

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 43

BY-LAW NO. 2008-41

A By-law to authorize the entering into of municipal housing project facilities agreements for the provision of affordable housing.

WHEREAS subsection 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities with any person;

AND WHEREAS Ontario Regulation 189/01 amended Ontario Regulation 46/94 made under the *Municipal Act*, R.S.O. 1990, c. M.45 to add “municipal housing project facilities” to the class of municipal capital facilities for which municipalities may enter into agreements pursuant to subsection 110(1) of the *Municipal Act, 2001*;

AND WHEREAS pursuant to Ontario Regulation 46/94, as amended, Regional Council enacted By-law No. A-0314-2002-096, as amended by By-law No. A-0314(a)-2007-028 (collectively, the “Municipal Housing Facilities By-law”) to permit the Region to enter into municipal housing project facilities agreements under subsection 110(1) of the *Municipal Act, 2001*;

AND WHEREAS the Municipal Housing Facilities By-law sets out the terms and conditions to be included in a municipal housing project facilities agreement;

AND WHEREAS a municipal housing project facilities agreement may provide financial assistance to a housing provider with respect to the provision of facilities that are subject to the agreement;

AND WHEREAS prior to entering into a municipal housing project facilities agreement, the Municipal Housing Facilities By-law requires that Regional Council enact a site specific by-law in respect of those facilities;

AND WHEREAS Regional Council is desirous of entering into a municipal housing project facilities agreement with East Markham Non-Profit Homes Inc. for the provision of municipal housing project facilities, namely, a 120 unit municipal affordable housing project to be located at 7812 Kennedy Road, in the Town of Markham.

NOW THEREFORE, Council of The Regional Municipality of York HEREBY ENACTS as follows:

1. The Regional Municipality of York is authorized to enter into a municipal housing project facilities agreement pursuant to subsection 110(1) of the

Municipal Act, 2001 with East Markham Non-Profit Homes Inc. for the provision of municipal housing project facilities, namely, a 120 unit municipal affordable housing project to be located at 7812 Kennedy Road, in the Town of Markham.

ENACTED AND PASSED this 19th day of June, 2008.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

*Authorized by Clause 16 of Report 6 of the Finance and Administration Committee,
adopted by Regional Council at its meeting on June 19, 2008.*