

1985

c 2 Municipality of Metropolitan Toronto Amendment Act, 1985

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CHAPTER 2

An Act to amend the Municipality of Metropolitan Toronto Act

Assented to July 12th, 1985

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

1. Subsection 5 (3) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(3) The City of Toronto shall be represented on the Metropolitan Council by the mayor of the City of Toronto and by the metropolitan councillors elected under section 152a. City of
Toronto

2. Subsection 10 (4) of the said Act is repealed and the following substituted therefor:

(4) Where a vacancy occurs in the office of a member other than, Other
members

(a) the chairman;

(b) a member who held office by reason of being a mayor; or

(c) a member who held office by reason of subsection 5 (3),

the council of the area municipality, of which the person was a member, shall within sixty days after the vacancy occurs appoint a successor to hold office for the remainder of the term of the predecessor, provided that, if the person held office by reason of being a controller, another controller shall be appointed or, if the person held office under subsection 5 (2) by reason of being an alderman, another alderman shall be appointed.

3.—(1) Clause 11 (1) (f) of the said Act is repealed and the following substituted therefor:

- (f) three members appointed by the council of the City of Toronto from among the metropolitan councillors elected under section 152a.

(2) Subsection 11 (6) of the said Act is repealed and the following substituted therefor:

Certificate of qualification

(6) A member of the Executive Committee appointed under clause (1) (f) shall not take a seat on the Executive Committee until a certificate under the hand of the clerk of the City of Toronto certifying that the member has been appointed to the Executive Committee has been filed with the person presiding at the first meeting.

4. Part X of the said Act is amended by adding thereto the following section:

Definitions

152a.—(1) In this section,

“city alderman” means a person described in clause (2) (b);

“metropolitan councillor” means a person described in clause (2) (c).

Composition of council

(2) Notwithstanding section 152, the council of the City of Toronto shall be composed of,

- (a) a mayor elected by general vote who shall be the head of the council;
- (b) eleven persons elected by wards as members of the City council; and
- (c) eleven persons elected by wards as members of the City council and the Metropolitan Council.

Application of R.S.O. 1980, c. 308

(3) In addition to the elections to the offices set out in clause 2 (a) of the *Municipal Elections Act*, that Act applies to all elections to the office of metropolitan councillor.

Executive committee

(4) There shall be an executive committee of the council of the City of Toronto composed of the mayor and four city aldermen.

Powers

(5) The executive committee has all the powers and duties of a board of control under subsections 71 (1) and (2) of the

Municipal Act, and subsections 71 (3) to (16), (18) and (19) of that Act apply with necessary modifications to the executive committee, but any requirement in any such subsection for a two-thirds vote of council may be satisfied by a simple majority of the members of council present and voting.

R.S.O.1980,
c. 302

(6) At the first meeting of the council of the City of Toronto after a regular election has been held under the *Municipal Elections Act*, the council shall appoint four city aldermen to be members of the executive committee for the period for which the council is expressed to hold office.

Appointment
of executive
committee
members
R.S.O.1980,
c. 308

(7) If a vacancy occurs on the executive committee, other than in the office of mayor, the council, at a meeting called for that purpose, shall appoint a city alderman to fill the vacancy for the unexpired term of the member whose seat has become vacant.

Vacancies

(8) Notwithstanding that a metropolitan councillor is a member of both the Metropolitan Council and the council of the City of Toronto, a vacancy in that office shall be filled by the City council and sections 45 and 46 of the *Municipal Act* apply to every such vacancy.

Idem

(9) Where in any general or special Act reference is made to the board of control of the City of Toronto, such reference shall be deemed to be to the executive committee established under this section.

Reference
deemed to
be
to executive
committee

(10) The wards of the City of Toronto, as those wards existed immediately before the coming into force of this section, are hereby continued.

Wards

(11) Notwithstanding the provisions of this or any other Act, upon the application of the City of Toronto authorized by a by-law of the council thereof, or upon the petition of electors in accordance with the provisions of section 13 of the *Municipal Act*, the Municipal Board may, by order,

Alteration of
wards, etc.,
by O.M.B.

- (a) divide or redivide the City into wards and shall designate the name or number each ward shall bear and shall declare the date when the division or re-division shall take effect;
- (b) alter or dissolve any or all of the wards in the City and shall declare the date when such alterations or dissolutions shall take effect; or
- (c) vary the composition of the council of the City,

but,

- (d) no order made under this subsection shall alter the total number of members who represent the City on the Metropolitan Council as provided for in this Act; and
- (e) the mayor of the City shall continue to be elected by a general vote of the electors of the City, and shall be the head of the council of the City, and shall be a member of the Metropolitan Council, as provided for in this Act.

Order of
L.G. in C.

(12) Notwithstanding clause (2) (c), the Lieutenant Governor in Council, upon the recommendation of the Minister, may by order authorize such method of selecting the members who represent the City of Toronto on the Metropolitan Council as is considered advisable following an order of the Municipal Board under subsection (11).

5. The following are repealed:

- 1. *The City of Toronto Act, 1968-69 (No. 2)*, being chapter 168.
- 2. Section 3 of *The City of Toronto Act, 1973*, being chapter 213.
- 3. *The City of Toronto Act, 1975 (No. 3)*, being chapter 118.
- 4. Section 1 of the *City of Toronto Act, 1982*, being chapter 89.

Transition

R.S.O. 1980,
c. 308

6. Notwithstanding that sections 1 to 5 do not come into force until the 1st day of December, 1985, the regular elections to be held in 1985 under the *Municipal Elections Act* in the City of Toronto shall be conducted as if those sections were in force.

Commence-
ment

7.—(1) This Act, except sections 1 to 5, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 to 5 come into force on the 1st day of December, 1985.

Short title

8. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1985*.