

Bill No. 276  
2014

By-law No. A.-\_\_\_\_\_

A by-law to approve an amendment to the Municipal Contribution Agreements between The Corporation of the City of London (the City) and Nelms Group Ltd. (the Proponent)

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

AND WHEREAS section 8 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 The Corporation of the City of London (the City) is responsible for the delivery and administration of affordable housing initiatives including affordable rental housing programs, convert-to-rent programs and other initiatives;

AND WHEREAS the Proponent has responded to the procurement process initiated by the City to undertake development activities in return for funding;

AND WHEREAS it is deemed expedient for the City to enter into an amendment to the Municipal Contribution Agreements with the Proponent for the purpose of establishing the Proponent's obligations with respect to the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent;

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

1. An amendment to the Municipal Contribution Agreements between the City and the Proponent for the purpose of establishing the Proponent's obligations with respect to the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent be hereby approved.
2. The Mayor and the City Clerk be hereby authorized to execute the amendment to the Municipal contribution Agreements approved in section 1, above, substantially in the form of agreements attached to this by-law as Schedule "A" and Schedule "B" and to the satisfaction of the City Solicitor.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 10, 2014

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – June 10, 2014  
Second Reading – June 10, 2014  
Third Reading – June 10, 2014

**“SCHEDULE A”**  
**AMENDMENT**  
**TO**  
**MUNICIPAL CONTRIBUTION AGREEMENT**  
**Canada – Ontario Affordable Housing Program (2003)**  
**Rental & Supportive Component**

**BETWEEN:**

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called the “City”)

-and-

NELMS GROUP LTD.  
1554 Allen Place, London, ON

(hereinafter called the “Proponent”)

This Agreement made the \_\_\_\_\_ day of June, 2014.

**WHEREAS:**

- A. The City and the Proponent entered into an agreement on March 29, 2007 wherein the Proponent agreed to construct six (6) apartments at 1554 Allen Place in the City of London.
- B. Section 2.3 indicates the City will provide to the Proponent as a loan \$159,600 Federal Funds and \$140,894 City Funds pursuant to the total amount of such loan being \$300,494 as also described in Schedule “M”.

NOW THEREFORE, the City and the Proponent agree with each other to the following Amendments to the aforementioned Agreement:

- 1. The Proponent agrees to construct two additional one bedroom units for a total of 8 units that will not exceed the ODSP shelter allowance rate including utilities.
- 2. Section 2.3 of the Agreement shall be amended to state the loan will be revised as follows: \$159,600 Federal Funds and \$236,894 City Funds pursuant to the total amount of such loan being \$396,494 as also described in Schedule “M”.
- 2. The additional \$96,000 must be registered on Title by the Proponent’s lawyer.

All other Terms and Conditions in the aforementioned Agreement shall remain in full force and effect.

IN WITNESS WHEREOF this Agreement has been executed by the Parties.

**THE CORPORATION OF THE CITY OF LONDON**

\_\_\_\_\_  
Joe Fontana, Mayor

\_\_\_\_\_  
Catharine Saunders, City Clerk

**NELMS GROUP LTD.**

\_\_\_\_\_  
David Nelms, CEO

I/We have the authority to bind the Corporation

**“SCHEDULE B”**  
**AMENDMENT**  
**TO**  
**MUNICIPAL CONTRIBUTION AGREEMENT**  
**Canada – Ontario Affordable Housing Program (2003)**  
**Rental & Supportive Component**

**BETWEEN:**

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called the “City”)

-and-

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**THE CORPORATION OF THE CITY OF LONDON**

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Joe Fontana, Mayor

\_\_\_\_\_  
Catharine Saunders, City Clerk

**NELMS GROUP LTD.**

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David Nelms, CEO

I/We have the authority to bind the Corporation