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By-law ##-2025



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## **A By-law to Authorize Entering into a Municipal Housing Facilities Agreement with Northumberland County Housing Corporation**

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**Whereas** the County of Northumberland is the Service Manager and is authorized to operate and manage housing as well as establish, fund and administer programs for the provision of residential accommodation in its service area under the Housing Services Act, 2011, SO 2011, c. 6, Sched. 1, as amended; and

**Whereas** the Municipal Act, 2001, SO 2001, c.25, section 107, as amended, allows municipalities to give grants or aid, on such terms as to security and otherwise that council considers to be in the interest of the municipality; and

**Whereas** the Municipal Act, subsection 110(1), as amended, allows municipalities to enter into agreements for the provision of municipal capital facilities by a person; and

**Whereas** Subsection 7(1) of Ontario Regulation 603/06, as amended, made under the Municipal Act allows a municipality to enter into an agreement under subsection 110(1) of the Municipal Act for the provision of a municipal housing project facility; and

**Whereas** Ontario Regulation 603/06, as amended, requires that before certain agreements respecting municipal housing project facilities is entered into, the municipality must have enacted a municipal housing facilities By-law, which must comply with requirements set out in that Regulation; and

**Whereas** By-law Number 29-2023 of the Corporation of the County of Northumberland providing for municipal housing project facilities was enacted on the 16th day of August 2023; and

**Whereas** Section 2 of By-law 29-2023 permits County Council to pass By-laws permitting the Corporation of the County of Northumberland to enter into municipal housing project facilities agreements with housing service providers; and

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**Whereas** Section 4 of By-law 29-2023 contains certain requirements for housing project facilities agreements, and said requirements are satisfied within the Contribution Agreement (as hereinafter defined); and

**Whereas** the Council for the County of Northumberland is desirous of entering into an agreement for the provision of municipal housing facilities with Northumberland County Housing Corporation in respect of the 129 Kent Project (as hereinafter defined);

**Now Therefore Be It Enacted** as a by-law of the Council of the Corporation of the County of Northumberland as follows:

## **Section 1: Definitions and Interpretation**

1.01 **Definitions:** In this by-law,

“**129 Kent Project**” means the 3 affordable units at the property municipally known as 129 Kent Street, Campbellford, in the County of Northumberland, Ontario.

“**County**” means The Corporation of the County of Northumberland or the geographic area of the County of Northumberland, as the context may dictate; and

“**Council**” or “**County Council**” means the municipal council for the County;

“**Contribution Agreement**” means an agreement between the Corporation of the County of Northumberland and the Northumberland County Housing Corporation, to provide for funding assistance for the 129 Kent Project under the Ontario Housing Priorities Initiative, which satisfies the requirements of the Municipal Act, 2001, O.Reg. 603/06, and By-law 29-2023.

1.02 **Statutes:** References to laws or regulations in this by-law are meant to refer to the statutes, as amended from time to time, or any successor legislation thereto, that are applicable within the Province of Ontario.

1.03 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2: Approvals**

2.01 The Corporation of the County of Northumberland is hereby authorized to enter into agreements under subsection 110(1) of the *Municipal Act* with Northumberland County Housing Corporation for the 129 Kent Project.

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- 2.02 The housing units to be provided as part of the 129 Kent Project have been determined to fall within the definition of “affordable housing” contained in By-law 29-2023, and the 129 Kent Project is hereby designated as a municipal housing project facility, as described in subsection 2(1), paragraph 18 of *Ontario Regulation 603/06*.
- 2.03 A Contribution Agreement is hereby authorized as a municipal housing facilities agreement as described in subsection 110(1) of the *Municipal Act* and subsection 7(1) of the *Ontario Regulation 603/06*, made under the *Municipal Act, 2001*
- 2.04 The Chief Administrative Officer and Treasurer for the County, with the advice of the Municipal Solicitor for the County, are hereby authorized to execute, on behalf of the County, the Contribution Agreement herein described, and all other documents as may be required to give effect to this By-law.

**That** By-law ##-2025 be introduced and be deemed to be read a first, second and third time, passed, signed and sealed this 19<sup>th</sup> day of February, 2025.

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**Brian Ostrander, Warden**

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**Maddison Mather, Clerk**