

The Corporation of the City of Kawartha Lakes

By-Law 2022-XXX

A By-Law to Authorize Entering into a Municipal Housing Facilities Agreement between the Corporation of the City of Kawartha Lakes and Habitat for Humanity Peterborough & Kawartha Region

In its role as Service Manager for both Kawartha Lakes and the County of Haliburton and in respect of the municipal incentives relating to Registered Plan #365 Lot 66 (Roll 1651 001 008 05003), Lot 67 (Roll 1651 001 008 05004), Lot 68 (Roll 1651 001 008 05005), and Lot 69 (Roll 1651 001 008 05006) located on Helen Drive, Omemee, a 4 unit housing project to be funded pursuant to the Affordable Housing Targets Program (AHTP)

Recitals

1. The City of Kawartha Lakes is the Service Manager and is authorized to operate and manage housing as well as establish, fund and administer programs for the provision of residential accommodation in its service area under the Housing Services Act, 2011, as amended.
2. The Municipal Act, S.O. 2001, c.25, Section 107, as amended, allows municipalities to give grants or aid, on such terms as to security and otherwise that council considers to be in the interest of the municipality.
3. The Municipal Act, Section 110, as amended, allows among other things municipalities to enter into agreements for the provision of municipal facilities by any person and offer tax exemptions and development charge exemptions.
4. Ontario Regulation 603/06, as amended, made under the Municipal Act allows the council of a municipality to enter into an agreement under subsection 110(1) of the Municipal Act for the provision of a variety of enumerated classes of municipal capital facilities.
5. One of those enumerated classes is municipal housing project facilities.
6. Ontario Regulation 603/06, as amended, requires that before a By-law authorizing an agreement respecting municipal housing project facilities is enacted, the municipality must enter into a municipal housing facilities By-law, which must comply with requirements set out in that Regulation;
7. By-law Number 2018-057 of the Corporation of the City of Kawartha Lakes providing for municipal housing project facilities was enacted on the 10th day of April, 2018;
8. Section 2 of By-law 2018-057 permits the Corporation to enter into municipal housing project facilities agreements with housing service providers;
9. Council is desirous of entering into an agreement for the provision of municipal housing facilities with Habitat for Humanity Peterborough & Kawartha Region in respect of the property located at Registered Plan #365 Lot 66 (Roll 1651 001 008 05003), Lot 67 (Roll 1651 001 008

05004), Lot 68 (Roll 1651 001 008 05005) , and Lot 69 (Roll 1651 001 008 05006), located on Helen Drive, Omemee, being a municipal housing project facility.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022-XXX.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Director of Human Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Agreement

2.01 Agreement: The Corporation of the City of Kawartha Lakes is authorized to enter into agreements under subsection 110(1) of the Municipal Act with Habitat for Humanity Peterborough & Kawartha Region for the provision of a municipal housing project facility located at Registered Plan #365 Lot 66 (Roll 1651 001 008 05003), Lot 67 (Roll 1651 001 008 05004), Lot 68 (Roll 1651 001 008 05005), and Lot 69 (Roll 1651 001 008 05006), located on Helen Drive, Omemee, for 4 affordable dwelling unit(s).

Section 3.00: Approvals

3.01 Approvals: The Municipal Housing Facilities Agreement substantially in the form appended to this By-law as Schedule “A” is approved.

- 3.02 **Authorization:** The Mayor and Clerk are authorized and directed to sign the Municipal Housing Facilities Agreement substantially in the form appended to this By-law as Schedule “A”, and to affix the City’s corporate seal to them with such modifications and amendments as the Mayor and Clerk deem necessary or advisable and the Mayor and Clerk are further authorized to execute and deliver any and all documents contemplated by or required in connection with the Municipal Housing Facilities Agreement, and to affix the City’s corporate seal to them, with such modifications and amendments as the Mayor and Clerk deem necessary or advisable.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law:** The Director of Human Services is responsible for the administration of this by-law.
- 4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 28 day of _____, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



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