

# **THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

## **BY-LAW NO. 21-089**

**BEING** a by-law to authorize the borrowing from the Royal Bank of Canada the principal amount of \$1,300,000 for the financing of the construction of road, water and sewer infrastructure for the Mississippi Mills Business Park Phase 3.

**WHEREAS** the Council of the Corporation of the Municipality of Mississippi Mills (the "Municipality"), authorized the road, water and sewer work and has authorized term financing, the principal amount not to exceed \$1,300,000 over a term of 16 months not to exceed two years (the "Borrowing");

**WHEREAS** the Municipality entered into a bank loan agreement in connection with the Borrowing with a maturity date of February 6, 2023;

**WHEREAS** the Municipality on the maturity date of the Borrowing wishes to enter into a refinancing bank loan agreement with the Royal Bank of Canada;

**AND WHEREAS** before authorizing the Project and any additional cost amounts and the additional long-term debt authorities in respect thereof, the Municipality had its Treasurer update its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable debt and financial obligation limits regulation and, prior to authorizing the Project, each such additional cost amount and each such additional long-term debt authority the Treasurer determined that the estimated annual amount payable in respect of the Project, each such additional cost amount and each such additional long-term debt authority would not cause the Municipality to exceed the updated limit and that the approval of the Project, each such additional cost amount and each such additional long-term debt authority by the Ontario Municipal Board pursuant to such regulation was not required;

**AND WHEREAS** the Municipality now deems it to be expedient to ratify, confirm and approve the entering into a financing bank loan agreement, dated October 5, 2021 with the Royal Bank of Canada which agreement provides for the borrowing of the principal amount of \$1,300,000 provides for a fixed rate of interest not to exceed of 1.25% and provides for installments of combined (blended) principal and interest payable in lawful money of Canada on the terms hereinafter set forth in the form attached hereto as Schedule "A" (the "Agreement") over a term not to exceed 2 years;

### **NOW THEREFORE BE IT ENACTED:**

1. That for the Project, the entering into of the Agreement is hereby ratified, confirmed and approved.

2. That the Mayor and the Deputy Treasurer of the Municipality are hereby authorized to incur debt by way of the bank loan as described in Section 1 above (the "Royal Bank of Canada Facility 6" loan).
3. That the Municipality has incurred debt in respect of the Project and pursuant to this By-law authorizes long-term borrowing for such debt by the entering into of the Agreement, that the Royal Bank of Canada Facility 6 Loan shall bear interest from October 6, 2021 at the rate not to exceed 1.25% per annum with equal monthly installments of combined (blended) principal and interest payable on the terms and condition set forth in the Agreement attached as Schedule "A".
4. (a) That in each year in which a payment of an installment of combined (blended) principal and interest becomes due in respect of the Royal Bank of Canada Facility 6 Loan there shall be raised as part of the general levy the amounts of principal and interest payable by the Municipality 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, provided that the total amount of principal and interest to be raised in the final year of the Royal Bank of Canada Facility 6 Loan does not include any outstanding amount of principal specified as payable on the maturity date if one or more refinancing debentures will be issued in respect thereof or one or more refinancing bank loan agreements will be entered into by the Municipality on or before the maturity date in respect of the outstanding principal, in accordance with the provisions of the Ontario, *Municipal Act*, 2001.  
  
(b) To the extent that the amounts of principal and interest payable by the Municipality in each year are raised as part of a general levy, such amounts shall be applied only for the payment of the principal and interest that become due in respect of the Royal Bank of Canada Facility 6 Loan.
5. (a) That the entering into of the Agreement by the Mayor and the Deputy Treasurer is hereby ratified, confirmed and approved, the Mayor and the Deputy Treasurer are hereby authorized to cause debt to be incurred by way of the Royal Bank of Canada Facility 6 Loan, and the Deputy Treasurer and the Acting Clerk are hereby individually authorized to generally do all things and to execute all other documents and papers in the name of the Municipality in order to carry out the incurring of debt by way of the Royal Bank of Canada Facility 6 Loan and the Deputy Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.  
  
(b) That the money received by the Municipality from the Royal Bank of Canada Facility 6 Loan and any earnings derived from the investment of that money shall be applied only for the Project and shall not be applied towards payment of current or other expenditures of the Municipality except as permitted by the Ontario, *Municipal Act*, 2001.

6. That this By-law takes effect on the day of passing.

**BY-LAW READ**, passed, signed and sealed in open Council this 5<sup>th</sup> day of October, 2021.

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Christa Lowry, Mayor

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Cynthia Moyle, Acting Clerk