

BY-LAW NUMBER 53-2014
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.

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 3 funding of \$44,000 and Year 4 of \$198,000 in 100 per cent Federal and Provincial funding 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 redirection of the IAH 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 the property taxation for municipal purposes for the newly constructed units at the Premises will be at the multi-residential rate. However, the local municipality in which the Premises reside shall rebate to the Housing Provider the difference between the 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 Program.

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 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 8th day of October, 2014.

R. Anderson, Regional Chair and CEO

D. Bowen, Regional Clerk