

1960

c 182 Housing Development Act

Ontario

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CHAPTER 182

The Housing Development Act

1. In this Act,

Interpre-
tation

- (a) "building development" means a project designed to furnish housing accommodation with or without public buildings, recreational facilities, industrial and commercial buildings or space appropriate therefor, and includes a plan for the re-development of land devoted to urban uses designed to increase and improve the housing accommodation thereon; and
- (b) "building development corporation" means a corporation authorized to undertake a building development that is approved by the Lieutenant Governor in Council, and includes any authority established by a municipality to undertake a building development. R.S.O. 1950, c. 174, s. 1.

2. The Lieutenant Governor in Council may guarantee money loaned to persons by corporations authorized to loan money if the money so loaned is to be used in the construction of housing accommodation. R.S.O. 1950, c. 174, s. 2.

Government
may guarantee
housing
loans

3. The Lieutenant Governor in Council may make grants in aid of any building development. R.S.O. 1950, c. 174, s. 3.

Government
may make
grants

4. The Lieutenant Governor in Council may advance moneys or guarantee moneys to be advanced to any building development corporation undertaking a building development. R.S.O. 1950, c. 174, s. 4.

Government
may assist
in financing

5. Notwithstanding any other Act, any municipality, with the approval of the Lieutenant Governor in Council, may advance moneys or guarantee moneys to be advanced to any building development corporation undertaking a building development, and may issue debentures therefor. R.S.O. 1950, c. 174, s. 5.

Municipal-
ties may
assist in
financing

Joint
housing
projects
authorized

1953-54, o. 23
(Can.)

6.—(1) The Crown in right of Ontario represented by the Minister of Planning and Development may make agreements with the Crown in right of Canada represented by the Minister of Public Works or such other Minister as is authorized in that behalf, respecting joint projects for the acquisition and development of land for housing purposes and for the construction of houses for sale or for rent as contemplated in section 36 of the *National Housing Act, 1954* (Canada).

Management
corporations

(2) The Lieutenant Governor in Council may constitute corporations with such powers and duties as are deemed expedient to carry out any of the terms of any agreement made under subsection 1, including power to plan, construct and manage any joint housing project undertaken under any such agreement and including power to acquire and dispose of land in its own name. R.S.O. 1950, c. 174, s. 6 (1, 2).

Provincial
share of
cost

(3) Any moneys required to be furnished by the Crown in right of Ontario under any agreement made under subsection 1 shall be paid out of the moneys appropriated therefor by the Legislature. R.S.O. 1950, c. 174, s. 6 (3); 1957, c. 47, s. 1.

Powers of
municipalities
under joint
housing
agreements

1945
(2nd Sess.)
c. 15 (Can.)

(4) Notwithstanding any other Act, the council of a municipality that enters into or has heretofore entered into an agreement with Her Majesty the Queen in right of Ontario, or with Her Majesty the Queen in right of Ontario and Central Mortgage and Housing Corporation, a corporation established by *The Central Mortgage and Housing Corporation Act* (Canada), pursuant to *The Housing Development Act, 1948* or this Act or a predecessor of this Act shall be deemed to have and to have had authority to enter into such agreement and shall have all such powers as may be necessary to carry out the provisions thereof or of any undertaking given by such council pursuant thereto, and, without limiting the generality of the foregoing, such council may incur continuing obligations and make provisions for the discharge thereof and may contribute moneys to and expend moneys on joint housing projects and raise moneys therefor by the issue of debentures, all without the assent of the electors and without reference to the Ontario Municipal Board, and such council may apportion any debt or obligation arising out of such agreement in such manner as it deems equitable against any properties, whether such properties form part of a project within the meaning of such agreement or are adjacent thereto, and such debt or obligation when so apportioned shall be deemed to be a land tax within the meaning of *The Assessment Act* and recoverable as such.

R.S.O. 1960,
c. 23

(5) The Crown in right of Ontario may agree to pay annually to any municipality, in respect of any lands acquired for a joint housing project within the municipality, a sum of money calculated on any basis whatsoever but not in excess of the amount that in the opinion of the Minister of Municipal Affairs would have been payable to the municipality as taxes on such lands if they had not been exempt from taxation.

Payments
in lieu
of taxes

(6) Where an agreement under subsection 5 is in force in respect of land occupied by tenants, the land is nevertheless exempt from taxation, including local improvement rates.

Tax exemp-
tion for
tenant-
occupied
lands

(7) The right to vote of such tenants is not affected by subsection 6, and the assessment rolls and voters' lists shall be prepared in the usual manner as if subsection 6 had not been passed. 1952, c. 39, s. 1.

Right to
vote not
affected

(8) Notwithstanding any other Act, the Lieutenant Governor in Council may authorize any municipality in or near which a joint housing project is undertaken to do or not to do such acts or things as are deemed expedient in order to avoid undue delay in the development of the project, including the furnishing of municipal services. R.S.O. 1950, c. 174, s. 6 (6).

Power to
expedite
develop-
ment of
projects

7.—(1) The Minister of Planning and Development may, for and in the name of Her Majesty in right of Ontario, acquire by purchase or otherwise, or, without the consent of the owner, enter upon, take and expropriate any land he deems necessary for the purposes of a housing project under section 6.

Acquisition
of land

(2) The Minister in the exercise of his powers to take land compulsorily has all the powers conferred by *The Public Works Act* on the Minister of Public Works in relation to a public work, and in the application of this section where the words "the Minister", "the Department" or "the Crown" appear in such Act, they mean, where the context permits, the Minister of Planning and Development.

Expro-
priation
R.S.O. 1960,
c. 338

(3) The Minister of Planning and Development shall proceed in the manner provided by *The Public Works Act* where the Minister of Public Works enters upon, takes or uses land or property for the use of Ontario, and all the provisions of that Act, including the provisions as to compensation, apply *mutatis mutandis*.

Procedure

(4) Upon the deposit in the proper registry or land titles office of a plan and description of the land acquired by the Minister of Planning and Development, signed by him and by an Ontario land surveyor, the land so described thereupon vests in the Minister. 1952, c. 39, s. 2, *part*.

Mode of
perfecting
title

Contribution by corporations **8.**—(1) The Crown in right of Ontario may enter into an agreement with any corporation under which the corporation will contribute moneys to any joint housing project being carried out under section 6.

Powers of corporations (2) Any corporation incorporated under the laws of Ontario has power to enter into and carry out such agreement. 1952, c. 39, s. 2, *part.*

Inquiry by management corporation **9.**—(1) With the approval of the Lieutenant Governor in Council, a corporation incorporated under subsection 2 of section 6, if requested by the municipality in which the corporation exercises its powers, may inquire into any matter relating to housing conditions or a building development in the municipality and report thereon to the municipality with its recommendations.

Payment of expenses (2) The municipality at whose request an inquiry is made under subsection 1 may pay all or any part of the expenses incurred by the corporation with respect to such inquiry. 1958, c. 40, s. 1.

Moneys required for purposes of Act **10.** The moneys required by the Lieutenant Governor in Council for the purposes of this Act, except section 13, shall be paid out of the moneys appropriated therefor by the Legislature. 1957, c. 47, s. 2, *part.*

Cost of administration **11.** The cost of administration of this Act shall be paid out of the moneys appropriated therefor by the Legislature. 1957, c. 47, s. 2, *part.*

Administration of Act **12.** This Act shall be administered by the Minister of Planning and Development or such other member of the Executive Council to whom it is assigned by the Lieutenant Governor in Council. R.S.O. 1950, c. 174, s. 9.

Housing Corporation Ltd., power to issue bonds, etc. **13.**—(1) Notwithstanding subsection 2 of section 2 of *The Corporations Act*, Housing Corporation Limited, being a corporation incorporated by letters patent dated the 29th day of April, 1948, for the purpose and object of lending and investing money on mortgage of real estate, may issue bonds, debentures or debenture stock. R.S.O. 1960, c. 71

Provincial guarantee, etc. (2) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to purchase or to guarantee the payment of any notes, bonds, debentures or debenture stock issued by Housing Corporation Limited. R.S.O. 1950, c. 174, s. 10.

Advances to Housing Corporation Limited (3) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to make advances to Housing Corporation Limited in such amounts, at such times and on such

terms and conditions as the Lieutenant Governor in Council deems expedient.

(4) All moneys required for the purposes of this section shall be paid out of the Consolidated Revenue Fund. 1957, c. 47, s. 3. Advances
out of
Fund

14. The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the terms and conditions upon which money may be granted, advanced or guaranteed under this Act; and
- (b) providing for the incorporation, constitution and management of building development authorities. R.S.O. 1950, c. 174, s. 11.

15. In sections 16 and 17, "housing project" means a project designed to provide housing accommodation, or to facilitate in any way the provision of housing accommodation, with or without any public space, recreational facilities and commercial space or buildings appropriate thereto. 1955, c. 32, s. 1, *part*. Interpre-
tation

16.—(1) For the purpose of a housing project, a municipality, with the approval of the Minister of Planning and Development, may, Acquisition
of lands for
housing
projects

- (a) acquire land in the municipality;
- (b) hold land heretofore or hereafter acquired in the municipality;
- (c) sell, lease or otherwise dispose of land so acquired or held for a nominal or other consideration to any person or governmental authority having power to undertake housing projects.

(2) For the purpose of a housing project, a municipality, with the approval of the Minister of Planning and Development and of the council of the municipality in which the land is situate, may exercise any of the powers mentioned in subsection 1 in respect of land in an adjacent municipality. Adjacent
municipality

(3) The provisions of *The Municipal Act* apply to the acquisition of land under this section. Applica-
tion of
R.S.O. 1960,
c. 249

(4) Where a municipality acquires land under this section, the whole or part of the consideration therefor may be land then owned by the municipality. Exchange
of lands

(5) Where a municipality has acquired or holds land under this section, the municipality may clear, grade or otherwise prepare the land for the purpose of the housing project. 1955, c. 32, s. 1, *part*. Power to
clear,
grade, etc.

Agreements
re housing
projects

17. A municipality, with the approval of the Minister of Planning and Development, may,

- (a) enter into an agreement with any person or governmental authority for sharing or contributing to the capital cost or the maintenance cost of a housing project;
- (b) enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land in a specified area surrounding or adjacent to the project will be maintained for the period specified in the agreement. 1955, c. 32, s. 1, *part.*

Temporary
housing
projects

18. To relieve any emergency in housing conditions, a municipality, with the approval of the Minister of Planning and Development, may erect, maintain, manage and wind up projects for temporary housing accommodation either in or outside the municipality. 1955, c. 32, s. 1, *part.*
