



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 194

**An Act to promote the inclusion of social
housing or affordable housing in new
construction projects**

Introduction

**Introduced by
Madam Carole Poirier
Member for Hochelaga-Maisonneuve**

**Québec Official Publisher
2014**

EXPLANATORY NOTES

The purpose of this bill is to give local municipalities the power, by by-law, to make the issue of a building permit for the construction of housing units subject to the signing of an agreement between the applicant and the municipality to increase the supply of social housing or affordable housing in the territory of the municipality.

The agreement must provide for the inclusion in the project of a specific number of social housing or affordable housing units, or the building of such units elsewhere in the territory of the municipality. It may also provide for the replacement of that obligation by the payment of an amount of money, by the transfer of an immovable in favour of the municipality or by a formal undertaking to carry out such a transfer toward the development of a social housing or affordable housing program by the municipality.

The bill provides that terms and conditions for the issue of a permit and housing unit characteristics may be included in the by-law and the agreement.

Bill 194

AN ACT TO PROMOTE THE INCLUSION OF SOCIAL HOUSING OR AFFORDABLE HOUSING IN NEW CONSTRUCTION PROJECTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The council of a local municipality may, by by-law and in accordance with the policy directions, objectives, strategies and targets defined for that purpose in the planning program adopted by the municipality, make the issue of a building permit for the construction of housing units subject to the signing of an agreement between the applicant and the municipality to increase the supply of social housing or affordable housing in the territory of the municipality.

This Act applies to the issue of a building permit by a local municipality within the meaning of the Act respecting land use planning and development (chapter A-19.1).

2. The agreement must provide for the inclusion in the project of a specific number of social housing or affordable housing units, or the building of such units elsewhere in the territory of the local municipality.

3. The agreement may provide that the obligation to include social housing or affordable housing units in the project or build such units elsewhere in the territory of the local municipality is replaced in whole or in part by the payment of an amount of money, by the transfer of an immovable in favour of the municipality or by a formal undertaking to carry out such a transfer. The agreement may make the issue of the permit subject to such a payment, transfer or undertaking.

All amounts paid by an applicant under the first paragraph and all proceeds of the alienation by the municipality of an immovable transferred to it under the first paragraph form part of a fund exclusively earmarked for the carrying out of a social housing or affordable housing program by the municipality.

4. The by-law may establish rules to determine the number and type of social housing or affordable housing units that can be required and, if applicable, the amount of money that can be paid; the rules may provide that the number of units and amount of money are to be determined in the agreement, subject to a minimum and maximum number or amount determinable under the rules.

The by-law may also prescribe minimum standards for the particulars of the agreement described in section 5.

5. The agreement may contain rules or standards for the dimensions of the housing units concerned, the number of rooms they comprise, their location in the housing project or elsewhere in the territory of the local municipality and their design and construction.

6. This Act comes into force on (*insert the date of assent to this Act*).