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TO:	CHAIR AND MEMBERS COMMUNITY SERVICES COMMITTEE MEETING ON April 2, 2012
FROM:	L. STEVENS DIRECTOR OF MUNICIPAL HOUSING COMMUNITY SERVICES DEPARTMENT
SUBJECT:	APPROVAL OF BY-LAW FOR 2nd AMENDMENT TO THE YOU MUNICIPAL CONTRIBUTION AGREEMENT

RECOMMENDATION

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, with regard to the Youth Opportunities Unlimited YOU project at 332-338 Richmond Street, which was approved by Municipal Council on October 22, 2007:

- i) The Term of the Loan **BE EXTENDED** for an additional fifteen, (15) month period to reflect the fact that the affordable housing units were not available between October 1, 2010 and February 1, 2012;
- ii) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the attached by-law **BE INTRODUCED** at the Municipal Council on April 10, 2012, to authorize an amending Municipal Contribution Agreement substantially in the form of an agreement appended to the by-law and to the satisfaction of the City Solicitor; and
- iii) the Mayor and the City Clerk **BE AUTHORIZED** to execute the said Amending Agreement.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Community and Protective Services Committee

October 15, 2007 - Recommendations for Proposal to go Forward under the New Affordable Housing Program

October 29, 2007 - Municipal Contribution Agreement for Proponent With Approved Allocations Under The Affordable Housing Program

August 24, 2009 – By-Law for Approval of Amended Municipal Contribution Agreement Youth Opportunities – London & Middlesex

BACKGROUND

As part of the City of London commitment to the Canada Ontario Community Rental Housing Program, on May 20, 2003, Municipal Council approved a Municipal Housing Facilities By-Law and resolved that project specific agreements under the Municipal Housing Facilities By-Law be prepared for approval by Municipal Council. Municipal Housing Facilities By-Law No A.-5814-11 outlines the required contents of the contribution agreement with affordable housing proponents.

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On October 22, 2007, under the New Affordable Housing Program, Municipal Council approved the proposed housing development and associated program funding for following proponent:

“That Youth Opportunities Unlimited receive a municipal allocation of \$59,885.46 per unit for a twenty-eight (28) unit project located at 332-338 Richmond Street”.

On July 27, 2009, Municipal Council approved an additional allocation of \$249,194 to Youth Opportunities Unlimited (YOU) to offset additional capital improvements. On August 31, 2009, an amendment to the Municipal Contribution Agreement between the City of London and YOU was approved by Municipal Council to recognize this additional funding.

Amended Municipal Contribution Agreement

Between October 1, 2010 and February 1, 2012, the tenants at 332-338 Richmond Street were required to vacate their apartments while YOU undertook extensive renovations to the building. The City and YOU have agreed to extend the term of the Municipal Contribution Agreement to recognize that the 28 low income apartments were not available between October 1, 2010 and February 1, 2012.

The attached 2nd Amendment to the Municipal Contribution Agreement extends the term of the Municipal Contribution Agreement to March 31, 2034.

FINANCIAL IMPACT

The financial impacts associated with the Affordable Housing Program are addressed through the municipal budget process. There are no financial impacts related to this report.

Acknowledgments

This report was prepared with the assistance of D. Munteer, City Solicitor’s office.

RECOMMENDED BY:	CONCURRED BY:
LOUISE STEVENS DIRECTOR OF MUNICIPAL HOUSING	ROSS L. FAIR EXECUTIVE DIRECTOR COMMUNITY SERVICES

- cc. N. Watson, Housing Development Consultant
- D. Munteer, City Solicitor’s Office
- A. L. Barbon, Mgr, CS Financial & Business Services, FP & P



By-law No.

A by-law to approve an amending agreement between The Corporation of the City of London (the City) and Youth Opportunities Unlimited (the Proponent) for the purpose of establishing the Canada-Ontario Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement.

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 agreement with the Proponent for the purpose of establishing the Proponent's obligations with respect to the Canada-Ontario Affordable Housing 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 amending agreement between the City and the Proponent for the purpose of establishing the Proponent's obligations with respect to the Canada-Ontario Affordable Housing 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 agreement approved in section 1, above, substantially in the form of agreement attached to this by-law 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 _____, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading –