



**THE REGIONAL MUNICIPALITY OF PEEL
PHC SPECIAL SHAREHOLDERS MEETING**

AGENDA

PHCSSM - 1/2019

DATE: Thursday, September 12, 2019

TIME: 9:00 a.m. - 9:30 a.m.

LOCATION: Regional Council Chamber, 5th Floor
10 Peel Centre Drive, Suite A
Brampton, ON

MEMBERS: P. Brown; G. Carlson; B. Crombie; D. Damerla; S. Dasko; G. S. Dhillon;
J. Downey; C. Fonseca; P. Fortini; A. Groves; N. Iannicca J. Innis;
J. Kovac; M. Mahoney; S. McFadden; M. Medeiros; M. Palleschi;
C. Parrish; K. Ras; P. Saito; R. Santos; I. Sinclair; R. Starr;
A. Thompson; P. Vicente

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. DELEGATIONS

4. COMMUNICATIONS

5. REPORTS

5.1. Peel Housing Corporation Board – Appointment of Director

5.2. Proposed Transfer of a Permanent Easement for Any and All Utilities to the Regional Municipality of Peel, Located at 160 Murray Street, City Of Brampton

5.3. Peel Housing Corporation Board – Amendment to Shareholder Direction

6. BY-LAWS

7. ADJOURNMENT



REPORT
Meeting Date: 2019-09-12
PEEL HOUSING CORPORATION

DATE: August 28, 2019

REPORT TITLE: **PEEL HOUSING CORPORATION BOARD – APPOINTMENT OF DIRECTOR**

FROM: Janice Sheehy, Commissioner of Human Services

RECOMMENDATION

That Cathy Granger be appointed to the Peel Housing Corporation Board of Directors, replacing Andrea Warren, for the remainder of the two-year term ending December 12, 2020 or until a successor is appointed.

REPORT HIGHLIGHTS

- On December 13, 2018, a new composition for the Peel Housing Corporation Board (“the Board”) consisting of Regional staff was approved by Regional Council in its capacity as the sole shareholder of Peel Housing Corporation (“PHC”), at which time Andrea Warren was appointed as a Director of the Board for a two-year term.
- Effective September 30, 2019, Andrea Warren will begin her role as the General Manager of Peel Housing Corporation. To avoid any possible conflict of interests, Andrea Warren resigned her position as a Director on the Board effective July 16, 2019.
- In accordance with section 6.7 of the Shareholder Direction, a successor will be recommended by the Chief Administrative Officer (CAO) to the Shareholder for appointment to Board to replace a Director that has resigned.
- Cathy Granger, Acting Commissioner of Health Services, is recommended to replace Andrea Warren as a Director on the Board for the remainder of the two-year term ending December 2020.

DISCUSSION

1. Background

On December 13, 2018, Regional Council, in its capacity as sole shareholder of Peel Housing Corporation, approved the establishment of a Board of Directors of Peel Housing Corporation comprised of Region of Peel staff. The Board’s mandate is focused primarily on overseeing day-to-day operations. Also at that time, Regional Council approved, through the Shareholder Direction, the process for replacing Board members who may resign during their term. In accordance with section 6.7 of the Shareholder Direction “A director may resign from office upon giving a written

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PEEL HOUSING CORPORATION BOARD – APPOINTMENT OF DIRECTOR

resignation to the Corporation and such resignation becomes effective when received by the Corporation or at the time specified in the resignation, whichever is later”.

Andrea Warren tendered her resignation effective July 16, 2019 to avoid any possible conflict of interest related to her appointment as General Manager of PHC. The Board accepted her resignation at its August 15, 2019 meeting. Andrea Warren will assume her responsibilities as General Manager on September 30, 2019.

In accordance with section 6.7 of the Shareholder Direction, “*a successor will be recommended by the CAO to the Shareholder for appointment to replace the Director that has resigned.*” The Interim CAO is recommending that Cathy Granger, Acting Commissioner of Health Services, be appointed to replace Andrea Warren on the Board for the remainder of the two-year term ending December 12, 2020, or until a successor is appointed.



Janice Sheehy, Commissioner of Human Services

Approved for Submission:



N. Polsinelli, Interim Chief Administrative Officer

For further information regarding this report, please contact Bruno Colavecchia, Acting General Manager, Extension 3604, bruno.colavecchia@peelregion.ca

Authored By: Lindsay Sieben

Reviewed in workflow by

Legal Services



REPORT
Meeting Date: 2019-09-12
PEEL HOUSING CORPORATION

DATE: August 20, 2019

REPORT TITLE: **PROPOSED TRANSFER OF A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES TO THE REGIONAL MUNICIPALITY OF PEEL, LOCATED AT 160 MURRAY STREET, CITY OF BRAMPTON**

FROM: Janice Sheehy, Commissioner of Human Services

RECOMMENDATION

That the Peel Housing Corporation be authorized to enter into the execution of an Agreement of Purchase and Sale between Peel Housing Corporation and The Regional Municipality of Peel for the transfer of a permanent easement interest in land, for the purposes of any and all utilities, described as Part of Lot 9, Concession 1 West of Hurontario Street, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, designated as Parts 1 and 2 on draft reference plan 15-30-827-02 prepared by J.D. Barnes Limited;

And further, that the permanent easement interest be declared surplus to the needs of Peel Housing Corporation, as vendor, and sold to The Regional Municipality of Peel, as purchaser, the permanent easement interest in the lands, described as Part of Lot 9, Concession 1 West of Hurontario Street, City of Brampton formerly Township of Chinguacousy), Regional Municipality of Peel, designated as Parts 1 and 2 on draft reference plan 15-30-827-02 prepared by J.D. Barnes Limited.

REPORT HIGHLIGHTS

- Approval by Regional Council, being the shareholder of Peel Housing Corporation as outlined in the Shareholder Direction, is required to declare the permanent easement interest as surplus and sell the permanent easement interest to The Regional Municipality of Peel (the "Region"), as per the Agreement of Purchase and Sale.
- A permanent easement interest is required by the Region as part of the Region's redevelopment project to construct the new Seniors Health and Wellness Village.

DISCUSSION

1. Background

Peel Housing Corporation ("PHC") is the registered owner of the property at 160 Murray Street (Manorbridge Place), being located along the east side of Murray Street in the City of Brampton and legally described as Part of Lot 9, Concession 1 West of Hurontario Street, City of

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PROPOSED TRANSFER OF A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES TO THE REGIONAL MUNICIPALITY OF PEEL

Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, designated as Parts 1, 2 and 3 on Reference Plan 43R-12127, save and except Parts 3 and 4 on Reference Plan 43R-12616; and Part of Block 150, Registered Plan 43M-597, City of Brampton, Regional Municipality of Peel, designated as Part 1 on Reference Plan 43R-12620 (the "PHC's Lands").

The Region of Peel is the owner of those lands located on the west side of Main Street North, and legally described as Part of Lot 9, Concession 1 West of Hurontario Street, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, designated as Parts 1, 2 and 3 on Reference Plan 43R-18116, save and except Parts 1, 2 and 3 on Reference Plan 43R-33020 (PIN 14116-0224(LT)) and Part of Block 151, Registered Plan 43M-597, City of Brampton (formerly Township of Chinguacousy), Regional Municipality of Peel, designated as Part 5 on Reference Plan 43R-37677 (PIN 14116-0225(LT)) (the "Region's Lands").

On September 09, 1985 by Instrument RO726544, the Region transferred PHC's Lands to PHC, which included the reservation of a permanent easement in favour of the Region of Peel over Parts 1 and 2 on Reference Plan 43R-12616 for the purpose of any and all utilities.

At the time of the transfer, the Region failed to reserve a permanent easement in the Region's favour for the purpose of any and all utilities for the Region's existing gas line on, over, under and through a portion of the PHC's Lands, designated as Parts 1 and 2 on draft reference plan 15-30-827-02 prepared by J.D. Barnes Limited (the "Proposed Permanent Easement Lands") which are the subject of this report.

In addition to the existing gas line, the Region of Peel intends to construct the new Seniors Health and Wellness Village on the Region's Lands and proposes to also relocate a watermain, storm water pipe and a sanitary sewer (the "Works") within the Proposed Permanent Easement Lands which will allow for future housing construction on the Region's Lands.

The Region is seeking to acquire a permanent easement interest to construct, install, operate, maintain, inspect, alter, remove, replace, reconstruct, upgrade, enlarge, twin and repair any and all services including but not limited to watermains, storm and sanitary sewers, hydro, gas, fibre optic and telecommunications equipment and related appurtenances on, over, under and through a portion of PHC's Lands designated as Parts 1 and 2 on draft reference plan 15-30-827-02 prepared by J.D. Barnes Limited.

Permanent Easement Interest

The permanent easement interest consists of approximately 0.253 acres or 1,022 square metres (11,001 square feet) extending along the northerly limit of the property, as shown on the attached Appendix I.

Purchase Price

An internal valuation, conducted by the Region's Real Estate team, estimates the market value of the permanent easement lands at \$3,500,000 per acre, with the purchase price calculated as follows:

$$0.253 \text{ acres} \times \$3,500,000.00 \text{ per acre} \times 10 \% = \$88,550.00$$

The permanent easement interest has been apportioned a value of 10 per cent of the market value of the lands due to the minimal reduction in value to PHC's property.

PROPOSED TRANSFER OF A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES TO THE REGIONAL MUNICIPALITY OF PEEL

Financial and Risk Implications

The net proceeds of \$88,550.00 from the sale of the permanent easement interest will be payable to PHC, and any additional costs associated with this transfer will be covered by the Region as reflected in the Agreement of Purchase and Sale.

These funds were not anticipated in the establishment of the 2019 Budget process and as such, their disposition will be provided for as part of the normal year-end financial reporting process. Based on the overall project plan, there is little risk to the organization in adopting these recommendations.



Janice Sheehy, Commissioner of Human Services

Approved for Submission:



N. Polsinelli, Interim Chief Administrative Officer

APPENDICES

Appendix I - Property Sketch

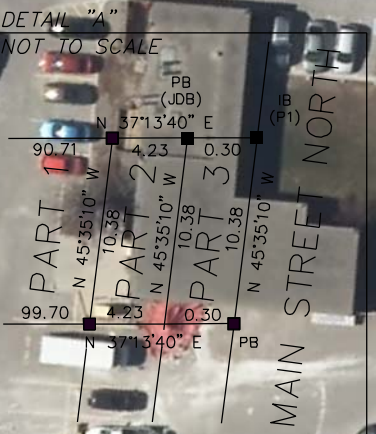
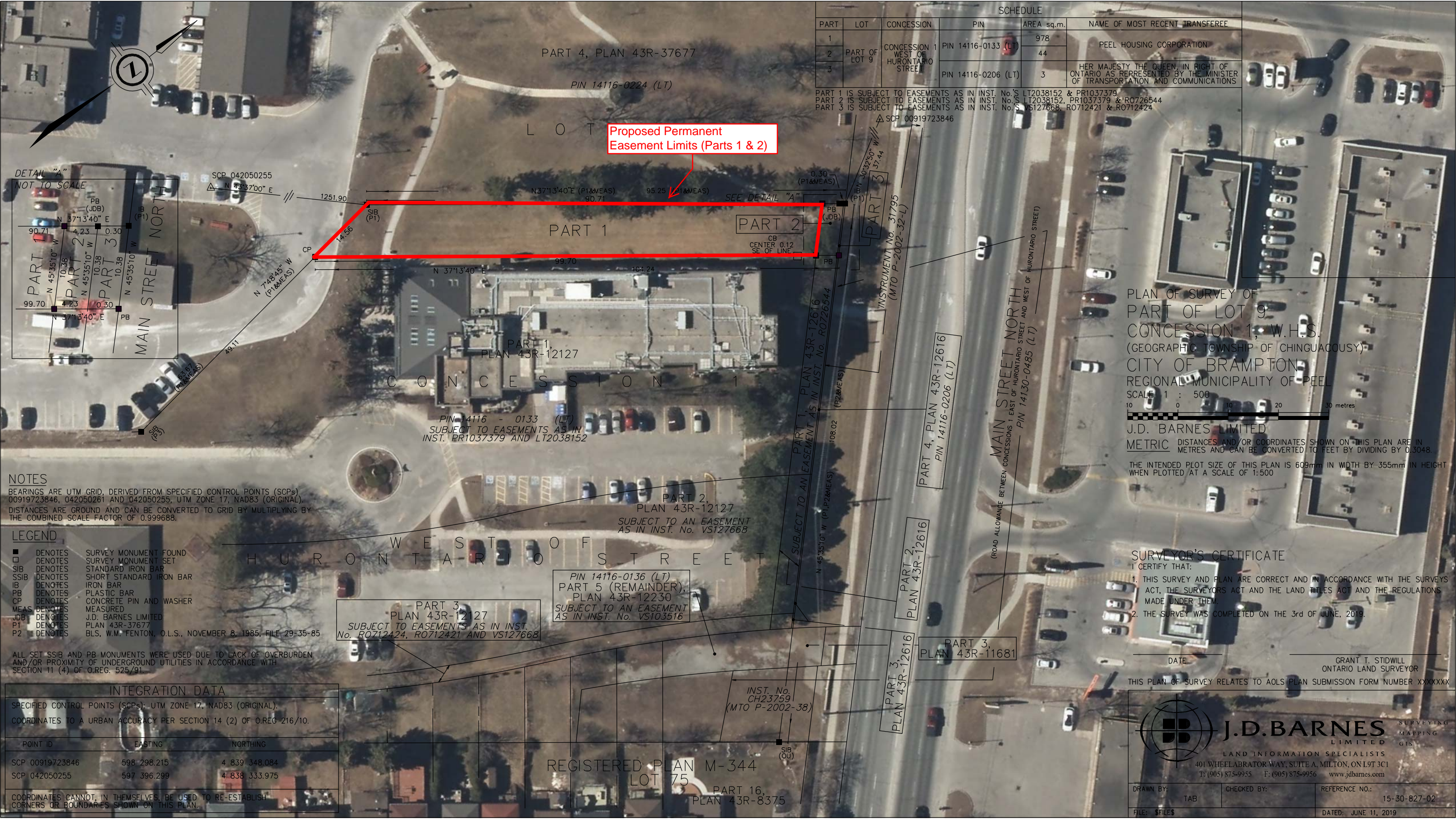
For further information regarding this report, please contact Rose Hercia, Program Manager, Real Property, Ext. 7628, rose.hercia@peelregion.ca.

Reviewed in workflow by:
Legal Services

PROPOSED TRANSFER OF A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES TO THE REGIONAL MUNICIPALITY OF PEEL

SCHEDULE					
PART	LOT	CONCESSION	PIN	AREA sq.m.	NAME OF MOST RECENT TRANSFEREE
1				978	PEEL HOUSING CORPORATION
2	PART OF LOT 9	CONCESSION 1 WEST OF HURONTARIO STREET	PIN 14116-0133 (LT)	44	HER MAJESTY THE QUEEN, IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF TRANSPORTATION AND COMMUNICATIONS
3			PIN 14116-0206 (LT)	3	

PART 1 IS SUBJECT TO EASEMENTS AS IN INST. No.'S LT2038152 & PR1037379.
 PART 2 IS SUBJECT TO EASEMENTS AS IN INST. No.'S LT2038152, PR1037379 & R0726544.
 PART 3 IS SUBJECT TO EASEMENTS AS IN INST. No.'S VS127668, R0712421 & R0712424.



Proposed Permanent Easement Limits (Parts 1 & 2)

PLAN OF SURVEY OF PART OF LOT 9 CONCESSION 1, W.H.S. (GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY) CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL SCALE 1 : 500

J.D. BARNES LIMITED METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 355mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500

NOTES BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCPs) 00919723846, 042050261 AND 042050255, UTM ZONE 17, NAD83 (ORIGINAL). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999688.

LEGEND ■ DENOTES SURVEY MONUMENT FOUND □ DENOTES SURVEY MONUMENT SET SIB DENOTES STANDARD IRON BAR SSIB DENOTES SHORT STANDARD IRON BAR IB DENOTES IRON BAR PB DENOTES PLASTIC BAR CP DENOTES CONCRETE PIN AND WASHER MEAS DENOTES MEASURED JDB DENOTES J.D. BARNES LIMITED P1 DENOTES PLAN 43R-37677 P2 DENOTES BLS, W.M. FENTON, O.L.S., NOVEMBER 8, 1985, FILE 29-35-85

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

INTEGRATION DATA		
SPECIFIED CONTROL POINTS (SCPs): UTM ZONE 17, NAD83 (ORIGINAL).		
COORDINATES TO A URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
SCP 00919723846	598 298.215	4 839 348.084
SCP 042050255	597 396.299	4 838 333.975

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 3rd OF JUNE, 2019.

DATE: _____ GRANT T. STIDWILL ONTARIO LAND SURVEYOR THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER XXXXXX

J.D. BARNES LIMITED
 LAND INFORMATION SPECIALISTS
 401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1
 T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY: TAB	CHECKED BY:	REFERENCE NO.: 15-30-827-02
FILE: \$FILES		DATED: JUNE 11, 2019



REPORT
Meeting Date: 2019-09-12
PEEL HOUSING CORPORATION

DATE: September 4, 2019

REPORT TITLE: **PEEL HOUSING CORPORATION BOARD – AMENDMENT TO SHAREHOLDER DIRECTION**

FROM: Janice Sheehy, Commissioner of Human Services

RECOMMENDATION

That the ammendment to the Peel Housing Corporation Shareholder Direction attached as Appendix I to the report of the Commissioner of Human Services titled “Peel Housing Corporation Board – Amendment to Shareholder Direction“ be approved.

REPORT HIGHLIGHTS

- On December 13, 2018, at a special meeting of the Shareholder, a Shareholder Direction that outlines the relationship and expectations of the Peel Housing Corporation Board of Directors was approved.
- On June 27, 2019 at the Annual General Meeting for Peel Housing Corporation a revised Shareholder Direction was approved by the Shareholder.
- An amendment to the June 27, 2019 Shareholder Direction is being recommended to permit the Board, rather than the Shareholder, to approve transactions involving the transfer of permanent easement interests where such transfer is being made to The Regional Municipality of Peel.
- Staff are undertaking a review of other types of transactions involving land which may be more suitable for approval by the Board rather than the Shareholder. A recommendation for further revision of the Shareholder Direction aimed at streamlining processes while maintaining an appropriate relationship of the Board to the Shareholder will be reported to the Board and brought to the Shareholder for approval once the review is complete.

DISCUSSION

1. Background

On June 27, 2019, at the Annual General Meeting for PHC, Regional Council, in its capacity as the sole Shareholder of PHC, approved revisions to the Shareholder Direction, which were required to align the Shareholder Direction more closely with new PHC By-laws and related governance documents. The Shareholder Direction dated June 27, 2019 (the “2019 Shareholder Direction”) replaced in its entirety, the Shareholder Direction dated December 13, 2018.

Today, an additional change to the 2019 Shareholder Direction is being recommended to permit the Board, rather than the Shareholder, to approve transactions involving the transfer

PEEL HOUSING CORPORATION BOARD – AMENDMENT TO SHAREHOLDER DIRECTION

of permanent easement interests where such transfer is being made to The Regional Municipality of Peel. This recommendation is complementary to a report being brought to the Shareholder today seeking approval of just such a transfer to the Region of an easement at 160 Murray Street required for the purposes of the Region's required in connection with the construction of the Region's new Seniors' Health and Wellness Village. That report serves to illustrate the desirability of streamlining the approval process for such transactions which entail essentially no risk to the Shareholders' interests.

Staff believe that there are other transaction types involving interests in or the use of PHC land that do not warrant a requirement of Shareholder approval. Following a thorough review of their suitability for exemption from Shareholder approval staff will bring forward for consideration a further recommendation for amendment of the Shareholder Direction.

2. Shareholder Direction

The following change is being proposed to the 2019 Shareholder Direction:

- Subsection 9.4.1(b) of the Shareholder Direction be amended to provide that Shareholder approval is not required by the Board for matters relating to the transfer of permanent easement interests where such transfer is made to the Region.

This adjustment will give the Board the authority to approve transfers of permanent easement interests to the Region without seeking approval of the Shareholder for each such transfer.

RISK CONSIDERATIONS

Without the approval of this change, there is a risk that projects that require permanent easement interests where the transfer is made to the Region may be delayed until Shareholder approval is received.

CONCLUSION

Staff are recommending that that the 2019 Shareholder Direction be amended to grant the Board authority to approve transfers of permanent easement interests, without obtaining prior approval of the Shareholder, where such transfer or transfers are made to the Region.



Janice Sheehy, Commissioner of Human Services

PEEL HOUSING CORPORATION BOARD – AMENDMENT TO SHAREHOLDER DIRECTION

Approved for Submission:



N. Polsinelli, Interim Chief Administrative Officer

APPENDICES

Appendix I– Amendment to Shareholder Direction

For further information regarding this report, please contact Jason Hastings, Director Strategic Initiatives at ext. 8135 or e-mail to jason.hastings@peelregion.ca.

Authored By: Harpreet Rai, Program Support Analyst, Strategic Initiatives.

Reviewed in workflow by:
Legal Services

APPENDIX I

PEEL HOUSING CORPORATION – AMENDMENT TO SHAREHOLDER DIRECTION

AMENDMENT TO SHAREHOLDER DIRECTION

THIS AMENDMENT made effective as of the 12th day of September, 2019 (the “Amendment”) amends the Shareholder Direction dated June 27, 2019 from:

THE REGIONAL MUNICIPALITY OF PEEL
(the “Region”)

TO

PEEL HOUSING CORPORATION
(the “Board”)

1. RECITALS

- A. On December 13, 2018, in a special meeting of the Shareholder, Council for the Region, in its capacity as the sole Shareholder of Peel Housing Corporation, approved a Shareholder Direction to, among other things, set out the accountability, responsibility and relationship between the Shareholder and the Board.
- B. On June 27, 2019, at the annual general meeting for Peel Housing Corporation, Council for the Region, in its capacity as the sole Shareholder of Peel Housing Corporation, approved revisions to the Shareholder Direction, which revisions were required to align the Shareholder Direction more closely with new Peel Housing Corporation by-laws and related governance documents. The Shareholder Direction dated June 27, 2019 (the “2019 Shareholder Direction”) replaced in its entirety, the Shareholder Direction dated December 13, 2018.
- C. Additional changes to the 2019 Shareholder Direction are required so as to permit the Board, rather than the Shareholder, to approve transactions involving the transfer of permanent easement interests where such transfer is being made to the Region;

2. INTERPRETATION

- 2.1 Unless the subject matter or context is inconsistent therewith, the terms and phrases in this Amendment shall have the same meaning of those attributed thereto and as defined in the Shareholder Direction.

3. AMENDMENTS

- 3.1 Subsection 9.4.1(b) of the 2019 Shareholder Direction is hereby amended to provide that Shareholder approval is not required by the Board for matters relating to the transfer of permanent easement interests where such transfer is made to the Region.

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**APPENDIX I
PEEL HOUSING CORPORATION – AMENDMENT TO SHAREHOLDER DIRECTION**

4. GENERAL

Except as otherwise provided in this Amendment, all other terms and conditions of the 2019 Shareholder Direction and its Schedules remain unchanged, unmodified and in full force and effect.

DATED at Brampton as of this 12th day of September, 2019.

THE REGIONAL MUNICIPALITY OF PEEL

Per: _____
Name:
Title:

Document Execution No. _____ I/We have authority to bind the Regional Corporation File No. M26246
