

BY-LAW NUMBER 57- 2015  
OF  
THE REGIONAL MUNICIPALITY OF DURHAM

A BY-LAW TO AUTHORIZE THE REGION TO ENTER INTO AN AGREEMENT FOR  
THE PROVISION OF MUNICIPAL HOUSING PROJECT FACILITIES

WHEREAS Section 110 of the Municipal Act, 2001 (the "Act") allows a municipality to enter into agreements for the provision of municipal capital facilities; and

AND WHEREAS pursuant to Ontario Regulation No. 46/94, as amended (the Capital Facilities Regulation") municipal housing project facilities are a class of municipal capital facilities;

AND WHEREAS The Regional Municipality of Durham (the "Region") has passed by-law 48-2003 to allow the Region to enter into agreements for the provision of municipal capital facilities;

AND WHEREAS the Region was authorized and had entered into a Service Manager Municipal Housing Facility Agreement with 873815 Ontario Limited (COB as Mahogany Management) (the "Housing Provider") for the provision of municipal capital housing facilities.

AND WHEREAS the Minister of Municipal Affairs and Housing has approved the Affordable Housing project, by issuing a Conditional Letter of Commitment to the proponent thus fulfilling the requirement to allow this by-law containing details that are no longer deemed confidential.

NOW THEREFORE BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham through its Council as follows:

1. THAT the new units developed under the Investment in Affordable Housing for Ontario - Rental Housing Component, owned by 873815 Ontario Limited (COB as Mahogany Management) located at 1658 Ritson Road North, (the "Premises") in the City of Oshawa, in the Regional Municipality of Durham is deemed to be a municipal capital facility to be used as a municipal housing project facility for the purposes of by-law 48-2003.
2. THAT in order to secure Year 2 funding of \$800,000 for ten (10) units under the Investment in Affordable Housing for Ontario (IAH), Home Ownership Component, available funds be redirected to the previously Regional Council approved IAH capital project at 1658 Ritson Road North, Oshawa operated by 873815 Ontario Limited (COB as Mahogany Management).
3. THAT the Regional Chair and Regional Clerk be authorized to enter into and execute any required agreements with 873815 Ontario Limited COB as Mahogany Management related to the administration of the IAH-2014 Extension Rental Housing Component program funding, including, if required, a revised or amending Service Manager Municipal Housing Facility Agreement and/or a Municipal Housing Contribution and Facility Agreement.

4. THAT taxation for municipal and school purposes be equivalent to the single residential rate for approved affordable rental units over the twenty-year program period, for the development proposal submitted by 873815 Ontario Limited (COB as Mahogany Management) as a municipal capital facility for the provision of affordable housing.
5. THAT the tax reduction referred to herein is effective from the first date of tenant occupancy for the new units at the Premises.
6. THAT financing for ongoing monitoring of the recommended project over the twenty-year affordability period to be funded 100 per cent by the Region and included in the future IAH-2014 Extension program budgets, subject to approval of the Annual Business Plans and Budgets.
7. THAT the Regional Clerk provide the Ministry of Municipal Affairs and Housing with written notice of the passage of this by-law.

BY-LAW read and passed this 16th day of December, 2015.

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R. Anderson, Regional Chair & CEO

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D. Wilcox, Regional Clerk