

COUNTY OF OXFORD

BY-LAW NO. **6492-2022**

BEING a By-law to amend By-law No. 4664-2006, as amended by By-Law No. 5799-2016 and By-Law 6404-2022, the Municipal Housing Facilities By-law.

WHEREAS, County of Oxford By-law No. 4664-2006, enacted on March 22nd, 2006 (the Municipal Housing Facilities By-law) provides for Municipal Capital Housing Facilities.

AND WHEREAS, County Council has adopted Report No. HS 2022-10, dated December 14, 2022, recommending an amendment to the County's Municipal Housing Facilities By-law No. 4664-2006, to facilitate a number of technical updates, as well as an amendment to the existing definition of affordable rental housing to provide greater opportunities for moderate income households.

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

1. That Section 1 to By-law No. 4664-2006, as amended, is hereby further amended by removing the definitions following "Council" and replacing them with the following:

"Geared-to-income" means financial assistance provided in respect of a Household under a social housing program to reduce, in accordance with the Housing Services Act, 2011, the amount the household must otherwise pay to occupy a housing unit;

"Household" means a person or persons who reside or will be residing in a housing unit within a Municipal Housing Project Facility;

"Household income" means the gross annual income from all sources of all persons who reside in a housing unit, or who will reside in a housing unit;

"Housing Provider" means a corporation or individual legally entitled to own real property in the County of Oxford;

"Housing Unit" or "Unit" means a unit intended for use as residential accommodation in a Municipal Housing Facility;

"Low-Affordable Rental Units" means rental units that are rented at or below 80% of the current Average Market Rent;

"Moderate-Affordable Rental Units" means rental units that are rented at or above 80% of the current Average Market Rent, but no more than 100% of the current Average Market Rent;

"Municipal housing facility" means the class of municipal housing project facilities, as prescribed in Section 2(1)18 of Ontario Regulation 603/06 under the Act

"Municipal housing facility agreement" means a municipal housing facilities agreement as set out in Section 2 of this By-law;

"Municipal housing facility by-law" means a by-law enacted by Council pursuant to Section 7 of Ontario Regulation 603/06 under the Act;

"Proponent" means a person or corporation (private or non-profit) or individual with whom Oxford County has entered into or will enter into a municipal housing facility agreement under section 2 of this by-law;

"Provincial Policy Statement" means the Ministry of Municipal Affairs and Housing's Provincial Policy Statement, as issued and amended from time to time under the authority of Section 3 of the *Planning Act*, R.S.O. 1990, c. P.13;

"Rent" means the amount charged for accommodation in a housing unit and, if the Proponent is a Co-operative Corporation shall mean the same thing as a housing charge under the Co-operative Corporations Act, R.S.O. 1990, c. C. 35;

"Rent supplement agreement" means an agreement between the County and a Proponent to provide financial assistance for tenants towards rent;

"Service Manager" means the Consolidated Municipal Service Manager for the County of Oxford under the *Ontario Works Act, 1997*, S.O. 1997, c.25, Sch. A, authorized to operate and manage housing under the *Housing Services Act*, as the context requires."

2. That Section 4 to By-law No. 4664-2006, as amended, is hereby deleted and replaced with the following:

"4. The definition of 'Affordable Housing' for the purpose of this By-law and all municipal housing facilities agreements shall mean:

- a. In the case of affordable rental housing:

A housing unit offered for rent, for which the monthly rent, which may or may not be inclusive of utilities, is at or below the most current average market rent, as determined by CMHC and/or the Ministry of Municipal Affairs and Housing, for the respective unit size and type in the County of Oxford.

- b. In the case of affordable home ownership, for the purpose of down payment assistance:

Housing for which the purchase price is at least 10% below the average purchase price of a resale home in the County of Oxford, or a lesser amount as deemed appropriate by the Director of Human Services.

- c. In addition to the definition of affordable home ownership provided in Section 4(b), the following provisions shall apply:

- i. The maximum 20 year forgivable loan for any homeowner eligible for down payment assistance shall be \$21,000 per home.
- ii. The maximum 5 year forgivable loan for any homeowner that is eligible for a dwelling that is constructed by Habitat for Humanity Heartland shall be \$21,000 per home."

3. That Section 6 to By-law No. 4664-2006, as amended, is hereby deleted and replaced with the following:
 - “6. Eligibility for an affordable unit, as defined in Section 4, shall be determined in accordance with the following:
 - a. In the case of affordable rental housing:
 - i. For *Low-Affordable Rental Units*, tenants shall be selected in accordance with the *Housing Services Act, 2011*, if applicable, and through a non-discriminatory process, compliant with all applicable legislation applying to landlords, and tenants shall have a total household income at or below the 5th income decile for renter households in the County, according to Statistics Canada and/or determined by the Ministry of Municipal Affairs and Housing.
 - ii. For *Moderate-Affordable Rental Units*, tenants shall be selected in accordance with the *Housing Services Act, 2011*, if applicable, and through a non-discriminatory process, compliant with all applicable legislation applying to landlords, and tenants shall have a total household income at or below the 6th income decile for renter households in the County, according to Statistics Canada and/or determined by the Ministry of Municipal Affairs and Housing.
 - b. In the case of affordable home ownership, homebuyers shall have a household income at or below the 6th income decile for ownership households in the County, according to Statistics Canada and/or determined by the Ministry of Municipal Affairs and Housing.”
4. That Section 7 (a) to By-law No. 4664-2006, as amended, is hereby amended by adding “as set out in Section 4” following affordable housing.
5. That Section 10 (b) to By-law No. 4664-2006, as amended, is hereby amended by deleting “as set out in subsection 10 (a)”.
6. That By-law No. 4664-2006, as amended, is hereby further amended by adding the following subsections in sequential order:
 - “12. A Municipal Housing Facilities Agreement containing the provision set out in Subsection 110(7) of the Act may provide a full or partial exemption for the facilities from the payment of development charges imposed by the County under the *Development Charges Act, 1997* or successor legislation.
 13. The County may pass a by-law related to a Municipal Housing Facilities Agreement containing the provision set out in Subsection 110(6) of the Act to provide a partial property tax exemption, for a period as set out of the Agreement, for land on which the Municipal Housing Facilities are, or will be, located.
 14. Any reference in this By-law to provincial legislation, regulations or to the names of ministries, governmental agencies and programs shall be deemed to refer to any future legislation or names that may replace or succeed those referred to in this By-law.”

7. That Section 12 to By-law No. 4664-2006, as amended, be renumbered in sequential order.

READ a first and second time this 14th day of December, 2022.

READ a third time and finally passed this 14th day of December, 2022.

MARCUS RYAN WARDEN

CHLOÉ SENIOR CLERK