

THE REGIONAL MUNICIPALITY OF YORK

Housing York Inc.
September 14, 2005
Report of the
General Manager

LEGAL AGREEMENTS TO EFFECT LAND TRANSFER 18838 YONGE STREET, TOWN OF EAST Gwillimbury TRANSITIONAL AND SUPPORTIVE HOUSING SERVICES OF YORK REGION

1. RECOMMENDATIONS

It is recommended that:

1. The Corporation be authorized to enter into an Assignment Agreement under which it will assume the responsibilities and obligations of The Regional Municipality of York under a certain Agreement of Purchase and Sale between Transitional and Supportive Housing Services of York Region ("TSHSYR") with respect to the property known municipally as 18838 Yonge Street, in the Town of East Gwillimbury (the "Property").
2. Subject to the assignment contemplated in Recommendation #1, the Corporation be authorized to enter into a lease with TSHSYR respecting the Property whereby TSHSYR will continue to provide the current services to clients resident in the facilities on site.
3. Subject to the assignment contemplated in Recommendation #1, the Corporation be authorized to enter into an Operating Agreement with TSHSYR wherein TSHSYR relinquishes certain rights and obligations under the *Social Housing Reform Act, 2000* to Housing York Inc.
4. The Chair and Secretary of the Corporation be authorized to execute the above agreements on the Corporation's behalf, and any ancillary documentation thereto, subject to the review of the Corporation's solicitor.
5. Staff be authorized to take any other steps to give effect to the foregoing.

2. PURPOSE

This report requests the Board's approval for Housing York Inc. (HYI) to enter into a number of legal agreements with The Regional Municipality of York and Transitional and Supportive Housing Services of York Region (TSHSYR), to give effect to the

transfer of ownership of the Property to HYI, and the lease back of the buildings and facilities at the site to TSHSYR.

3. BACKGROUND

The site, currently owned by TSHSYR, has a number of buildings that house vulnerable residents:

- Lakeview Home for Special Care, 19 beds licensed and funded by the Ministry of Health and Long Term Care.
- Porter Place Emergency Shelter for Men, 25 beds funded by York Region under the *Social Housing Reform Act, 2000* (SHRA) and emergency hostel per diems, and 4 additional beds funded by per diems provided on an 80/20 basis by the Ministry of Community and Social Services and the Region.
- Leeder Place Family Shelter, 25 beds in 5 rooms funded by per diems.

In order to facilitate the completion of an expansion of the Leeder Place Family Shelter, in June 2005 Regional Council approved a course of action which would see the Region provide up to \$2.2 million from the Social Housing Reserve Fund conditional on the transfer of the Property to either the Region or HYI. Since the Porter Place facility on site is a social housing project under the *Social Housing Reform Act, 2000* (SHRA), the preferred transferee for the property is HYI which has the infrastructure and expertise to ensure compliance with the SHRA and optimum asset management in the short and long term.

4. ANALYSIS AND OPTIONS

4.1 Legal Framework, Legislative/Program Requirements of Proposed Arrangement

In order to facilitate the Region's control of the completion of the Leeder Place project, the proposed legal structure contemplates a sale to the Region or HYI of the property and a lease back to TSHSYR to enable it to continue to operate the existing shelters and programs. The Ministry of Municipal Affairs and Housing's consent is required to the sale and to the lease, which consent the Region anticipates could be received by October 2005. *Attachment 1* provides an overview of the terms and provisions of the proposed legal agreements or legal transfers between the applicable parties and the consents required.

4.2 Condition of Existing Buildings

The Region commissioned a Building Condition Audit (BCA) of the existing facilities and the highlights of the consultant's findings were:

- All three buildings are structurally sound.
- Bathrooms have experienced hard use and there is evidence of water damage.
- There is evidence of mould growth in some areas of the buildings.

- Concrete walkways and steps are worn and uneven in places posing a safety hazard for residents and staff.
- There is a need for a planned maintenance program.

Over the summer months the Region oversaw the remediation of the identified mould contamination and renovation of bathrooms, and began work on steps and walkways. This work is being funded from the approved 2005 Social Housing Budget and the current TSHSYR capital reserve.

5. FINANCIAL IMPLICATIONS

It is intended that HYI assume responsibility for asset management of this property and as a result funding would be re-directed to HYI from the current TSHSYR project budget to meet operating and capital requirements. Therefore there should be no additional cost to the Region as a result of this transfer.

6. LOCAL MUNICIPAL IMPACT

Participation in this project by HYI will contribute to the stability of the programs on site which provides vital services as the only emergency shelters for adult men and families in the Region. HYI support will also facilitate the completion of the Leeder Place expansion to ensure that homeless families can receive shelter services within the Region rather than being referred elsewhere.

7. CONCLUSION

Control of the site through HYI and project leadership from Regional staff will ensure that a successful completion of the Leeder Place expansion can occur in a reasonable time frame with appropriate cost controls. Moving forward in the recommended manner will reduce adverse community impacts and ensure the stability of TSHSYR who are currently the only provider of emergency shelter services in the Region.

The Senior Management Group has reviewed this report.

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Reviewed by:

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Approved for Submission:

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August 24, 2005

Attachment - 1

KK/dm

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