

No. 84

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2nd Session, 15th Legislature, Alberta  
13 Elizabeth II

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## **BILL 84**

A Bill to Co-operate with the Government of Canada and  
other Public Authorities for the provision of  
Housing and Urban Renewal

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HON. MR. HOOKE

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## **Explanatory Note**

General. This Bill will repeal and replace The Housing Act (chapter 149 of the Revised Statutes). The Act being repealed was enabling legislation authorizing municipalities to take advantage of the National Housing Act, 1954 (Canada). Recently the federal Act was extensively amended to provide new forms of assistance, including assistance in undertaking urban renewal schemes. The provincial legislation is being rewritten to reflect these amendments.

### **2. Definitions.**

**3. Authority for the Province and municipalities to enter into agreements for the provision of housing accommodation.**

# BILL

No. 84 of 1965

An Act to Co-operate with the Government of Canada and  
other Public Authorities for the provision of  
Housing and Urban Renewal

(Assented to \_\_\_\_\_, 1965)

**H**ER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Alberta,  
enacts as follows:

1. This Act may be cited as "*The Alberta Housing Act*".

2. In this Act,

- (a) "Corporation" means the Central Mortgage and Housing Corporation established by the *Central Mortgage and Housing Corporation Act* (Canada);
- (b) "federal Act" means the *National Housing Act, 1954* (Canada) as amended from time to time;
- (c) "Minister" means the Minister of Municipal Affairs;
- (d) "municipality" means a city, town, village, county or municipal district;

and other words have the same meaning they have in the federal Act.

## Public Housing

3. (1) The Province may enter into agreements with

- (a) the Government of Canada,
- (b) the Corporation,
- (c) any municipality, and
- (d) any housing authority established under section 4,

or any combination of them, to undertake joint projects of a type mentioned in subsection (1) of section 35A of the federal Act.

(2) With the approval of the Province, a municipality may enter into agreements with

- (a) the Government of Canada,
- (b) the Corporation,
- (c) the Province or any agency thereof, and
- (d) any housing authority established under section 4,

**4.** Incorporation of housing authorities to manage housing projects on behalf of Canada and the Province.

**5.** The Province may require a municipality to bear part of the costs of a housing project.

**6.** Authority for and powers of a municipality to undertake housing projects.

**7.** Borrowing powers of a municipality in connection with an approved project.

or any combination of them, to undertake joint projects of a type mentioned in subsection (1) of section 35A of the federal Act.

**4.** (1) For the purpose of carrying out agreements entered into pursuant to section 3, the Lieutenant Governor in Council may, by order, incorporate housing authorities consisting of such number of persons as he determines.

(2) The Lieutenant Governor in Council shall appoint the members of a housing authority to hold office during pleasure or for such term as he determines and shall designate one of them to be chairman and another to be vice-chairman.

(3) The Lieutenant Governor in Council may vest in a housing authority such powers, functions and duties as he considers necessary or advisable to carry out any agreement, including the power to acquire and dispose of land and the power to acquire, operate and maintain housing projects and housing accommodation.

**5.** As a condition of the Province entering into an agreement with the Government of Canada under section 35A of the federal Act to undertake a project of the type mentioned in subsection (1) of that section in a municipality, the Province may require the municipality to bear up to ten per cent of the capital costs and the profits and losses of the project.

**6.** (1) A municipality may, with the approval of the Province, acquire, undertake, carry to completion, maintain and operate a public housing project or housing accommodation within the municipality.

(2) For the purposes of an approved project a municipality, under the authority of a by-law, may

- (a) acquire and develop land for housing purposes,
- (b) construct housing projects or housing accommodation for sale or for rent, and
- (c) acquire, improve and convert existing buildings for a housing project or for housing accommodation,

and may exercise any other power or do any other thing that may be required to be exercised or done for the purposes of the approved project.

**7.** (1) A municipality may, with the approval of the Province, borrow such moneys as are necessary to enable it to develop and implement an approved project, and to secure the moneys borrowed

- (a) the municipality may issue debentures as provided in its governing municipal Act, except that the by-law authorizing the borrowing does not require the assent of the proprietary electors, or

**8.** Agreements to undertake urban renewal schemes.

**9.** Powers of a municipality in connection with an urban renewal scheme.

**10.** Content of and enforcement of housing standards by-law in an urban renewal area.

- (b) the municipality may mortgage the land held for the housing project, in which case it need not issue debentures notwithstanding anything contained in its governing municipal Act.
- (2) A municipality may appropriate moneys from the general revenue of the municipality to defray the municipality's portion of any annual expenses or losses incurred in the operating of an approved project.

#### **Urban Renewal**

**8.** (1) The Province may enter into agreements with the Corporation and with municipalities for the preparation of urban renewal schemes and for the carrying out of urban renewal schemes.

(2) With the approval of the Province a municipality may enter into agreements with the Corporation and with the Province for the preparation of an urban renewal scheme and the carrying out of an urban renewal scheme.

**9.** (1) A municipality, with the approval of the Province, may prepare and carry out an urban renewal scheme for a blighted or substandard area of the municipality.

(2) Without restricting the powers it has under its governing municipal Act and *The Planning Act*, a municipality, for the purposes of carrying out an approved urban renewal scheme,

- (a) may acquire and clear, service and develop land within the urban renewal area,
- (b) may demolish, remove, replace, renovate, repair and maintain buildings and other improvements owned or acquired by it in the urban renewal area,
- (c) may sell, lease or otherwise alienate property in the urban renewal area,
- (d) may provide assistance by grant or loans to the owners of property in the urban renewal area for the renovation or repair of that property on such terms as to security and repayment as the municipality considers just,
- (e) may assist the relocation of persons dispossessed of housing accommodation by the scheme,
- (f) may, subject to section 10, establish and enforce minimum standards for existing property in the urban renewal area, and
- (g) may exercise any other power or do any act or thing that may be required to be exercised or done in order to carry out the urban renewal scheme,

under the authority of by-laws.

**10.** (1) Sections 130 to 132 and 137 of *The Planning Act* apply, *mutatis mutandis*, with respect to a by-law under clause (f) of subsection (2) of section 9.





(2) The by-law may

- (a) prescribe standards for the maintenance and occupancy of property and prohibit the use of property that does not conform to the prescribed standards, and
- (b) require property that does not conform to the prescribed standards to be repaired and maintained to comply with the standards or the land thereof to be cleared of all buildings and structures and left in a graded and level condition.

(3) The by-law may provide that the municipal planning commission or the development control officer of the municipality may be authorized to act on behalf of the council of the municipality in the administration of the by-law.

(4) The by-law is not enforceable with respect to property until notice has been sent by registered mail to or served on the assessed owner and all persons shown by the records of the land titles office to have an interest in the property and upon the occupant thereof, if any, stating that the property does not comply with the standards prescribed in the by-law and that repairs are required to be made thereto, giving reasonable particulars of the repairs required to be made, or that the land must be cleared and left in a graded and level condition and stating the time within which the repairs are to be made or the clearing is to be done, which shall not be less than six months, and that, if the repair or clearance is not so done within the time specified, the municipality may carry out the repair or clearance and the cost of the work done may be levied against the property as a debt due to the municipality or charged against the land concerned as taxes due and owing in respect of that land and recover the cost as such.

(5) A person entitled to notice under subsection (4) may within ten days of the receipt of the notice appeal

- (a) to the development appeal board of the municipality,  
or
- (b) where no development appeal board is established, to the council.

(6) A person affected by a decision of a development appeal board under this section may, within ten days after the receipt by him of the decision, appeal the decision to the council.

(7) The development appeal board or the council, as the case may be, shall hold a hearing of each appeal and in determining the appeal, it

- (a) may confirm, reverse or vary the decision appealed from, and
- (b) may grant an extension of not more than one year from the end of the time specified in the notice given under subsection (2) within which the repairs are to be made or the clearing is to be done,

**11.** Provincial share of the costs of an urban renewal scheme.

**12.** Borrowing powers of a municipality in connection with an urban renewal scheme.

**13.** Power of municipality to acquire land by expropriation and ahead of need.

but no extension shall be granted unless the development appeal board or the council is of the opinion that a refusal of the appeal would result in undue hardship and not more than two extensions may be granted in respect of any property.

(8) A person affected by a decision of a council under this section may, within ten days after the receipt by him of the decision, appeal the decision to the Provincial Planning Board.

**11.** (1) Pursuant to an agreement with a municipality or the Corporation, the Province may pay up to three-fifths of the share that is not paid by the Corporation of

- (a) the cost of the preparation of an urban renewal scheme, including the cost of all economic, social and engineering research and planning necessary therefor, and
- (b) the costs of carrying out an urban renewal scheme, including the acquisition, clearing, demolition and disposition of lands and buildings and the installation of municipal services and works, other than public buildings, in the urban renewal area.

(2) Every agreement entered into with a municipality under this section shall provide that the municipality will pay the Province up to three-fifths of the share that is not paid to the Corporation of

- (a) any moneys received by the municipality from the sale, lease or other disposition of land in the urban renewal area, and
- (b) the value, as determined in the manner provided in the agreement, of land in the urban renewal area retained by the municipality for public purposes.

**12.** A municipality may, with the approval of the Province, borrow such moneys as are necessary to enable it to prepare and carry out an urban renewal scheme and to secure the moneys borrowed

- (a) the municipality may issue debentures as provided in its governing municipal Act, except that the by-law authorizing the borrowing does not require the assent of the proprietary electors, or
- (b) the municipality may mortgage the lands in the urban renewal area that are held by it for the purposes of the scheme, in which case it need not issue debentures notwithstanding anything contained in its governing municipal Act.

#### **General**

**13.** (1) Land may be acquired by a municipality under sections 6 and 9 by purchase, expropriation or otherwise and

**14.** The Province may borrow from Central Mortgage and Housing Corporation for the purposes of an agreement under this Act.

**15.** Co-operative housing projects.

**16.** Authority of the Minister.

**17.** Regulations.

it may be acquired before it is actually needed for, and in anticipation of, a future urban renewal scheme or public housing project.

(2) The powers mentioned in this section and sections 6 and 9 shall be exercised subject to such conditions and restrictions as the Lieutenant Governor in Council may prescribe.

**14.** The Province may borrow money from the Corporation for any of the purposes mentioned in section 23C, 35C, 35D or 36F of the federal Act, on such terms and conditions as the Lieutenant Governor in Council considers proper.

**15.** Where the Province enters into an agreement with the Government of Canada under section 35A of the federal Act and with a co-operative association to undertake a co-operative housing project, the Province may bear not more than twenty-five per cent of the capital costs of the project on such terms as to security and repayment as the Lieutenant Governor in Council considers proper.

**16. (1)** Any agreement that may be entered into by the Province under this Act may, with the approval of the Lieutenant Governor in Council, be entered into by the Minister.

(2) Any approval that is to be given by the Province under this Act or the federal Act may be given by the Minister.

(3) For the purpose of any agreement entered into under this Act, the Minister may acquire land by purchase, expropriation or otherwise and dispose of the land on such terms and conditions as may be proper to give effect to the terms of the agreement.

(4) With respect to improvement districts and special areas, the Minister may exercise all the powers given a municipality by sections 6, 9, 10 and 13.

**17. (1)** The Lieutenant Governor in Council may make such regulations as he considers necessary or advisable for the purpose of

(a) giving effect to this Act according to its true intent, and

(b) supplying any deficiency in the provisions of this Act.

(2) The Lieutenant Governor in Council may

(a) authorize a municipality to do, or

(b) prohibit a municipality from doing,

any act or thing he deems expedient in order to avoid undue delay or other problems in the implementation or operation of any scheme or project authorized under this Act.

**18.** Repeal of present Act.

**19.** Commencement of Act.

**18.** *The Housing Act*, being chapter 149 of the Revised Statutes, is repealed.

**19.** This Act comes into force on the day upon which it is assented to.

No. 84

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SECOND SESSION

FIFTEENTH LEGISLATURE

13 ELIZABETH II

1965

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**BILL**

An Act to Co-operate with the Government of Canada and other Public Authorities for the provision of Housing and Urban Renewal

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. HOOKE

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