

1984

c 18 Municipality of Metropolitan Toronto Amendment Act, 1984 (No. 2)

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CHAPTER 18

**An Act to amend the
Municipality of Metropolitan Toronto Act**

Assented to May 29th, 1984

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses 1 (a) and (h) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, are repealed and the following substituted therefor:

(a) “area municipality” means the municipality or corporation of the Borough of East York, the City of Etobicoke, the City of North York, the City of Scarborough, the City of Toronto or the City of York;

.

(h) “Metropolitan Area” means the area from time to time included within the Borough of East York, the City of Etobicoke, the City of North York, the City of Scarborough, the City of Toronto and the City of York.

2. Subsection 5 (1) of the said Act is repealed and the following substituted therefor:

(1) The area municipalities are entitled to the following membership on the Metropolitan Council:

Metropolitan
Council
membership

the Borough of East York	—	2 members
the City of Etobicoke	—	5 members
the City of North York	—	10 members
the City of Scarborough	—	7 members

the City of Toronto — 12 members

the City of York — 3 members

3.—(1) Clause 11 (1) (c) of the said Act is amended by striking out “Borough” in the first line and inserting in lieu thereof “City”.

(2) Clause 11 (1) (e) of the said Act is amended by striking out “Borough” in the first line and inserting in lieu thereof “City”.

4.—(1) Subsection 17 (1) of the said Act is amended by striking out “63” in the first line.

(2) Subsection 17 (2) of the said Act is amended by striking out “64” in the first line.

5. Subsection 19 (1) of the said Act is amended by striking out “at the rate of 15 cents for every 100 words or at such lower rate as the Metropolitan Council may fix” in the ninth, tenth and eleventh lines and inserting in lieu thereof “at such rate as the Metropolitan Council may by by-law establish”.

6. Section 24 of the said Act, as amended by the Statutes of Ontario, 1983, chapter 14, section 2, is further amended by adding thereto the following subsection:

(2a) The Metropolitan Toronto Pension Plan and the Metropolitan Toronto Police Benefit Fund established by the Metropolitan Council pursuant to the provisions of this Act, shall, for the purposes only of acquiring, holding and disposing of land in their respective names to carry out the objects of the Plan and Fund, be deemed to be bodies corporate.

7.—(1) Subsection 27 (1) of the said Act is amended by striking out “Borough” in the second line and inserting in lieu thereof “City”.

(2) The said subsection 27 (1) is further amended by striking out “or Borough” in the third line.

8. Section 62 of the said Act is amended by striking out “not exceeding 25 per cent of the total cost thereof to the area municipality” in the fourth and fifth lines.

9. Paragraphs 2, 4 and 6 of clause 116 (1) (b) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 9, section 1, are repealed and the following substituted therefor:

2. The Board of Education for the City of Etobicoke.

.

4. The Board of Education for the City of Scarborough.

.

6. The Board of Education for the City of York.

10.—(1) Clauses 118 (1) (b), (d) and (f) of the said Act are repealed and the following substituted therefor:

(b) The Board of Education for the City of Etobicoke;

.

(d) The Board of Education for the City of Scarborough;

.

(f) The Board of Education for the City of York.

(2) Clause 118 (2) (a) of the said Act is repealed and the following substituted therefor:

(a) for the cities of Toronto and Etobicoke and for the Borough of East York shall be two in each ward of the City or Borough, as the case may be.

11.—(1) Clauses 121 (2) (a) and (c) of the said Act are repealed and the following substituted therefor:

(a) one member of and appointed by The Board of Education for the City of Etobicoke;

.

(c) three members of and appointed by The Board of Education for the City of Scarborough.

(2) Subsection 121 (3) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 9, section 3, is further amended by striking out “Borough” in the second line and in

the third line and inserting in lieu thereof in each instance "City".

12. Subsection 152 (5) of the said Act is amended by striking out "biennial" in the second line and inserting in lieu thereof "regular".

13. The said Act is amended by adding thereto the following sections:

Vesting of
certain trust
fund in
Metropolitan
Corporation

163a. The trust fund, composed of undisbursed interest accumulated prior to the 1st day of January, 1982, on the trust accounts of residents of Metropolitan Toronto Homes for the Aged, is vested in the Metropolitan Corporation for distribution of both the fund and interest accruing thereon by the Metropolitan Council in its absolute discretion for the general benefit of the residents of Metropolitan Toronto Homes for the Aged, provided that no expenditure shall be made for the ordinary operation and maintenance of the Homes.

Disposition
of fines
under
R.S.O. 1980,
c. 51

186a. Notwithstanding sections 186 and 260 of this Act, subsection 24 (5) of the *Building Code Act* prevails.

14. Section 216 of the said Act is repealed and the following substituted therefor:

Interpretation

216. In this Part,

R.S.O. 1980,
c. 359

- (a) "commercial assessment" has the same meaning as in clause 1 (1) (b) of the *Ontario Unconditional Grants Act*;
- (b) "residential and farm assessment" has the same meaning as in clause 7 (1) (e) of the *Ontario Unconditional Grants Act*;
- (c) "total rateable property",
 - (i) in relation to an area municipality, means the sum of,
 - (A) the product obtained by multiplying the residential and farm assessment by .85,
 - (B) the commercial assessment, and
 - (C) the valuations of all properties for which payments in lieu of taxes are paid by the

Crown in right of Canada or any province or any board, commission, corporation or other agency thereof or by Ontario Hydro to any area municipality, and

- (ii) in relation to the Metropolitan Area, means the sum of the total rateable property of the area municipalities in the Metropolitan Area.

15. Subsection 218 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1982, chapter 29, section 11, is repealed and the following substituted therefor:

(2) In preparing the estimates, the Metropolitan Council shall make due allowance for a surplus of any previous year that will be available during the current year and shall provide for any operating deficit of any previous year and for such reserves as the Metropolitan Council considers necessary.

Allowance
to be made
in estimates

16.—(1) Subsection 219 (5) of the said Act is repealed and the following substituted therefor:

(5) All other amounts levied under subsection (1) shall be apportioned among the area municipalities in the proportion that the total rateable property in each area municipality bears to the total rateable property in the Metropolitan Area.

Other
purposes

(2) Subsection 219 (9) of the said Act is repealed.

17.—(1) Subsection 245 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1982, chapter 29, section 13, is repealed and the following substituted therefor:

(1) Section 5, Parts XIII, XIV, XV and XIX, sections 78a, 78b, 104a, 105, 106, 113, 114, 115, 116, 121 and 122, subsection 165 (3), paragraphs 3, 11, 12, 23, 24, 27, 30, 50 and 54 of section 208, subparagraph ii of paragraph 125 of section 210, and paragraph 10 of section 315 of the *Municipal Act* apply with necessary modifications to the Metropolitan Corporation.

Application
of
R.S.O. 1980,
c. 302

(2) Subsection 245 (2) of the said Act is repealed and the following substituted therefor:

(2) Sections 10 and 11 of the *Municipal Act* do not apply to any area municipality.

Exceptions

(3) Subsection 245 (8) of the said Act is repealed and the following substituted therefor:

Application
of
R.S.O. 1980,
c. 65

(8) The Metropolitan Corporation shall be deemed to be a municipal corporation for the purposes of section 6c of the *Charities Accounting Act*.

18. Subsection 261 (1) of the said Act is amended by striking out "Township" in the third line, in the fourth line, in the eighth line and in the tenth line and inserting in lieu thereof in each instance "City".

19. Section 264 of the said Act is repealed and the following substituted therefor:

Borough
deemed to
be
city under
R.S.O. 1980,
c. 198,
s. 109

264. For the purpose of section 109 of the *Highway Traffic Act*, the Borough of East York shall be deemed to be a city.

Commence-
ment

20.—(1) This Act, except sections 14, 15 and 16, comes into force on the day it receives Royal Assent.

Idem

(2) Section 15 shall be deemed to have come into force on the 1st day of January, 1975.

Idem

(3) Sections 14 and 16 shall be deemed to have come into force on the 1st day of January, 1984.

Short title

21. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1984 (No. 2)*.