

1969 Bill 39

Second Session, 16th Legislature, 18 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 39

An Act to amend The Alberta Housing Act, 1968

THE MINISTER OF MUNICIPAL AFFAIRS

First Reading

Second Reading

Third Reading

BILL 39

1969

An Act to amend The Alberta Housing Act, 1968

(Assented to _____, 1969)

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

1. *The Alberta Housing Act, 1968* is hereby amended.
2. Section 11, subsection (2), clause (c) is amended by adding after the word "construct" the words "or acquire".
3. Section 12, subsection (2), clause (c) is amended by adding after the word "construct" the words "or acquire".
4. Section 14, subsection (1) is amended by striking out clause (a) and by substituting the following:
 - (a) the municipality may issue debentures as provided in *The Municipal Government Act*, except that the by-law authorizing the borrowing does not require the assent of the proprietary electors, or
5. Section 15 is amended by adding the following after subsection (2):
 - (3) Before entering into any agreement for the carrying out of an urban renewal scheme, a municipality shall cause notice to be published once a week for two consecutive weeks preceding the presentation of the agreement to the council in a newspaper having a general circulation in the municipality, which shall set forth
 - (a) the purpose of the proposed agreement and a general description of the area affected,
 - (b) that a copy of the proposed agreement is on file in the office of the municipal secretary of the municipality and may be inspected by the public during business hours,
 - (c) the time and place at which the council will hold a public hearing on the proposed urban renewal

Explanatory Notes

1. This Bill amends chapter 44 of the Statutes of Alberta, 1968.

2. Section 11 (2) (c) presently reads:

(2) For the purposes of this section, the Province may

.....

(c) construct housing units of any form or type for lease or sale in conjunction with a land development project or separately therefrom, and

.....

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

3. Section 12 (2) (c) presently reads:

(2) For the purposes of an approved project, a municipality may

.....

(c) construct housing units of any form or type for lease or sale in conjunction with a land development project or separately therefrom, and

.....

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

4. Section 14 (1) (a) presently reads:

14. (1) A municipality may, by by-law, 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, or

.....

5. Section 15 presently reads:

15. (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.

scheme, which shall not be less than 10 days after the last publication of the official notice, and

- (d) the procedure to be followed by persons who wish to submit representation concerning the proposed urban renewal scheme.

(4) The council may, by resolution passed before the first publication of the notice, prescribe the procedure to be followed by persons who wish to submit representations concerning the proposed urban renewal scheme and, without restricting the generality of the foregoing, may

- (a) require the submission of written representations to council prior to the hearing, and
- (b) regulate the presentation of oral submissions at the hearing.

(5) The council shall hold a public hearing at the time and place stated in the notice and at that hearing shall, subject to subsection (4), hear any person who wishes to make representations concerning the manner in which any provision of the proposed agreement may affect him or any owner of land whom he represents or the public at large or any local group of residents or property owners.

(6) The council shall give due consideration to the recommendations, if any, of its departments or consultants retained by it and representations made at the public hearing or submitted in writing pursuant to clause (a) of subsection (4) and make a ruling thereon.

6. Section 19, subsection (1) is amended by striking out clause (a) and by substituting the following:

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

7. The following section is added after section 20:

20a. With the approval of the Lieutenant Governor in Council and upon such conditions as he may prescribe, the Province and a municipality may jointly guarantee the repayment of principal and interest on all or part of a borrowing made by a person for the private development of a housing project of minimum standards in the municipality for sale or lease to persons of lower middle income.

8. Section 28, subsection (2) is amended

- (a) as to clause (c) by adding after the words "any real" the words "or personal" and after the word "project" the word ", and",

6. Section 19 (1) (a) presently reads:

19. (1) A municipality may, by by-law, 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, or
.....

7. Self-explanatory.

8. Section 28 (2) (c) presently reads:

(2) In addition to the powers vested in a corporation by section 14 of The Interpretation Act, 1958, the Alberta Housing and Urban Renewal Corporation may
.....

(c) secure any moneys borrowed, issue debentures or mortgage any real property held for a housing project.

(b) by adding the following after clause (c) :

(d) make grants or loans to persons for the purpose of acquiring or improving housing.

9. After section 21 :

21a. Where a municipality desires to expropriate land for the purpose of implementing an urban renewal scheme being undertaken pursuant to section 15, the municipality may make a commitment to dispose of land before it has acquired it and in acquiring the land by expropriation it is not required to notify the owner that he is entitled to make representations in accordance with section 24, subsection (2), clause (f) of *The Expropriation Procedure Act* and the council is not required to have regard to any of the matters referred to in section 25, subsection (1) of *The Expropriation Procedure Act* before enacting a by-law authorizing the expropriation of land required for that purpose.

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

9. Sections 24 (2) (f) and 25 (1) of The Expropriation Procedure Act presently read:

(2) Thereupon the municipality shall cause to be served upon the owner of the land to be expropriated a notice in writing, which shall set forth:

.....

(f) that the owner is entitled, before enactment of the by-law, to make representations to the municipality and set forth his reasons why the land should not be expropriated;

.....

25. (1) Before enacting a by-law authorizing the expropriation of any land, a council shall have regard to the circumstances that appear to it to be relevant and, in particular but not so as to limit the generality of the foregoing, shall have regard to

- (a) the recommendation, if any, of any of its departments or consultants retained by it,
- (b) the objections of an interested party, and
- (c) the needs and general good of the municipality.