

## **COMMITTEE OF THE WHOLE - MARCH 26, 2007**

### **EXTENSION OF FIRST RIGHT OF REFUSAL TO LEASE PREMISES - ELECTIONS CANADA - MERINO CENTENNIAL CENTRE**

#### **Recommendation**

The Commissioner of Community Services, in consultation with the Directors of Recreation and Culture and Legal Services, recommends:

1. That Council provide direction to extend the first right of refusal to lease premises for Merino Centennial Centre to Elections Canada from March 31, 2007 to December 31, 2007; and
2. If a federal election is called and Election Canada wishes to lease Merino Centennial Centre, staff is authorized to make the necessary arrangements to facilitate the completion of the lease agreement.

#### **Economic Impact**

There is no economic impact to execute the First Right of Refusal to lease the premises. However, if a lease is executed the City of Vaughan will receive revenue as per the lease agreement.

#### **Communications Plan**

If a federal election is called and Elections Canada leases the premises, staff will meet with the various user groups from Merino Centennial Centre to assist in addressing their various needs.

#### **Purpose**

The purpose of this report is to seek Council direction to extend the first right of refusal to lease premises for Merino Centennial Centre to Elections Canada from March 31, 2007 to December 31, 2007. Also, if a federal election is called during that period, staff request Council approval to execute a lease on behalf of the City of Vaughan with Elections Canada for a seven (7) week period during this time.

#### **Background - Analysis and Options**

On June 12, 2006, Council approved Elections Canada using Merino Centennial Centre for a seven (7) week period should a federal election be called between then and March 31, 2007. In light of the fact that a federal election has not been called to date, Elections Canada has requested approval to change the end date of the first right of refusal from March 31, 2007 to December 31, 2007. (*Lease of City Building – Merino Centennial Centre. Council, June 12, 2006, Item 6, Committee of the Whole, Report No. 33*)

Staff request Council direction to extend the first right of refusal to lease the premises for Merino Centennial Centre to Elections Canada from March 31, 2007 to December 31, 2007. Also, if approved by Council and a federal election is called during that period, staff request Council approval to execute a lease agreement between the City of Vaughan and Elections Canada for a seven (7) week period.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

### **Regional Implications**

None

### **Conclusion**

Staff seek Council direction to extend the first right of refusal for lease premises for Merino Centennial Centre to Elections Canada from March 31, 2007 to December 31, 2007. Also, if a federal election is called during this time period, staff request Council approval to execute a lease on behalf of the City of Vaughan with Elections Canada for a seven (7) week period. All other terms and conditions will remain as approved by Council in June 12, 2006. (*Lease of City Building – Merino Centennial Centre. Council, June 12, 2006, Item 6, Committee of the Whole, Report No. 33*)

### **Attachments**

1. Letter from Elections Canada dated February 14, 2007
2. Lease of City Building – Merino Centennial centre. Council, June 12, 2006, Item 6, Committee of the Whole, Report No. 33

### **Report Prepared By**

Diane LaPointe-Kay, Director, Recreation and Culture  
Glyn Onizuka, Solicitor

Respectfully submitted,

Marlon Kallideen  
Commissioner of Community Services

MARILYN IAFRATE  
Returning Officer for Vaughan

February 14, 2007

Ms. Diane LaPointe-Kay  
Director of Recreation & Culture  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

**RECEIVED**

FEB 21 2007

OFFICE OF DIRECTOR OF  
RECREATION AND CULTURE

Dear Ms. LaPointe-Kay:

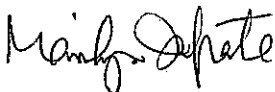
On behalf of Elections Canada, I am writing this letter to ask for an extension of The Right of First Refusal To Lease Premises agreement that was signed by both parties on July 1, 2006. A cheque for \$1,000 was received by the City in July of 2006 as per the agreement. The current agreement will expire on March 31, 2007.

At this time Elections Canada would like to ask that the agreement be extended to December 31, 2007. All four user groups currently housed at Merino Centennial Centre have been contacted and asked for their comments. All groups are in agreement with the extension.

Understanding that there is a formal process for you to undertake with Vaughan Council, it is important that this process is initiated as soon as possible. All financial arrangements remain the same.

If you require further information to prepare your item for Council, please do not hesitate to contact me by e-mail at [marilyn.iafrate@elections.ca](mailto:marilyn.iafrate@elections.ca) or by phone at 905.832.0661.

Respectfully,



Marilyn Iafrate  
Returning Officer for Vaughan

cc: Marlon Kallideen, Commissioner Community Services

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006**

Item 6, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

***By approving the recommendation of the Commissioner of Community Services, dated May 29, 2006; and***

***By receiving the confidential memorandum from the Director of Legal Services and the Manager of Real Estate, dated June 9, 2006.***

**6                      LEASE OF CITY BUILDING – MERINO CENTENNIAL CENTRE**

**The Committee of the Whole recommends that this matter be referred to the Council meeting of June 12, 2006, for a further report addressing Members of Council's comments:**

**Recommendation**

The Commissioner of Community Services in consultation with the Directors of Recreation and Legal Services recommends:

- 1) That Council grant permission to Elections Canada for the use of the Merino Centennial Centre;
- 2) That staff be authorized to make the necessary arrangements including such matters as finalizing the dates and process to facilitate the completion of the lease agreement; and
- 3) That a by-law be enacted to authorize the execution of a Right of First Refusal to Lease Premises Agreement and a Lease Agreement between Elections Canada and the City of Vaughan.

**Economic Impact**

The economic impact of this initiative will result in the City of Vaughan receiving remuneration in the amount of \$7,000.00 plus GST from Elections Canada in exchange for the use of Merino Centennial Centre for a two month period, plus an additional amount on behalf of the four user groups that use Merino Centennial Centre. The remuneration from Elections Canada to the City of Vaughan will be used to offset operating expenses for maintenance, hydro, etc.

**Purpose**

The purpose of this report is to seek Council approval to grant permission to Elections Canada for the use of the Merino Centennial Centre for a seven (7) week period (compensation for 8 weeks) in the event a federal election is called between now and March 31, 2007.

**Background - Analysis and Options**

Elections Canada is requesting permission to lease the Merino Centennial Centre on Merino Road in Maple. They would like to gain access for a seven week period, beginning as soon as an election is called, but have agreed to pay rent for a two month period. The Returning Officer for Vaughan has requested that this item be placed on the agenda in the event an election may be called between now and March 31, 2007 in order to make the appropriate arrangements.

The building that Elections Canada is interested in is the Merino Centennial Centre. Elections Canada is proposing to pay the City of Vaughan rent of \$3,500.00 per month for a two month period for a total of \$7,000.00 plus GST.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

#### Item 6, CW Report No. 33 – Page 2

The City of Vaughan will be paid an additional amount on behalf of the four user groups that use Merino Centennial Centre for their loss of usage of the Merino Centennial Centre to be disbursed to the four user groups after the final payment from Elections Canada is received. The City will ensure that the common space of the building is free of furniture, the security access code will be changed and given only to Elections Canada as well as make the necessary parking arrangements.

In addition to executing the Elections Canada Lease Agreement referred to as the Lease for Returning Officer's Office, the City of Vaughan and Elections Canada will also be executing a separate Right of First Refusal to Lease Premises Agreement, which gives Elections Canada a right of first refusal to lease the Merino Centennial Centre. The City of Vaughan has no objections to this Agreement.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

#### **Conclusion**

It is recommended that Council grant permission to Elections Canada for the use of the Merino Centennial Centre for a seven (7) week period between now and March 31, 2007 in the event a federal election is called and that the City of Vaughan be compensated for a two month period at a rate of \$3,500/month with an additional amount provided by Elections Canada to compensate the four user groups that utilize the facility. On receiving notification of the impending election, it is also recommended that staff be authorized to make the necessary arrangements including such matters as finalizing the dates, processing the completion of the lease agreement, and that a by-law be enacted to authorize the execution of a Right of First Refusal to Lease Premises Agreement and a Lease Agreement between Elections Canada and the City of Vaughan to ensure the necessary arrangements are in place should an election be called shortly.

#### **Attachments**

None

#### **Report prepared by:**

Diane LaPointe-Kay, Director of Recreation and Culture  
Glyn Onizuka, Solicitor