

Bill No. 328  
2017

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

A by-law to delegate the responsibilities of the City contained in Schedule "A" of the Service Manager Administration Agreement for the 2016 Social Infrastructure Fund (SIF) and in Schedule "A" of the Service Manager Administration Agreement for the Investment in Affordable Housing for Ontario (2014 Extension) between The Corporation of the City of London and the Minister of Housing as it relates to the administrative and development activities for capital development within the Rental Housing Component, to the Housing Development Corporation, London.

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 section 11 (1) of the *Housing Services Act, 2011* designates The Corporation of the City of London (the City) as the Service Manager for the purposes of that Act and section 13 provides the General powers of Service Manager to include the administration and funding of other programs;

AND WHEREAS section 17 (a) of the *Housing Services Act, 2011* allows Service Managers to delegate, in writing, some or all of its powers and Duties under this Act;

AND WHEREAS The City has established the Housing Development Corporation, London as a mechanism to advance the development and sustainability of affordable housing;

AND WHEREAS The City is responsible for the delivery and administration of affordable housing initiatives through other direct delivery or through the Housing Development Corporation, London;

AND WHEREAS Section 23.1 of the *Municipal Act, 2001* permits the delegation of the powers and duties of the municipality by by-law;

AND WHEREAS it is deemed expedient for the City to delegate its duties contained in Schedule "A" of the Service Manager Administration Agreement dated August 19, 2016 for the 2016 Social Infrastructure Fund (SIF), and the Schedule "A" of the Service Manager Administration Agreement dated October 31, 2014 for the Investment in Affordable Housing for Ontario (2014 Extension) between The Corporation of the City of London and the Minister of Housing as they relate to the administrative and development activities for capital development within the Rental Housing Component, to the Housing Development Corporation, London;

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

1. The duties of the City as Service Manager contained in Schedule "A" of the Service Manager Administration Agreement for the 2016 Social Infrastructure Fund (SIF) dated August 19, 2016 between The Corporation of the City of London and the Minister of Housing, as it relates to the administrative and development activities for capital development within the Rental Housing Component, are hereby delegated to the Housing Development Corporation, London, except the following duties retained by the City associated with the ongoing operational compliance of proponents and their developments after rent-up of the affordable housing units including:

- (a) Ongoing compliance reviews and related requirements including the review and submission of any information reports to the Ministry of Housing;
- (b) The completion of the "Proponent's Annual Occupancy Report";

- (c) The ongoing review and updating of information in accordance to the “Rental Protocol”. The City retains the responsibilities associated with the annual review, updating of information, and compliance based on this protocol.

2. The duties of the City as Service Manager contained in Schedule “A” of the Service Manager Administration Agreement for the Investment in Affordable Housing for Ontario (2014 Extension) dated October 31, 2014 between The Corporation of the City of London and the Minister of Housing, as it relates to the administrative and development activities for capital development within the Rental Housing Component, are hereby delegated to the Housing Development Corporation, London, except the following duties retained by the City associated with the ongoing operational compliance of proponents and their developments after rent-up of the affordable housing units including:

- (a) Ongoing compliance reviews and related requirements including the review and submission of any information reports to the Ministry of Housing;
- (b) The completion of the “Proponent’s Annual Occupancy Report”;
- (c) The ongoing review and updating of information in accordance to the “Rental Protocol”. The City retains the responsibilities associated with the annual review, updating of information, and compliance based on this protocol.

3. Scope of Power:

- (a) The municipality may revoke any delegation under this by-law at any time without notice;
- (b) Nothing in this delegation shall limit the municipality’s right to revoke the delegation beyond the term of the council that made the delegation;
- (c) Both the municipality and the delegate can exercise the powers delegated under this by-law;
- (d) Any delegation of a duty under this by-law results in the duty being the joint duty of the municipality and the delegate.

4. The delegation to the Housing Development Corporation, London is subject to the following condition:

- (a) The Housing Development Corporation, London shall include within its annual report to the Strategic Priorities and Policy Committee information with respect to the fulfillment of the duties delegated to the Housing Development Corporation, London.

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

PASSED in Open Council on July 25, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 25, 2017  
Second Reading – July 25, 2017  
Third Reading – July 25, 2017