

By-law Number 31-2019

of The Regional Municipality of Durham

Being a by-law to authorize The Regional Municipality of Durham 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 Number 48-2003 to allow the Region to enter into agreements for the provision of municipal capital facilities;

And Whereas the new units developed under the Investment in Affordable Housing for Ontario 2016 Social Infrastructure Fund - Rental Housing Component, owned by 2561741 Ontario Inc. (Newcastle Lodge) located at 153 King Avenue East, (the "Premises") in the Municipality of Clarington, 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 Number 48-2003.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That the Region is authorized to enter into an agreement with 2561741 Ontario Inc. (Newcastle Lodge) (the "Housing Provider") for the provision of municipal capital housing facilities.
2. That the Regional Chair and Regional Clerk be authorized to execute the Agreement and affix the Corporate Seal to the Agreement on behalf of the Region.
3. That if the Municipal Property Assessment Corporation classifies the Premises as multi-residential or new multi-residential for property taxation purposes, then the local municipality in which the Premises reside shall provide a tax rebate to the Housing Provider equivalent to the difference between the multi- residential rate or new multi-residential rate and the residential rate for these new units for so long as this by-law is in force and these units remain with the Investment in Affordable Housing for Ontario 2016 Social Infrastructure Fund Program.
4. That the property tax rebate referred to herein is effective from the first date of tenant occupancy for the new units at the Premises.
5. That the Regional Clerk provide the Ministry of Housing with written notice of the passage of this by-law.

This By-law Read and Passed on the 29th day of May, 2019.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk