

Bill No. 188
2023

By-Law No. A.- ____ - ____ -

A by-law to authorize the Deputy City Manager, Planning and Economic Development to approve and execute certain agreements related to Contribution Agreements between affordable housing providers and The Corporation of the City of London.

AND WHEREAS section 23.1 of the *Municipal Act, 2001* expanded the right of authority for City Council to delegate some of its powers and duties to a person or body;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental wellbeing of the City including respecting climate change, and the health, safety and well-being of persons;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS City is responsible for the delivery and administration of affordable housing initiatives;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS any delegation of a power or duty shall be in accordance with the *Municipal Act, 2001*, S.O. 2001 c.25 and any other applicable legislation;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts:

1. The Deputy City Manager, Planning and Economic Development, or their written designate, is authorized to approve and execute an agreement of assignment and assumption related to a Contribution Agreement between an affordable housing provider and The Corporation of the City of London.

2. The Deputy City Manager, Planning and Economic Development, or their written designate, is authorized to approve and execute an amending agreement related to a Contribution Agreement between an affordable housing provider and The Corporation of the City of London to approve a rent increase for operations in financial difficulty. No rent for affordable units in a building to which a Contribution Agreement between an affordable housing provider and The Corporation of the City of London applies shall exceed 80% of Average Market Rent or Median Market Rent for a rental unit, by unit type as determined by the Canada Mortgage Housing Corporation.

3. The Deputy City Manager, Planning and Economic Development, or their written designate, is authorized to approve and execute an amendment to the Contribution Agreement to provide for additional permitted encumbrances, to consent to postponements of the City's security under a Contribution Agreement and to approve and execute priority, standstill and subordination agreements satisfactory to the City Solicitor's Office.

4. The Deputy City Manager, Planning and Economic Development, or their written designate, is authorized to amend a Contribution Agreement between an affordable housing provider and The Corporation of the City of London to add

requirements related to the affordable housing units, to add further affordable housing units, to address approved changes to the development schedule, project information form or increases to the equity contribution made by the affordable housing provider.

5. The Deputy City Manager, Planning and Economic Development, or their written designate, is authorized to amend a Contribution Agreement between an affordable housing provider and The Corporation of the City of London to attaching or detaching a property from/to the Contribution Agreement as long is not in the detriment or loss of the total number of affordable units.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 27, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – June 27, 2023
Second Reading – June 27, 2023
Third Reading – June 27, 2023