#### COUNTY OF OXFORD

#### **BY-LAW NUMBER 6363-2021**

A BY-LAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC") FOR FINANCING CERTAIN CAPITAL WORK(S) OF THE CORPORATION OF THE TOWN OF TILLSONBURG; AND TO AUTHORIZE LONG-TERM BORROWING FOR SUCH CAPITAL WORK(S) THROUGH THE ISSUE OF DEBENTURES BY THE COUNTY OF OXFORD (THE "UPPER TIER MUNICIPALITY") TO OILC

**WHEREAS** the *Municipal Act*, 2001 (Ontario), as amended, (the "**Act**") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise:

**AND WHEREAS** the Council of The Corporation of the Town of Tillsonburg (the "Lower-tier Municipality"), a lower-tier municipality that forms part of the County of Oxford (the "Upper-tier Municipality") for its purposes has requested the Upper-tier Municipality to authorize the issue of debenture for the certain capital work(s) described in column (2) of Schedule "A" (the "Capital Work(s)") attached hereto and forming part of this By-law (Schedule "A") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A", subject in each case to approval by OILC of the financing for such Capital Work(s) requested by the Lower-tier Municipality in the Application as hereinafter defined;

AND WHEREAS before the Council of the Lower-tier Municipality approved the Capital Work(s) in accordance with section 4 of Ontario Regulation 403/02 (the "Regulation"), the Council of the Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Lower-tier Limit"), and, on the basis of the authorized estimated expenditure for the Capital Work or for each Capital Work, as the case may be, as set out in column (3) of Schedule "A" (the "Authorized Expenditure" for any such Capital Work) the Treasurer calculated the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, (collectively the "Estimated Annual Amount Payable"), and determined that the Estimated Annual Amount payable did not cause the Lower-tier Municipality to exceed the Updated Lower-tier Limit, and accordingly the approval of the Local Planning Appeal Tribunal pursuant to the Regulation was not required before any such Capital Work was authorized by the Council of the Lower-tier Municipality;

**AND WHEREAS** subsection 405(1) of the Act provides, amongst other things, that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if, the municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work;

**AND WHEREAS** subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

**AND WHEREAS** subsection 401(3) of the Act provides that a lower-tier municipality in a regional municipality does not have the power to issue debentures;

**AND WHEREAS** subsection 403(1) of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law;

**AND WHEREAS** the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403(7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

**AND WHEREAS** OILC has invited Ontario municipalities desirous of obtaining temporary and long-term debt financing in order to meet capital expenditures incurred on or after the year that is five years prior to the year of an application in connection with eligible capital work(s) to make application to OILC for such financing by completing and submitting an application in the form provided by OILC;

**AND WHEREAS** the Lower-tier Municipality requested the Upper-tier Municipality to issue debentures for the Capital Work(s) and in this connection the Upper-tier Municipality and the Lower-tier Municipality completed and submitted or is in the process of submitting an application to OILC, as the case may be (the "**Application**") to request financing for the Capital Work(s) by way of long-term borrowing pursuant to section 403 of the Act through the issue of debentures to OILC by the Upper-tier Municipality and by way of temporary borrowing by the Lower-tier Municipality from OILC pending the issue of such debentures;

**AND WHEREAS** OILC has accepted and has approved or will notify the Upper-tier Municipality only if it accepts and approves the Application, as the case may be;

## NOW THEREFORE THE COUNCIL OF THE COUNTY OF OXFORD ENACTS AS FOLLOWS:

- 1. The Council of the Upper-tier Municipality hereby approves the issue of debentures for the Capital Work(s) in the maximum aggregate principal amount of \$805,324 and the Council of the Upper-tier Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application and the submission by such authorized official of the Application by the Upper-tier Municipality, duly executed by such authorized official, to OILC for the financing of the Capital Work(s) through the issue of debentures in such maximum aggregate principal amount substantially in the form of Schedule "B" hereto and forming part of this By-law, with such changes thereon as such authorized official may hereafter approve, such execution and delivery to be conclusive evidence of such approval.
- 2. The Warden and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Upper-tier Municipality a financing agreement (a "Financing Agreement") with OILC that provides for long-term borrowing from OILC under the authority of this By-law in respect of the Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

- 3. Subject to the terms and conditions of the Financing Agreement and such other terms and conditions as OILC may otherwise require, the Warden and the Treasurer are hereby authorized to long-term borrow for the Capital Work(s) and to issue debentures to OILC on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree (the "**Debentures**"); provided that the principal amount of the Debentures issued in respect of the Capital Work or of each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.
- 4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, the Upper-tier Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Upper-tier Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Upper-tier Municipality, amounts not exceeding the amounts that the Upper-tier Municipality fails to pay to OILC on account of any unpaid indebtedness of the Upper-tier Municipality to OILC under any Debentures (the "**Obligations**") and to pay such amounts to OILC from the Consolidated Revenue Fund.
- 5. For the purposes of meeting the Obligations the Upper-tier Municipality shall, in accordance with the Act, provide for raising in each year as part of the general upper-tier levy, the amounts of principal and interest payable in each year under any Debenture outstanding pursuant to the Financing Agreement, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
- 6. (a) The Warden and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement and to issue the Debentures, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to perform the Obligations of the Upper-tier Municipality under the Financing Agreement and to issue the Debentures, and the Treasurer is authorized to affix the Upper-tier Municipality's municipal seal to any such documents and papers.
  - (b) The money realized in respect of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be delivered to the Lower-tier Municipality on the basis that the Lower-tier Municipality will apportion and apply such money to the respective Capital Work and to no other purpose except as permitted by the Act.

LARRY G. MARTIN,	WARDEN
CHLOE J. SENIOR,	CLERK

This By-law takes effect on the day of passing.

7.

## Schedule "A" to By-Law Number 6363-2021 (Capital Work(s))

(1)	(2)	(3)	(4)
<u>Capital Work</u> <u>Number</u>	Description of Capital Work	Estimated Expenditure	Loan Amount
4299	Vehicle - 7400 Plow/wing Truck Unit # 61	\$138,113	\$138,113
2020-048/2020-060	Fire Communication Equipment	93,589	55,169
2021-062	Vehicle - Building Unit # 39	36,610	36,610
2021-062	Vehicle – Hydro Unit # 65	48,677	48,677
2021-062	Next Generation 911 Equipment	95,000	95,000
2021-068	Radio Communication Towers Equipment	38,397	38,397
2021-062	Vehicle – Parks Unit # 88	93,314	93,314
2021-062	Mower – Cemetery	62,811	62,811
2021-062/2021-080	Vehicle - Water Unit # 28	36,709	36,709
2021-062	Vehicle - Cemetery Unit #87	164,851	164,851
2021-062	Vehicle - Mini Cargo Van - Facilities	35,673	35,673
		\$843,744	\$805,324

# Schedule "B" to By-Law Number 6363-2021

Please insert the OILC Application into Schedule "B".



## **Webloans Loan Application PDF**

FA Number

1642

Application for

Tillsonburg, The Corporation of The Town of

Proje	CIS					
ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
1626	1	Vehicle 7400 Plow wing Truck Unit 61	03/01/2020	12/31/2020	\$138,113.00	138,113.00
1627	2	Fire Communication Equipment	12/01/2020	12/15/2020	\$93,589.00	55,169.00
1628	3	Vehicle Building Unit 39	07/01/2021	08/31/2021	\$36,610.00	36,610.00
1629	4	Vehicle Hydro Unit 65	07/01/2021	11/30/2021	\$48,677.00	48,677.00
1630	5	Next Generation 911 Equipment	07/01/2021	12/31/2021	\$95,000.00	95,000.00
1631	6	Radio Communication Towers Equipment	07/01/2021	12/31/2021	\$38,397.00	38,397.00
1632	7	Vehicle Parks Unit 88	07/01/2021	09/30/2021	\$93,314.00	93,314.00
1633	8	Mower Cemetery	07/01/2021	11/30/2021	\$62,811.00	62,811.00
1634	9	Vehicle Water Unit 28	07/01/2021	01/31/2022	\$36,709.00	36,709.00
1635	10	Vehicle Cemetery Unit 87	07/01/2021	02/28/2022	\$164,851.00	164,851.00
1636	11	Vehicle Mini Cargo Van Facilities	07/01/2021	04/15/2022	\$35,673.00	35,673.00

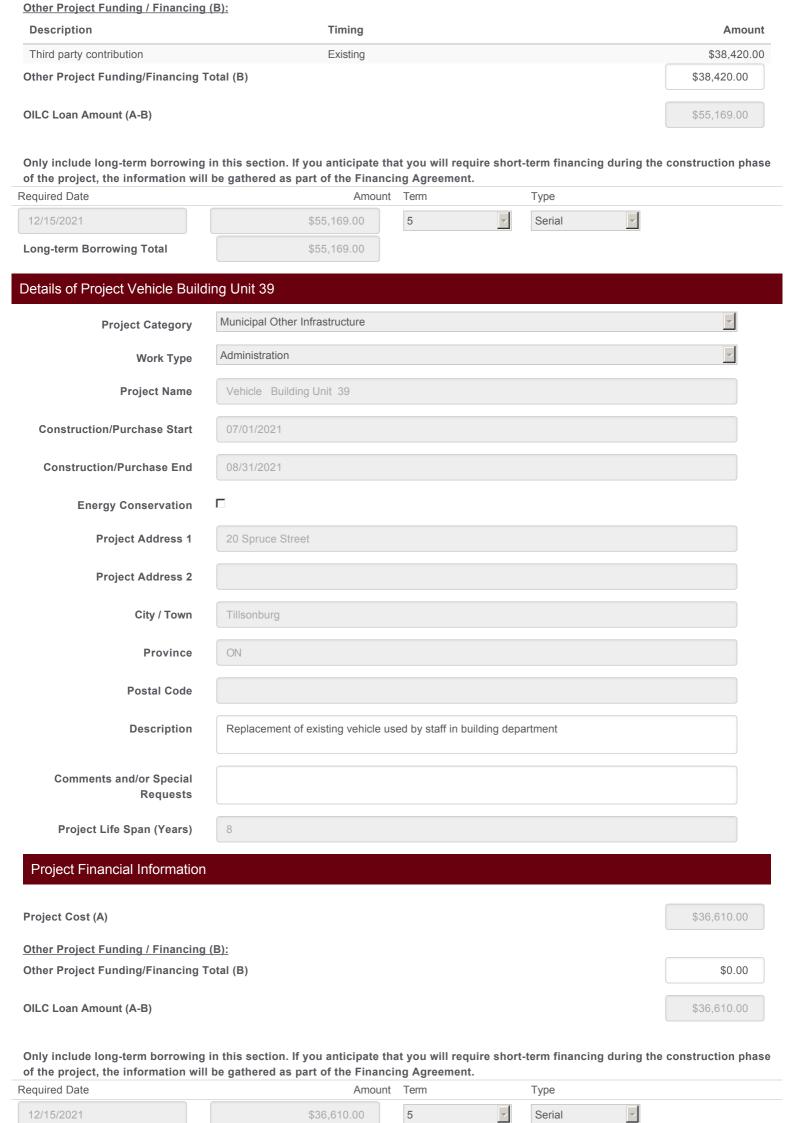
## Details of Project Vehicle 7400 Plow wing Truck Unit 61

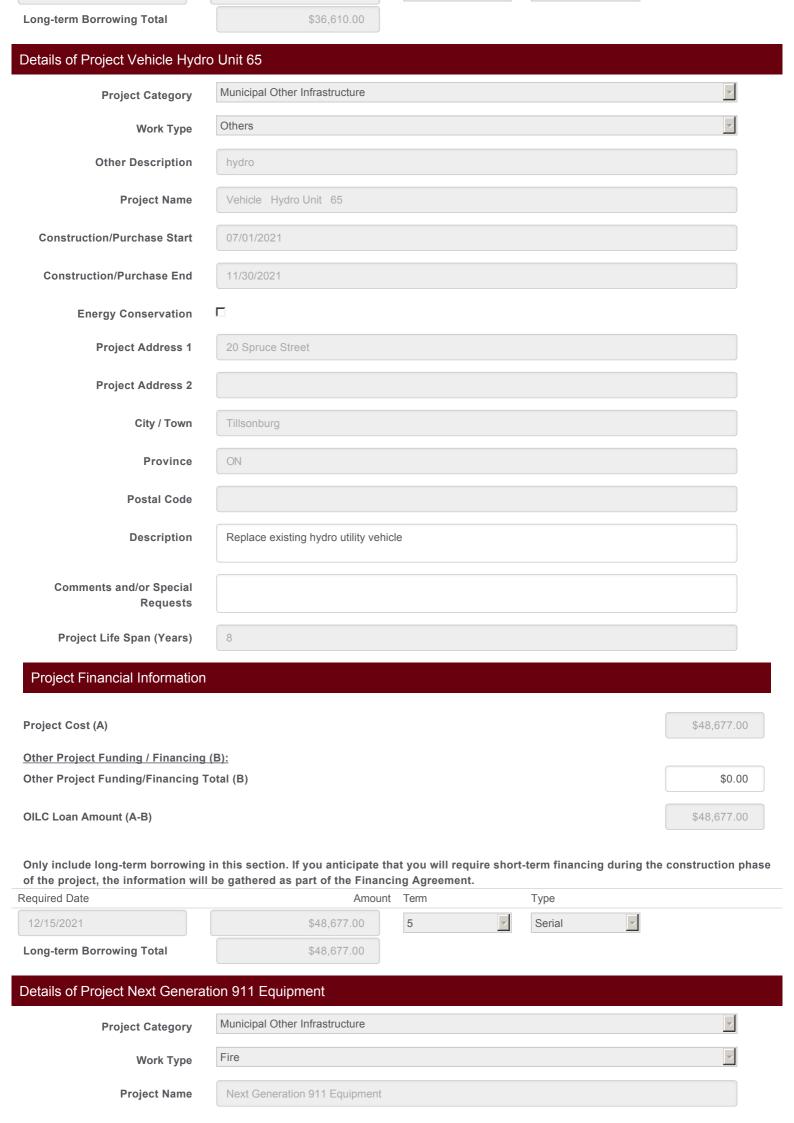
Project Category	Municipal Roads Infrastructure
Project Name	Vehicle 7400 Plow wing Truck Unit 61
Construction/Purchase Start	03/01/2020
Construction/Purchase End	12/31/2020
Energy Conservation	
Project Address 1	20 Spruce Street
Project Address 2	
City / Town	Tillsonburg
Province	ON
Postal Code	
Description	Replace cab and chassis and re-use body and plow

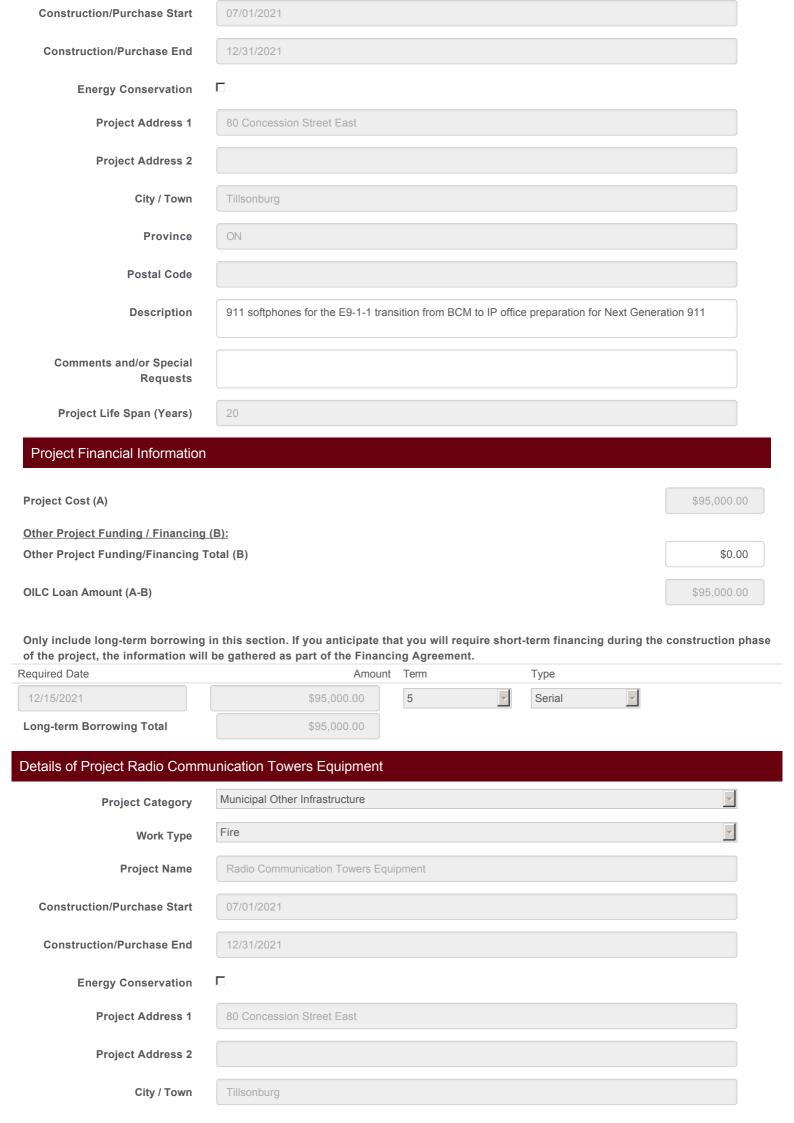
Comments and/or Special Requests				
Project Life Span (Years)	10			
Project Financial Information				
Project Cost (A)				\$138,113.00
Other Project Funding / Financing	(B):			
Other Project Funding/Financing T	otal (B)			\$0.00
OILC Loan Amount (A-B)				\$138,113.00
Only include long-term borrowing of the project, the information will				g during the construction phase
Required Date		nt Term	Туре	
12/15/2021	\$138,113.00	10	Serial	V
Long-term Borrowing Total	\$138,113.00			
Details of Project Fire Commur	nication Equipment			
Project Category	Municipal Other Infrastructure			7
Work Type	Fire			7
Project Name	Fire Communication Equipment			
Construction/Purchase Start	12/01/2020			
Construction/Purchase End	12/15/2020			
<b>Energy Conservation</b>				
Project Address 1	80 Concession Street East			
Project Address 2				
City / Town	Tillsonburg			
Province	ON			
Postal Code				
Description	Equipment required to bring on Fort Erie	new customers fron	n Shelbourne, Grand Valle	ey, Mimur Melancthon and
Comments and/or Special Requests				
Project Life Span (Years)	10			

## Project Financial Information

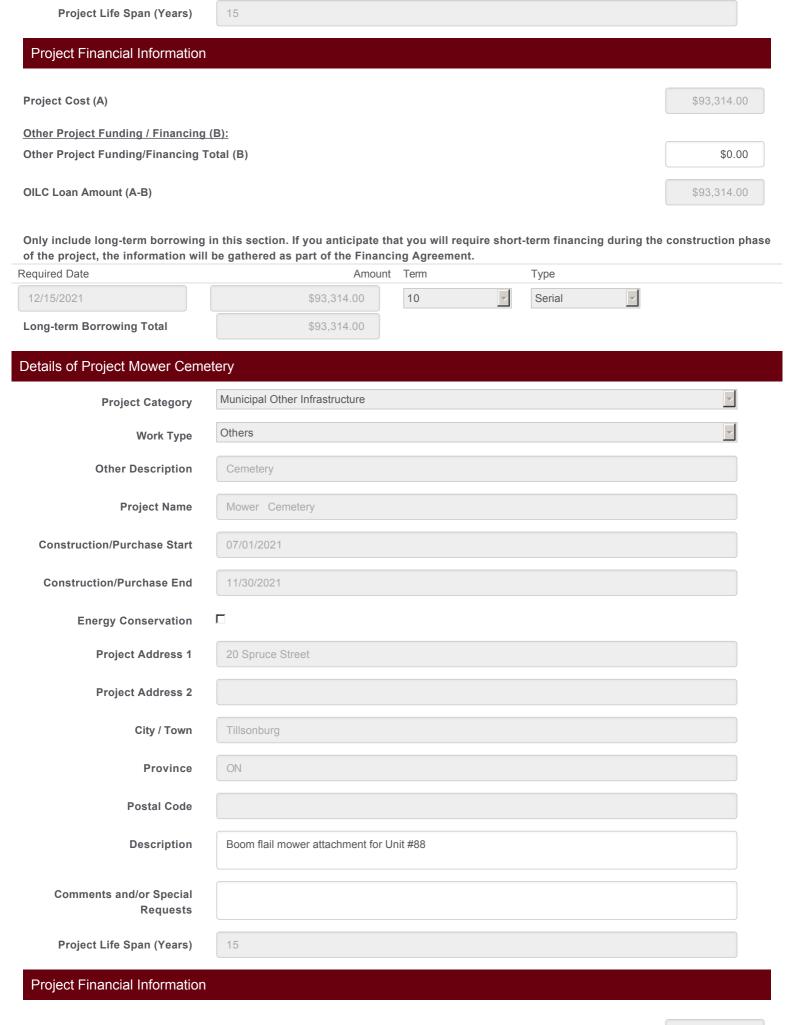
**Project Cost (A)** \$93,589.00







Province	ON	
Postal Code		
Description	Replace obsolete radio equipment at radio communications towers located at Tillsonburg water reservoir and Tillsonburg Customer Service Centre	r
Comments and/or Special Requests		
Project Life Span (Years)	15	
Project Financial Information		
Project Cost (A)		\$38,397.00
Other Project Funding / Financing	(B):	
Other Project Funding/Financing To	otal (B)	\$0.00
OILC Loan Amount (A-B)		\$38,397.00
	in this section. If you anticipate that you will require short-term financing during the con be gathered as part of the Financing Agreement.	struction phase
Required Date	Amount Term Type	
12/15/2021	\$38,397.00 Serial	
Long-term Borrowing Total	\$38,397.00	
Details of Project Vehicle Parks	s Unit 88	
Project Category	Municipal Other Infrastructure	7
Project Category Work Type	Municipal Other Infrastructure  Others	<b>Y</b>
		\ \ \
Work Type	Others	
Work Type Other Description	Others  Parks	
Work Type Other Description Project Name	Others  Parks  Vehicle Parks Unit 88	
Work Type Other Description Project Name Construction/Purchase Start	Others  Parks  Vehicle Parks Unit 88  07/01/2021	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End Energy Conservation	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End Energy Conservation Project Address 1	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End Energy Conservation Project Address 1 Project Address 2	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021  20 Spruce Street	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End Energy Conservation Project Address 1 Project Address 2 City / Town	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021  Tillsonburg	
Work Type Other Description Project Name Construction/Purchase Start Construction/Purchase End Energy Conservation Project Address 1 Project Address 2 City / Town Province	Others  Parks  Vehicle Parks Unit 88  07/01/2021  09/30/2021  Tillsonburg	



**Project Cost (A)** 

\$62,811.00

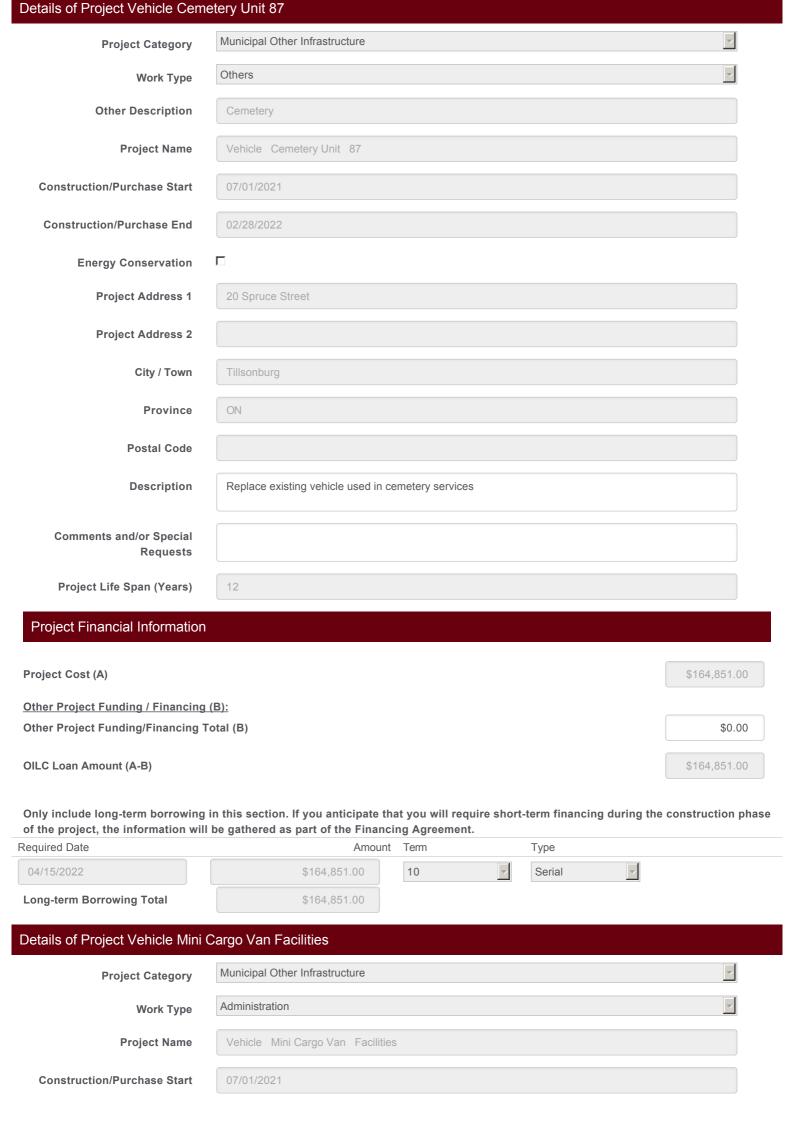
Other Project Funding / Financing (B):

Other Project Funding/Financing Total (B)

\$0.00

**OILC Loan Amount (A-B)** 

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement. Required Date Amount Term Туре 12/15/2021 \$62,811.00 5 Serial **Long-term Borrowing Total** \$62,811.00 Details of Project Vehicle Water Unit 28 Municipal Other Infrastructure **Project Category** Others **Work Type Other Description** Water services Vehicle Water Unit 28 **Project Name** 07/01/2021 **Construction/Purchase Start** Construction/Purchase End **Energy Conservation Project Address 1** 20 Spruce Street **Project Address 2** Tillsonburg City / Town **Province** ON **Postal Code** Description Replace existing vehicle used in water services Comments and/or Special Requests **Project Life Span (Years) Project Financial Information Project Cost (A)** \$36,709.00 Other Project Funding / Financing (B): Other Project Funding/Financing Total (B) \$0.00 OILC Loan Amount (A-B) \$36,709.00 Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement. Required Date Amount Term Туре 5 04/15/2022 \$36,709.00 Serial **Long-term Borrowing Total** \$36,709.00



Construction/Purchase End	04/15/2022			
Energy Conservation				
Project Address 1	20 Spruce Street			
Project Address 2				
City / Town	Tillsonburg			
Province	ON			
Postal Code				
Description	New cargo van vehicle for facilitie	s division carrying tools		
Comments and/or Special Requests				
Project Life Span (Years)	8			
Project Financial Information				
Project Cost (A)  Other Project Funding / Financing (B  Other Project Funding/Financing To				\$35,673.00
OILC Loan Amount (A-B)				\$35,673.00
Only include long-term borrowing ir of the project, the information will be			rt-term financing during f	the construction phase
Required Date	Amount		Туре	
04/15/2022	\$35,673.00	5	Serial	
Long-term Borrowing Total	\$35,673.00			
Debt and Re-payments Summar	V			
, , , , , , , , , , , , , , , , , , ,	,			
Has there been any new/undisclose was submitted?	d debt acquired since last FIR	□ Yes ☑ No		
Please describe any re-financing pla only" debt, if applicable.	ans for any existing "interest			
Non Re-payments of Loans or D	ebenture			
In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?				
	If yes, please provide details.			
OILC Loan Repayment Informati	on			
Please indicate the source(s) of rev	enue you plan to use to repay th	e OILC Loan		

Taxation

77.00

User Fees	23.00
Service Charges	0.00
<b>Development Charges</b>	0.00
Connection Fees	0.00
Repayment Subsidies	0.00
Other	
Total	100.00%

## Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)

✓ I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

### **Confidential Information**

OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

#### Infrastructure Ontario

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