina and has its support for a police marine facility at this location as it promotes the safety of lake uses.

7. Conclusion

The search for a site for the YRP marine facility has been ongoing for over eight years. A number of sites were considered but YRP was not able to find an appropriate location. After continued searching and research, an opportunity arose at Bonnie Boats Marina that meets both the criteria and approval of the YRP.

The Police Service Board authorized YRP and Property Services to conduct negotiations with the new owner of the marina for the purchase of a portion of the site.

Staff has concluded negotiations for the acquisition of the subject property which is required for a three boat slip, office building and storage facility. Accordingly, it is recommended that Council approve the acquisition of the subject lands subject to the Region's due diligence. The acquisition enables the Region to continue providing high level police service and meet future community requirements.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684.

The Senior Management Group has reviewed this report.

April 27, 2017

Attachments (3)

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