

Bill No.134  
2018

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

A by-law to authorize and approve a Transfer Payment Agreement between The Corporation of the City of London and the Minister of Housing for the Development Charges Rebate Program; to authorize the Mayor and City Clerk to execute the Agreement; and to delegate the responsibilities of the City as the Service Manager for the administration of the Development Charges Rebate Program, to 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 City of London (the City) as the Service Manager for the purposes of that Act and section 13 of the *Housing Services Act, 2011* provides that the general powers of the Service Manager may include the administration and funding of housing and homelessness programs and services ;

AND WHEREAS the Minister of Housing has introduced a Development Charges Rebate Program to increase the supply of housing;

AND WHEREAS section 17 (1) of the *Housing Services Act, 2011* allows Service Managers to delegate, in writing, some or all of its powers and duties under that Act;

AND WHEREAS the City has established 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 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 enter into a Transfer Payment Agreement with the Minister of Housing for the Development Charges Rebate Program and to delegate its duties as Service Manager for the administration of the Development Charge Rebate Program to Housing Development Corporation, London;

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

1. The Transfer Payment Agreement for the Development Charges Rebate Program between the City and the Minister of Housing substantially in the form satisfactory to the City Solicitor, is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement authorized and approved in section 1 above.
3. The City's duties as Service Manager for the administration of the Development Charges Rebate Program are hereby delegated to Housing Development Corporation, London subject to the following conditions:
  - (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; and
- (e) Housing Development Corporation, London shall provide an annual report to the Strategic Priorities and Policy Committee with respect to fulfillment of the duties delegated to Housing Development Corporation, London.

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

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk