



City of  
**Peterborough**

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**TO: Members of the Joint Services Steering Committee**

**FROM: Patricia Lester, City Solicitor, Director of Legal Services**

**MEETING DATE: November 18, 2010**

**SUBJECT: Report OCSP0AJSSC10-001  
Relocation of Provincial Offences Office and Courtroom**

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## **PURPOSE**

A report to provide an update on the relocation of the Provincial Offences Office and Courtroom in 2011.

## **RECOMMENDATION**

That the Joint Services Steering Committee endorse the recommendation outlined in Report OCSP0AJSSC10-001 dated November 18, 2010 of the City Solicitor as follows:

That Report OSCPOAJSSC10-001, be received for information.

## **BUDGET AND FINANCIAL IMPLICATIONS**

There are no budget implications to this Report.

## **BACKGROUND**

### **POA Office - 99 Simcoe Street**

The POA office is presently leased from Peterborough Square and in Report OCSP0AJSSC090-001, Staff provided an update to the Joint Services Steering Committee on the potential relocation of the POA office, due to the inadequacy of both

size and function at its current location. In light of the current lease expiring in October 2010, Staff initiated discussions with Peterborough Square last November, seeking an alternate location in the downtown core, meeting the proximity to the location of the POA Courtroom at 70 Simcoe Street.

### **POA Courtroom – 70 Simcoe Street**

The POA Courtroom is located at 70 Simcoe Street, in a building owned by the City. The City rents the building to the Ministry of the Attorney General (“MAG”) for the Ontario Court of Justice and the City uses courtroom space for the Provincial Offences court, under a licence agreement with MAG. All rental negotiations are conducted with the Ontario Realty Corporation (“ORC”) who act as agent for MAG.

Since the term of the lease with MAG was to expire in December 2009, Staff and representatives from AON Inc. (property manager for the City) commenced negotiations with ORC in early 2009, relating to a new lease rate and ORC’s request for an additional least term. Although ORC representatives made overtures that they wished to use the space occupied by the POA Courtroom, Staff indicated that this was not an option, as the City owned the building.

However, in December of 2009, correspondence was received, indicating ORC was not renewing their licence agreement with the City for use of the POA Courtroom space at 70 Simcoe Street, effective December 31, 2010. Although no licence agreement was ever executed by MAG, the City has used the POA Courtroom for the past 10 years.

Staff wrote to ORC in January 2010, seeking a meeting to resolve the courtroom relocation issue and in June 2010, ORC Staff finally met with the City. The meeting resolve was that ORC indicated they would be contacting MAG to see if they would consider a 10-year lease with the City, at a rental rate to be determined in exchange for the City agreeing to find alternate space for the POA Courtroom. Staff was now in a position to consider relocation and consolidation of both the POA Office and Courtroom.

Staff have received a relocation/design/planning proposal from AON Inc. for rental space within the downtown core and provide for renovations to the space, in accordance with the Provincial Architectural Design Standards for Court Houses.

Presently, ORC has exercised their 5-year renewal option for 70 Simcoe Street and Peterborough Square has agreed to a monthly tenancy for the POA Office at 99 Simcoe Street, with a 5% increase in rental rates.

Staff and AON will continue their negotiations with ORC and in addition, a meeting with all key stakeholders (i.e. the judiciary, enforcement agencies, court services staff) will be established to apprise them of the pending relocation of the POA Courtroom.

It is Staff's intent to report back to JSSC in early 2011 with recommendations regarding the relocation and consolidation of the POA Office and Courtroom.

Submitted by,

Patricia Lester  
City Solicitor, Director of Legal Services

Contact Name:  
Patricia Lester  
Phone – 742-7777 extension 1603  
Fax – 742-3947  
E-Mail – [plester@peterborough.ca](mailto:plester@peterborough.ca)