



CITY OF KINGSTON

Ontario

By-Law Number 2003-88

A By-Law To Authorize The Establishment Of A Social Housing Capital Reserve Fund (Purpose – Create A Sustainable Source Of Funding For Capital Projects For Local Not-For-Profit Housing Providers)

Passed: April 15, 2003

As Amended By By-Law Number:

By-Law Number:	Date Passed:
2006-2019	September 19, 2006
2012-48	February 21, 2012
2020-126	September 1, 2020

(Office Consolidation)

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Passed: April 15, 2003

Whereas Section 163 of the ***Municipal Act***, R.S.O. 1990 c. M.45, as amended, authorizes a municipal council to establish a reserve fund for any purpose for which it has authority to expend funds;

And Whereas The Corporation of the City of Kingston has received \$523,000 as a one-time grant from the Federal government, and the funds are clearly mandated for use in the social housing sector;

And Whereas these funds are held temporarily in a Capital Reserve;

And Whereas it is desirable to establish a Capital Reserve Fund for future Social Housing Capital purposes;

Now Therefore the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. A Social Housing Capital Reserve Fund is hereby established and the grant from the Federal government in the amount of \$523,000, is transferred to it.
2. That the Fund be a revolving fund established to support capital requests, for the purpose of completing capital repairs or for the installation of renewable energy systems, by Housing Providers who do not have the necessary resources available to them. Up to 50% of the funding available within the Social Housing Capital Reserve Fund can be provided for affordable housing capital development projects.

(By-law Number 2003-88; 2012-48; 2020-126)

3. Housing provider identified net surplus repayable funds shall be deposited to this reserve fund.

(By-law Number 2003-88; 2012-48)

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4. Withdrawals may be made from this reserve fund in the form of an interest free repayable loan or a forgiveable loan for capital expenditures for social housing. Repayments to the Reserve Fund under the repayable no interest loan will be in equal monthly installments. The term of the no interest repayable loans can not extend beyond the termination date of the Housing Provider's operating agreement.

Forgivable loans will be based on a 10 year period and will be reduced by 10% each year with the following condition: If the operating agreement between the City of Kingston and the housing provider expires before 10 years, the balance of the loan becomes due and payable. However, to maintain rent-geared-to-income units in the City's portfolio, the loan repayment would not be required if the housing provider enters into a rent supplement agreement with the City for their former social housing units, upon the expiration of their operating agreement to cover at least the term of the forgivable loan.

(By-law Number 2003-88; 2006-219; 2012-48)

5. All requests for funds must be approved by the Council of the City of Kingston.
6. This By-Law shall come into force and take effect on the date of its passing.

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