

1973 Bill 31

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Second Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 31**

**The Alberta Housing Amendment Act, 1973**

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MR. YOUNG

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**First Reading** .....

**Second Reading** .....

**Third Reading** .....

*Bill 31*  
*Mr. Young*

## **BILL 31**

1973

### **THE ALBERTA HOUSING AMENDMENT ACT, 1973**

*(Assented to , 1973)*

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

- 1. The Alberta Housing Act is hereby amended.*
- 2. Section 2, clause (c) is amended by striking out the figure “, 1954”.*
- 3. Section 5, subsection (5) is amended by striking out the words “Deputy Minister of Municipal Affairs” and by substituting the words “Deputy Provincial Treasurer”.*
- 4. Section 8, clause 5 is amended by striking out the words “of section 31” and by substituting the words “provided for by this Act”.*
- 5. Section 12, subsection (3) is amended by striking out the figure “35E” and by substituting the figure “44”.*
- 6. Section 17 is struck out and the following section is substituted:*
  - 17.** (1) Notwithstanding the provisions of *The Financial Administration Act*, the Provincial Treasurer shall from time to time on the direction of the Lieutenant Governor in Council and at the request of the Corporation
    - (a) advance to the Corporation out of the General Revenue Fund such sums of money as are required for the capital costs of the Corporation, and
    - (b) make such grant or grants out of the General Revenue Fund as are required for the operational costs of the Corporation.
  - (2) The total of the sums advanced in each year under subsection(1), clause (a) shall be repaid to the Provincial Treasurer on such terms and conditions as may be agreed upon by the Corporation and the Provincial Treasurer.

## Explanatory Notes

**1.** This Bill will amend chapter 175 of the Revised Statutes of Alberta 1970.

**2.** Consequential to revision of federal statutes.

**3.** Consequential to a 1972 amendment to subsection (1).

**4.** Extends Corporation's power to make grants or loans to municipalities. Section 8, clause 5 presently reads:

8. In addition to the powers vested in a corporation by section 14 of The Interpretation Act, the Corporation may:

5. make grants or loans to municipalities for any of the purposes of section 31;

**5.** Consequential to revision of federal statutes.

**6.** A change to facilitate the making of grants by removing the implication that grants are to be made only after the deficit is ascertained. Section 17 presently reads:

17. (1) Notwithstanding the provisions of The Financial Administration Act, the Provincial Treasurer shall, on the direction of the Lieutenant Governor in Council and at the request of the Corporation, advance to the Corporation out of the General Revenue Fund such sums of money as are required for the operational and capital costs of the Corporation.

(2) At the end of the fiscal year of the Corporation, the Provincial Treasurer on the direction of the Lieutenant Governor in Council shall, out of the General Revenue Fund, make a grant to the Corporation equal to the deficit as shown on the audited financial statement.

(2.1) The total of the sums advanced in each year under subsection (1) for capital costs less the amount of the grant paid for that year under subsection (2) shall be repaid to the Provincial Treasurer on such terms and conditions as may be agreed upon by the Corporation and the Provincial Treasurer.

(3) The fiscal year of the Corporation shall be January 1 to December 31.

(3) The total amount of the grants made under subsection (1), clause (b) shall be adjusted by the Provincial Treasurer at the end of the fiscal year of the Corporation in accordance with the cash deficit as certified by the Provincial Treasurer.

(4) The fiscal year of the Corporation shall be January 1 to December 31.

*7. The following section is added after section 20:*

**20.1** A municipality may, by by-law, borrow such moneys as are necessary to enable it to develop and implement an approved project under section 20, and to secure the moneys borrowed

- (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
- (b) the municipality may mortgage the land held for the project, in which case it need not issue debentures notwithstanding anything contained in its governing municipal Act.

*8. Section 21 is amended by striking out the words "Part VI of" wherever they appear in the section.*

*9. Section 22 is amended by striking out the figure "35A" and by substituting the figure "40".*

*10. Section 23 is amended*

- (a) *as to subsection (1) by striking out the figure "35E" and by substituting the figure "44",*
- (b) *by striking out subsection (3).*

**7.** Gives municipalities borrowing powers for public housing projects similar to those which they have under this Act for land assembly and development projects and urban renewal schemes.

**8.** Removes a restriction imposed on housing authorities to Part VI, or public housing, projects under the federal Act. Section 21 presently reads:

21. (1) The Corporation may enter into agreements with
- (a) the Government of Canada,
  - (b) the Canada corporation,
  - (c) any municipality, and
  - (d) any housing authority established under section 41,
- or any combination of them, to undertake projects of a type mentioned in Part VI of the federal Act.
- (2) With the approval of the Corporation, a municipality may enter into agreements with
- (a) the Government of Canada,
  - (b) the Canada corporation,
  - (c) the Government of Alberta or any agency thereof, and
  - (d) any housing authority established under section 41,
- or any combination of them, to undertake projects of a type mentioned in Part VI of the federal Act.
- (3) A housing authority established under section 41 may, with the approval of the Corporation, enter into agreements with any municipality for the management, operation, maintenance and the administration of public housing projects undertaken pursuant to Part VI of the federal Act.

**9.** Consequential to revision of federal statutes

**10.** Consequential to revision of federal statutes.  
To enable the Corporation to determine date of completion. Section 23 presently reads:

23. (1) When the Corporation or a municipality enters into an agreement with the Canada corporation under section 35E of the federal Act, the Corporation may pay up to 50 per cent of the annual operating losses and may require the municipality to pay the remainder of the losses that are not paid by the Canada corporation.
- (2) The contributions shall be made for a period not exceeding the useful life of the project as determined by the Corporation and in any case not exceeding 50 years from the date of completion of the project.
- (3) The date of completion of the project shall mean the last day of the calendar year in which the construction or acquisition and rehabilitation of the project has in the opinion of the Corporation been substantially completed.

*11. Section 24 is amended*

- (a) as to subsection (2), clause (d) by striking out the word “and” and by substituting the word “or”,*
- (b) by striking out subsection (3) and by substituting the following subsection:*

(3) The Corporation may enter into agreements with municipalities, housing authorities, non-profit organizations or senior citizen foundations for

- (a) the development of senior citizen housing projects, or
  - (b) the provision of a grant towards the total capital cost of a project, or
  - (c) the exercise of any of the powers under subsection (2),
- or any of them.

*12. Section 25 is struck out.*

*13. Section 26 is amended*

- (a) by striking out the word “staff” wherever it appears in that section,*
- (b) by striking out subsection (3).*

*14. Section 27 is struck out and the following section is substituted:*

**27.** (1) The Corporation may enter into an agreement with a co-operative association to undertake a co-operative housing project.

(2) In this section “co-operative housing project” means a housing project undertaken by a co-operative association incorporated under *The Co-operative Associations Act*.

**11.** Permits agreements with municipalities and housing authorities involving senior citizen's housing. Section 24(3) presently reads:

- (3) The Corporation may enter into agreements with non-profit organizations or senior citizen foundations for
  - (a) the development of senior citizen housing projects, and
  - (b) the provision of a grant towards the total capital cost of a project.

**12.** This section is included in new section 27. Section 25 presently reads:

- 25. (1) The Corporation may undertake and carry to completion housing for families and individuals receiving social allowances or social assistance.
- (2) For the purpose of this section, the Corporation may
  - (a) acquire, assemble and develop land,
  - (b) design and construct housing units,
  - (c) administer, manage and maintain housing units,
  - (d) borrow any money required for the housing units,
  - (e) acquire, convert or improve existing housing for that purpose, and
  - (f) sell, lease or otherwise dispose of any housing, for families or individuals receiving social allowances or social assistance.

**13.** Permits Corporation to become involved in all types of housing projects. Section 26 presently reads:

- 26. (1) The Corporation may undertake and carry to completion staff housing projects.
- (2) For the purpose of this section, the Corporation may
  - (a) acquire, assemble and develop land,
  - (b) design and construct staff housing units,
  - (c) acquire, improve or convert existing buildings for staff housing purposes,
  - (d) administer, manage and maintain staff housing units,
  - (e) borrow any money required for staff housing, and
  - (f) sell, lease or dispose of any staff housing units.
- (3) In this section "staff housing" means housing accommodation intended for employees of the Government of Alberta or any agency thereof.

**14.** Section 27 presently reads:

- 27. (1) Where the Corporation 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 Corporation may bear not more than 25 per cent of the capital costs of the project on such terms as to security and payment as the Corporation considers proper.
- (2) In this section "co-operative housing project" means a housing project built by a co-operative association incorporated under the laws of Alberta.

15. *Section 38 is amended*

- (a) *by renumbering the section as subsection (1),*
- (b) *by adding the following subsection after the re-numbered subsection (1):*

(2) For the purpose of expropriating land the Corporation, with the consent of the Minister, has the same powers and may proceed in the same manner as the Minister of Public Works under *The Expropriation Procedure Act*.

16. *Section 41, subsection (1) is amended by striking out the words "section 21" and by substituting the words "sections 21 and 24".*

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



**15.** Clarifies powers of expropriation given in present section 38 which reads:

38. Land may be acquired by the Government of Alberta or the Corporation for any of the purposes provided by this Act by purchase, expropriation or otherwise and it may be acquired before it is actually needed for and in anticipation of any project or scheme mentioned in this Act.

**16.** Consequential to amendment to section 24. Section 41, subsection (1) presently reads:

41. (1) For the purposes of carrying out agreements entered into pursuant to section 21, the Minister may, by order, incorporate housing authorities consisting of such number of persons as he determines.