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Legislative Summary

BILL C-20:
AN ACT RESPECTING THE ESTABLISHMENT OF BUILD CANADA HOMES

45-1-C20-E

31 March 2026

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LEGISLATIVE SUMMARY OF BILL C-20: AN ACT RESPECTING THE ESTABLISHMENT OF BUILD CANADA HOMES

1 BACKGROUND

Bill C-20, An Act respecting the establishment of Build Canada Homes (short title: Build Canada Homes Act),[1] was introduced in the House of Commons on 5 February 2026 by the Honourable Gregor Robertson, Minister of Housing and Infrastructure and Minister responsible for Pacific Economic Development Canada. The bill completed second reading and was referred to the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities on 13 March 2026.

Build Canada Homes was first launched on 14 September 2025 as a special operating agency within Housing, Infrastructure and Communities Canada, to collaborate "with industry, other orders of government, and Indigenous communities to build affordable housing at scale and at speed."[2] Bill C-20 establishes Build Canada Homes as a federal Crown Corporation. It also authorizes the transfer of property, rights, interests and obligation of Canada Lands Company – a Crown corporation that, among other things, manages former federal properties and their redevelopment[3] – to Build Canada Homes.

2 DESCRIPTION AND ANALYSIS

Bill C-20 contains 50 clauses. Key clauses are discussed below.

2.1 ESTABLISHMENT AND PURPOSE (CLAUSES 4 AND 5)

Clauses 4 and 5(1) establish Build Canada Homes as a corporation (the Corporation) aiming to "promote, support and develop" affordable housing supply in Canada as well as innovative and efficient building techniques in the construction industry.

2.2 GOVERNANCE (CLAUSES 3, 5, 7 TO 19 AND 31)

Clause 3 allows the Governor in Council (GIC) to designate a minister responsible for the Act. In addition, clause 5(2) states that the location of the Corporation's head office will be in Canada at a place designated by the GIC. Clause 31 authorizes the GIC to make regulations in respect of the Build Canada Homes Act.

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The Corporation is to be overseen by a board of directors (the Board). The Board may establish committees and delegate certain powers to them (clause 19). The Board's membership includes:

- a Chairperson appointed by the GIC following the minister's consultation with the Board (clauses 7, 8 and 15); and
- eight to 10 directors appointed by the minister, with approval of the GIC, for up to four years (clauses 7 and 10(1)).

The Corporation is headed by a full-time Chief Executive Officer (CEO) appointed by the GIC after ministerial consultations with the Board (clauses 11, 12 and 15). Clause 14 permits the CEO to attend meetings of the Board or its committees, subject to Corporation bylaws.

Clauses 9 and 13 provide for the designation of a substitute by the Board in the event of the absence, incapacity or vacancy of the Chairperson or CEO, with GIC approval required for periods longer than 90 days.

Under clause 16, a person is ineligible to be appointed as CEO, Chairperson or director if they are under 18 years of age, bankrupt or a member of the Senate, House of Commons or a provincial legislature.

The Chairperson, directors and CEO are paid by the Corporation at a rate fixed by the GIC (clause 18), and can be terminated, removed or suspended by the GIC (clause 17).

2.3 CAPACITY AND POWERS (CLAUSES 5, 6, 20 TO 22 AND 26)

Clause 5(3) specifies that the Corporation has the capacity, rights, powers and privileges of a natural person. As a result, it can own assets, incur debt and enter into contracts. Additionally, the Corporation operates as a legal entity separate from its members or owners.[4]

Clause 6 establishes that while the Corporation is an agent of the Crown, it may enter into contracts with the Crown as if it were not an agent, and can be declared by the GIC as a non-agent for the purpose of specified activities.

Clause 20 describes the powers of the Corporation, including to:

- advise federal ministers, departments and other bodies (clause 20(a));
- provide financial assistance, including to any level of government in Canada (clause 20(b));

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- invest in persons or entities (including making loan guarantees, with the Minister of Finance's approval (clauses 20(c) and 21)), and in ventures and enterprises (clause 20(d));
- develop land and construct housing (clause 20(e));
- acquire, hold, manage, dispose of or lease property (clause 20(f)), as well as take security or security interest in any property (clause 20(g));
- enter into arrangements, including with any level of government in Canada, to deliver services, programs or financial assistance (clause 20(h)), as well as participate in agreements, trusts, partnerships and joint ventures to achieve its purposes (clause 26);
- charge fees for its services (clause 20(i)); and
- collect and disseminate data about the Canadian housing sector (clause 20(j)).

Clause 20(k) allows the GIC to specify additional powers by order.

2.4 FINANCIAL PROVISIONS (CLAUSES 27 TO 30 AND 50)

Clause 27 indicates that the shares of the Corporation are to be held by the minister on behalf of the Crown.

Clause 28 establishes the Corporation's financial year as 1 April to 31 March.

Clause 29 authorizes the Minister of Finance to make payments of up to $11.5 billion (or another amount specified in an Act of Parliament) out of the Consolidated Revenue Fund (CRF) to fund the Corporation's operations and activities.

Pursuant to coordinating amendments in clause 50 of Bill C-20, section 200 of the *Budget 2025 Implementation Act, No. 1*[5] is repealed on the day that clause 29 comes into force. Section 200 authorizes the Minister of Housing, in agreement with the Minister of Finance, to use up to $11.5 billion to support the operations and activities of Build Canada homes and to allocate funds to other entities as necessary.

Further, clause 50 states that when clause 29 takes effect, its wording is updated. New clause 29 authorizes the Minister of Finance to make payments of up to $11.5 billion (or another amount specified in an Act of Parliament) out of the CRF to fund the Corporation's operations and activities, minus any amount paid out of the CRF under section 200 of the *Budget 2025 Implementation Act, No. 1*.

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Clause 30(1) authorizes the Minister of Finance, on the recommendation of the minister responsible for the Corporation, to lend money to the Corporation out of the CRF.

Clause 30(2) enables the Corporation and its wholly owned subsidiaries to borrow money from other sources, provided that the aggregate outstanding amount does not exceed $400 million (or another amount specified by an order of the GIC on the finance minister's recommendation), not including loan guarantees (clause 30(3)).

2.5 TRANSFERS AND REORGANIZATION (CLAUSES 35 TO 41, 45 AND 50)

2.5.1 Transfer of the Special Operating Agency to the Corporation (Clause 45)

Clause 45 allows the rights, property, obligations and liabilities of the special operating agency Build Canada Homes within Housing, Infrastructure and Communities Canada to be transferred to the Corporation by order of the GIC.

2.5.2 Transfer of the Canada Lands Company to the Corporation (Clauses 35 and 38)

Clause 35 allows the administration, management and control of any property, rights, interests and obligations of Canada Lands Company Limited (CLCL) or its wholly owned subsidiaries to be transferred to the Corporation by order of the GIC on the recommendation of the minister responsible for the Corporation.

Clause 38 authorizes the minister responsible for CLCL to apply for articles that would change its objects, purposes, or restrictions on its business or activities.

2.5.3 Financial Provisions Pertaining to the Canada Lands Company and Other Entities (Clauses 41 and 50)

Clause 41 authorizes the minister responsible for CLCL to make payments out of the CRF to contribute capital to CLCL or to acquire shares in CLCL on behalf of the Crown (with the Act specifying that for this purpose, CLCL may enter into contracts with the Crown as if it were not an agent of the Crown) (clauses 41(1) and 41(4)).

It also authorizes the Minister of Finance to make payments out of the CRF to fund the operations and activities of a designated entity that the GIC considers to be carrying out the purpose of the Corporation (clause 41(2)).

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The maximum aggregate payment under clause 41 is $1.515 billion, or another amount specified in an Act of Parliament (clause 41(3)). Clause 41 is to be repealed on a day fixed by the GIC (clause 41(5)).

Pursuant to coordinating amendments in clause 50 of Bill C-20, section 201 of the *Budget 2025 Implementation Act, No. 1* is repealed on the day that clause 41 comes into force. Section 201 authorizes the Minister of Housing to use up to $1.515 billion for capital contributions or share purchases in CLCL, and specifies that for this purpose, CLCL may enter into contracts with the Crown as if it were not an agent of the Crown. It also authorizes the Minister of Housing to allocate funds to other entities as necessary.

Further, clause 50 states that when clause 41 comes into force, the text of clause 41 is replaced with new wording. New clause 41(1) authorizes the Minister of Finance to make payments of up to $1.515 billion (or another amount specified in an Act of Parliament) out of the CRF to fund the operations and activities of a GIC-designated entity, minus any amount paid out of the CRF under section 201 of the *Budget 2025 Implementation Act, No. 1*. New clause 41(2) provides that clause 41 is to be repealed on a day fixed by the GIC.

2.5.4 Directives of the Governor in Council (Clauses 36, 37, 39 and 40)

Clause 36(1) authorizes the GIC to issue directives to the Corporation, the CLCL or any of their wholly owned subsidiaries, on the recommendation of the responsible minister. These directives must be followed, and once the entity in question has taken the action as directed, it must notify the responsible minister (clause 36(3)).

Clauses 37, 39 and 40 specify the measures that these directives may require the Corporation, CLCL or wholly owned subsidiaries to take, such as those related to:

- altering the objects, purposes, or restrictions on the business or activities of the entity;
- selling or disposing of securities; or
- merging or dissolving subsidiaries.

If a directive was issued by the GIC under clause 36(1), clause 36(5) would provide the Crown, ministers, any employee or agent of the Crown, and any persons engaged to provide advice or services to the Crown in relation to an agreement involving the Corporation, CLCL or a wholly owned subsidiary, with immunity from actions or proceedings connected to the agreement as long as it was already in existence at the

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time the directive was issued. This protection would also apply to acts or omissions carried out under that GIC directive.

2.6 REVIEW AND ACCOUNTABILITY (CLAUSES 34 AND 49)

Clause 34 requires the minister, in consultation with the Minister of Finance, to review the Build Canada Homes Act after five years of the clause's coming into force, and every 10 years after that, with a copy of each review laid before both houses of Parliament.

Clause 49 adds the Corporation to the list of parent Crown corporations in Part I, Schedule III of the *Financial Administration Act* (FAA),[6] which are subject to accountability, auditing and reporting requirements. Exemptions from certain FAA requirements are specified in clauses 23 to 25, 42 and 43.

2.7 COMING INTO FORCE (CLAUSE 51)

Clause 51 indicates that apart from clause 50, which contains coordinating amendments related to the coming into force of the *Budget 2025 Implementation Act, No. 1*, the bill's provisions come into force on a day or days fixed by order of the GIC.

NOTES

1. Bill C-20, An Act respecting the establishment of Build Canada Homes (short title: Build Canada Homes Act), 45th Parliament, 1st Session.
2. Prime Minister of Canada, *Prime Minister Carney launches Build Canada Homes to supercharge homebuilding across the country*, News release, 14 September 2025.
3. Canada Lands Company, *Real Estate and Development*.
4. Government of Canada, *Glossary for the* Canada Business Corporations Act; and Government of Canada, *Information for special act of parliament corporations without share capital regarding the new* Canada Not-for-profit Corporations Act.
5. Bill C-15, An Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025 (short title: Budget 2025 Implementation Act, No. 1), 45th Parliament, 1st Session. Bill C-15 received Royal Assent on 26 March 2026.
6. *Financial Administration Act*, R.S.C. 1985, c. F-11.