

1980

## c 367 Parks Assistance Act

Ontario

© Queen's Printer for Ontario, 1980

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Parks Assistance Act*, RSO 1980, c 367

### Repository Citation

Ontario (1980) "c 367 Parks Assistance Act," *Ontario: Revised Statutes*: Vol. 1980: Iss. 6, Article 7.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1980/iss6/7>

## CHAPTER 367

## Parks Assistance Act

## 1.—(1) In this Act,

Interpre-  
tation

- (a) “approved park” means a park approved for assistance under this Act;
- (b) “Minister” means the Minister of Natural Resources or such other member of the Executive Council designated by the Lieutenant Governor in Council to administer this Act;
- (c) “municipality” includes a band under the *Indian Act* (Canada) that is permitted to control, manage and expend its revenue moneys under section 69 of that Act;
- (d) “regulations” means the regulations made under this Act. R.S.O. 1970, c. 337, s. 1 (1); 1972, c. 1, s. 86 (1).

R.S.C. 1970,  
c. I-6

(2) An elementary or secondary school board having jurisdiction only in territory without municipal organization has the powers of the council of a municipality under this Act, and the provisions of this Act apply with necessary modifications to such a school board. R.S.O. 1970, c. 337, s. 1 (2).

School boards  
in territory  
without  
municipal  
organization

2. The parks established under this Act shall be maintained and operated for the use and enjoyment of the public in such a manner as will be complementary to the use and enjoyment of provincial parks. R.S.O. 1970, c. 337, s. 2.

Parks com-  
plementary  
to provincial  
parks

3.—(1) The Minister, with the approval of the Lieutenant Governor in Council, may make grants out of moneys appropriated therefor by the Legislature to any municipality to assist in,

Grants  
authorized

- (a) the acquisition of land for an approved park;
- (b) the development of an approved park; and
- (c) the conversion of a provincial or public park into an approved park. R.S.O. 1970, c. 337, s. 3 (1); 1972, c. 1, s. 86 (2).

**Limitation,  
total grant**

(2) The assistance granted under subsection (1) in respect of any one park shall not exceed \$100,000 or 50 per cent of the total cost of acquiring the land and developing the park or of converting a provincial or public park into an approved park, whichever is the lesser.

**Limitation,  
acquisition  
of land**

(3) The assistance granted under clause (1) (a) for the acquisition of land shall not exceed \$25,000 or 50 per cent of the total cost of acquiring the land, whichever is the lesser. R.S.O. 1970, c. 337, s. 3 (2, 3).

**Establish-  
ment of  
parks by  
municipality**

4.—(1) The council of any municipality may by by-law provide for the establishment of an approved park in the municipality or in territory without municipal organization in accordance with this Act, and may acquire by purchase or otherwise real and personal property for that purpose.

**Joint  
undertaking**

(2) The council of any municipality may enter into agreement with the council of any other municipality,

(a) for establishing an approved park in any municipality that is a party to an agreement or in territory without municipal organization;

(b) for the acquisition of real and personal property for that purpose; and

(c) for the development and operation of such park upon such terms as to contribution to the cost of the establishment, maintenance and operation thereof as may be agreed upon,

and the municipalities may acquire by purchase or otherwise real and personal property for such purposes. R.S.O. 1970, c. 337, s. 4.

**Application  
for assistance**

5. Applicants for assistance under this Act shall file with the Minister plans and specifications of the proposed park in accordance with the requirements of the regulations and such other information as the Minister may require. R.S.O. 1970, c. 337, s. 5; 1972, c. 1, s. 86 (3).

**Duties of  
Minister**

6.—(1) The Minister in dealing with an application for assistance under this Act shall determine the need for the proposed park, having regard to its location in relation to other parks in Ontario and the camping, picnicking and other facilities to be provided therein for the accommodation and enjoyment of the public. R.S.O. 1970, c. 337, s. 6 (1); 1972, c. 1, s. 86 (4).

(2) Where an application for assistance is granted under this Act, the Minister shall approve the plans and specifications for the proposed approved park as submitted by the applicant or with such alterations as he considers desirable. <sup>Approval of plans</sup>  
R.S.O. 1970, c. 337, s. 6 (2); 1972, c. 1, s. 86 (5).

7. The approved park shall not be maintained or operated otherwise than in accordance with the approved plans and specifications without the approval of the Minister. <sup>Operation of park</sup>  
R.S.O. 1970, c. 337, s. 7; 1972, c. 1, s. 86 (6).

8. Where aid has been granted under this Act to assist in the establishment and development of a park, the park or any part thereof shall not be sold or disposed of without the approval of the Lieutenant Governor in Council. <sup>Disposal of park</sup>  
R.S.O. 1970, c. 337, s. 8; 1972, c. 1, s. 86 (7).

9. Unless otherwise provided in an agreement, where a municipality has a board of park management under the *Public Parks Act* or the *Municipal Act*, it may appoint such board to manage and control any approved park established in the municipality. <sup>Management of park</sup>  
R.S.O. 1980, cc. 417, 302  
R.S.O. 1970, c. 337, s. 9.

10.—(1) Subject to this Act and the regulations and subject to the approval of the Minister, the council of any municipality that alone or in agreement with another municipality has established an approved park may pass by-laws, <sup>By-laws</sup>

- (a) for the care, preservation, improvement, control and management of the park;
- (b) regulating and controlling the use of lands in the park;
- (c) prohibiting or regulating and controlling the use or keeping of horses, dogs and other animals in the park;
- (d) prohibiting or regulating and controlling the erection, posting or other display of notices, signs, sign-boards and other advertising devices in the park;
- (e) prohibiting or regulating and controlling the use, setting out and extinguishment of fires in the park;
- (f) prohibiting or regulating and controlling pedestrian, vehicular, boat or air traffic in the park;

- (g) prohibiting or regulating, controlling and licensing trades, businesses, amusements, sports, occupations and other activities or undertakings in the park;
- (h) prescribing fees to be payable for the use of any facilities provided in the park;
- (i) prescribing the maximum periods of stay of persons, vehicles, boats, vessels or aircraft in the park;
- (j) prescribing fees to be payable for entrance into the park of persons, vehicles, boats and aircraft;
- (k) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1970, c. 337, s. 10 (1); 1972, c. 1. s. 86 (8).

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

(2) Part XIX of the *Municipal Act* applies with necessary modifications to any by-law passed under this section. R.S.O. 1970, c. 337, s. 10 (2).

Regulations

**11.** The Lieutenant Governor in Council may make regulations,

- (a) prescribing the terms and conditions upon which and the manner in which grants may be made under this Act;
- (b) respecting plans and specifications to be submitted with applications for assistance;
- (c) prescribing the uses to which an approved park may or may not be put, and the facilities and accommodations that may be provided therein;
- (d) respecting any matter necessary or advisable to carry out the intent and purpose of this Act. R.S.O. 1970, c. 337, s. 11.