CHAPTER 213

The Housing Development Act

1. In this Act,

   (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 redevelopment of land in blighted or substandard areas in any municipality;

   (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;

   (c) "Minister" means the Minister responsible for the administration of this Act under section 12. R.S.O. 1960, c. 182, s. 1; 1961-62, c. 59, s. 1, amended.

2.—(1) The Lieutenant Governor in Council may,

   (a) guarantee moneys loaned to persons to be used in the construction of a building development;

   (b) advance moneys or guarantee moneys loaned to any building development corporation to undertake a building development;

   (c) advance moneys or guarantee moneys loaned to persons to acquire and rehabilitate housing units;

   (d) advance moneys or guarantee moneys loaned to any municipality to acquire, demolish and clear dwelling units on land in the municipality that cannot reasonably be rehabilitated for housing purposes; and

   (e) make grants in aid of any housing development.

   (2) Where moneys are advanced or guaranteed under clause d of subsection 1, the land shall not be used for other than public purposes without the approval of the Minister. 1961-62, c. 59, s. 2, part.

3. The Minister may,

   (a) make grants in aid of studies into housing conditions or any matter relating to housing in Ontario; and
(b) make grants and otherwise assist the house building industry in Ontario by stimulating and encouraging research, education and constructive competition within the industry. 1961-62, c. 59, s. 2, part, amended.

4. The Minister may, for the purpose of assisting him in the carrying out of his responsibilities, appoint such advisory committees as he may consider necessary and may pay the reasonable travelling and living expenses incurred by the members of such advisory committees. 1961-62, c. 59, s. 2, part, amended.

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. 1960, c. 182, s. 5.

6.—(1) The Crown in right of Ontario represented by the Minister may make agreements with the Crown in right of Canada represented by the Minister of Public Works or such other Minister as may be authorized in that behalf respecting joint projects as contemplated in section 36 of the National Housing Act, 1954 (Canada) for,

(a) the acquisition and development of land for housing purposes;

(b) the construction of housing projects for sale or for rent; and

(c) the acquisition, improvement and conversion for housing purposes of existing buildings situated in any municipality. 1960-61, c. 37, s. 1; 1961-62, c. 59, s. 3 (1, 2), amended.

(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 or to carry out any housing project, including power to plan, construct and manage any housing project undertaken under any such agreement or otherwise, and including power to acquire and dispose of land in its own name. 1966, c. 68, s. 1 (1).

(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. 1960, c. 182, s. 6 (3).

(4) Any moneys required by the Crown in right of Ontario for the purposes of any corporation constituted under subsection 2 for purposes other than to carry out the terms of an agreement made under subsection 1 shall be paid, out of the moneys appropriated therefor by the Legislature. 1966, c. 68, s. 1 (2), amended.
(5) 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 considers 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 Municipal Act and recoverable as such. R.S.O. 1960, c. 182, s. 6 (4), amended.

(6) 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.

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

(8) The right to vote of such tenants is not affected by subsection 7, and the assessment rolls and voters’ lists shall be prepared in the usual manner as if subsection 7 had not been passed.

(9) 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 considered expedient in order to avoid undue delay in the development of the project, including the furnishing of municipal services. R.S.O. 1960, c. 182, s. 6 (5-8).

(10) Where in an agreement made under this Act it is provided that payments shall be made to a municipality in lieu of taxes, such payments shall be distributed by the council of the munici-
pality to each of the bodies for which the council is required by law to levy or collect rates as if the land in respect of which the payment is made had been assessed and taxed in the usual way, and, for all purposes of distribution of any part of such payments between school boards, the tenants of any joint housing project shall be deemed to be rated as tenants on the assessment roll of the municipality. 1961-62, c. 59, s. 3 (3).

7.—(1) The Minister 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 considers necessary for the purposes of a housing project under section 6. R.S.O. 1960, c. 182, s. 7 (1); 1960-61, c. 37, s. 2, cl. (a), amended.

(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 under this Act. R.S.O. 1960, c. 182, s. 7 (2); 1960-61, c. 37, s. 2, cl. (b), 1961-62, c. 59, s. 4 (2), amended.

(3) The Minister shall proceed in the manner provided by The Expropriations Act, and the provisions of that Act, apply. R.S.O. 1960, c. 182, s. 7 (3); 1960-61, c. 37, s. 2, cl. (c), 1961-62, c. 59, s. 4 (3), amended.

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.

(2) Any corporation incorporated under the laws of Ontario has power to enter into and carry out such agreement. R.S.O. 1960, c. 182, s. 8.

9.—(1) In this section, “family of low income” means a family that receives a total family income that, in the opinion of the Minister is insufficient to permit it to rent housing accommodation adequate for its needs at the current rental market in the area in which the family lives. 1961-62, c. 59, s. 5, part, amended.

(2) With the approval of the Lieutenant Governor in Council, a corporation constituted under subsection 2 of section 6 may,

(a) lease privately-owned housing units for occupancy by families of low income and lease such housing units to families of low income; and

(b) if requested by the municipality in which the corporation exercises its powers,
(i) inquire into any matter relating to housing conditions or a building development in the municipality and report thereon to the municipality with its recommendations; and
(ii) undertake the management of any housing development in the municipality.

(3) The municipality at whose request an inquiry is made under subsection 2 may pay all or any part of the expenses incurred by the corporation with respect to such inquiry.

(4) Where a corporation manages a housing development at the request of a municipality, the municipality shall pay to the corporation such fees for the management of the housing development as may be prescribed by the regulations made under this Act. 1961-62, c. 59, s. 5, part.

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. R.S.O. 1960, c. 182, s. 10.

11. The cost of administration of this Act shall be paid out of the moneys appropriated therefor by the Legislature. R.S.O. 1960, c. 182, s. 11.

12. This Act shall be administered by the Minister of Trade and Development or such other member of the Executive Council to whom it is assigned by the Lieutenant Governor in Council. R.S.O. 1960, c. 182, s. 12; 1960-61, c. 37, s. 2, cl. (e); 1961-62, c. 59, s. 6, amended.

13.—(1) Notwithstanding subsection 2 of section 3 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.

(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.

(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 considers expedient.
(4) All moneys required for the purposes of this section shall be paid out of the Consolidated Revenue Fund. R.S.O. 1960, c. 182, s. 13.

Regulations

14. The Lieutenant Governor in Council may make regulations,

(a) prescribing the terms and conditions upon which money may be granted, advanced or guaranteed under this Act;

(b) providing for the incorporation, constitution and management of building development authorities;

(c) prescribing fees for the management of housing developments which may be different in respect of any one or more housing developments;

(d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 182, s. 14; 1961-62, c. 59, s. 7.

Interpretation

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. R.S.O. 1960, c. 182, s. 15.

16.—(1) For the purpose of a housing project, a municipality, with the approval of the Minister, may,

(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. R.S.O. 1960, c. 182, s. 16 (1); 1960-61, c. 37, s. 2, cl. (f); 1961-62, c. 59, s. 8 (1), amended.

(2) For the purpose of a housing project, a municipality, with the approval of the Minister 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. R.S.O. 1960, c. 182, s. 16 (2); 1960-61, c. 37, s. 2, cl. (g); 1961-62, c. 59, s. 8 (2), amended.

(3) The provisions of The Municipal Act apply to the acquisition of land under this section.

(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.
(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. R.S.O. 1960, c. 182, s. 16 (3-5).

17.—(1) A municipality, with the approval of the Minister, 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. R.S.O. 1960, c. 182, s. 17; 1960-61, c. 37, s. 2, cl. (h); 1961-62, c. 59, s. 9 (1), amended.

(2) For the purpose of subsection 1, “maintenance cost” includes taxes assessed by the municipality against the housing project. 1961-62, c. 59, s. 9 (2).

18. To relieve any emergency in housing conditions, a municipality, with the approval of the Minister, may erect, maintain, manage and wind up projects for temporary housing accommodation either in or outside the municipality. R.S.O. 1960, c. 182, s. 18; 1960-61, c. 37, s. 2, cl. (i); 1961-62, c. 59, s. 10, amended.