

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2024-XXX**

### **A By-Law to Authorize Entering into a Municipal Housing Facilities Agreement with Muskoka D & M Corporation**

In its role as Service Manager for both Kawartha Lakes and the County of Haliburton and in respect of the municipal incentives relating to 77 William St N, Lindsay Ontario, PIN 63222-0042(LT). All of Lot 6, North of Wellington Street and Part of Lot 6 South of Bond Street, Town Plot, City of Kawartha Lakes (property address) a 110-unit housing project, with 33 affordable units, to be incentivized 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 2006-262, as amended by By-Law 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 2006-262, as amended by 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 Muskoka D & M Corporation in respect of

the property located at 77 William St N, Lindsay Ontario, PIN 63222-0042(LT). All of Lot 6, North of Wellington Street and Part of Lot 6 South of Bond Street, Town Plot, City of Kawartha Lakes, being a municipal housing project facility.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024-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.

**“Substantial”** means a change in the housing project that is not in accordance with the policies related to the Affordable Housing Target Program and does not have the support of the Manager of Housing.

**“Substantially in the form of”** an affordable housing project that meets the policies related to the Affordable Housing Target Program.

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

Muskoka D & M Corporation for the provision of a municipal housing project facility located at 77 William St N, Lindsay Ontario, PIN 63222-0042(LT). All of Lot 6, North of Wellington Street and Part of Lot 6 South of Bond Street, Town Plot, City of Kawartha Lakes for 33 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.
- 3.03 **Amending Authorization:** The Mayor and Clerk, on the approval of the Manager of Housing, are authorized and directed to sign amendments to the scope, including changes to the number of affordable housing units, that are in accordance with the Affordable Housing Target Program policies and therefore not substantial changes.

### **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 19th day of March, 2024.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk



Municipal Housing  
Facilities Agreement