

1981

c 19 Ministry of Municipal Affairs and Housing Act, 1981

Ontario

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CHAPTER 19

An Act to establish the Ministry of Municipal Affairs and Housing

Assented to July 3rd, 1981

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

1. In this Act,

Interpre-
tation

- (a) "Deputy Minister" means the Deputy Minister of Municipal Affairs and Housing;
- (b) "Minister" means the Minister of Municipal Affairs and Housing;
- (c) "Ministry" means the Ministry of Municipal Affairs and Housing;
- (d) "municipality" means the corporation of a metropolitan, regional or district municipality, a county, city, town, village, township or improvement district and includes a local board thereof, as defined in clause 1 (c) of the *Municipal Affairs Act*, and a board, commission, conservation authority or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in territory without municipal organization.

R.S.O. 1980,
c. 303

2. There shall be a ministry of the public service to be known as the Ministry of Municipal Affairs and Housing.

Ministry
established

3. The Minister shall preside over and have charge of the Ministry and has power to act for and on behalf of the Ministry.

Minister to
have charge

4.—(1) The Minister is responsible for the policies and programs of the Government of Ontario in relation to,

Functions
of
Minister

- (a) municipal affairs, including the co-ordination of programs of financial assistance to municipalities;

- (b) community planning, community development, maintenance and improvement of the built environment and land development; and
- (c) housing and related matters.

Implementation of policies and programs

(2) The Minister may take such measures as he considers appropriate to implement any policy or program referred to in subsection (1), including entering into any agreements for such purpose with any municipality or with any other person.

Power of municipalities to enter into agreements

(3) A municipality may enter into and perform agreements with the Minister under subsection (2).

Administration of Acts

(4) The Minister is responsible for the administration of this Act, the Acts set out in the Schedule and the Acts that are assigned to him by the Legislature or by the Lieutenant Governor in Council.

Advances, grants, etc.

(5) The Minister, out of moneys appropriated therefor by the Legislature,

- (a) may make any advances, grants and loans and provide any other financial assistance that may be made or provided by the Lieutenant Governor in Council under section 2 of the *Housing Development Act*; or
- (b) may make advances, grants and loans and provide other financial assistance to assist in the implementation of the policies and programs referred to in clauses (1) (b) and (c).

R.S.O. 1980, c. 209

Exercise of Ministry powers

(6) The Minister may exercise the powers conferred on the Ministry in any general or special Act for which the Minister is responsible.

Annual report

(7) The Minister after the close of each year shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Deputy Minister

5.—(1) The Lieutenant Governor in Council shall appoint a Deputy Minister of Municipal Affairs and Housing who shall be the deputy head of the Ministry.

Idem

(2) Under the direction of the Minister, the Deputy Minister shall perform such duties as the Minister may assign or delegate to him.

Delegation of powers and duties

6.—(1) Where, under this or any other Act, a power or duty is granted to or vested in the Minister, he may in writing delegate

that power or duty to the Deputy Minister, or to any officer or employee of the Ministry or of a Crown agency described in subsection 8 (1), subject to such limitations, restrictions, conditions and requirements as the Minister may set out in his delegation.

(2) Notwithstanding the *Executive Council Act*, a contract or an agreement made by a person empowered to do so under a delegation made under subsection (1) has the same effect as if made and signed by the Minister.

Contracts and agreements
R.S.O. 1980,
c. 147

7.—(1) No action or other proceeding for damages shall be instituted against the Deputy Minister, or any officer or employee of the Ministry, or anyone acting under his authority for any act done in good faith in the execution or intended execution of his duty, or for any alleged neglect or default in the execution in good faith of his duty.

Protection from personal liability

(2) Subsection (1) does not, by reason of subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject, and the Crown is liable under that Act for any such tort in a like manner as if subsection (1) had not been enacted.

Crown liability
R.S.O. 1980,
c. 393

8.—(1) Where, under this or any other Act, the Minister is made responsible for the administration of a Crown agency or for the administration of an Act relating to a Crown agency, the Minister may give policy direction to that agency and the agency shall follow the direction.

Control over Crown agencies

(2) Notwithstanding subsection 6 (3) of the *Ontario Housing Corporation Act*, where any agreement entered into by the Minister under the *Housing Development Act* provides that the rights of the Minister and Her Majesty in right of Ontario under the agreement do not vest in the Ontario Housing Corporation, such rights and obligations remain as rights and obligations of the Minister or of Her Majesty in right of Ontario and do not vest in the Corporation.

Ontario Housing Corporation agreements
R.S.O. 1980,
cc. 339, 209

(3) The Minister may, by order, divest the Ontario Housing Corporation of all its rights under any agreement mentioned in section 6 of the *Ontario Housing Corporation Act* and, where an order is made divesting the Corporation of its rights under such an agreement, the rights of the Corporation become vested in Her Majesty in right of Ontario and all obligations under the agreement become obligations of Her Majesty in right of Ontario.

Idem

Facsimile
signature
authorized

9.—(1) The Minister may authorize the use of a facsimile of his signature and the Deputy Minister may authorize the use of a facsimile of his signature on any document except an affidavit or a statutory declaration.

Idem

(2) A facsimile of the signature of the Minister or the Deputy Minister affixed to a document under an authorization made under subsection (1) shall be deemed to be the signature of the Minister or the Deputy Minister, as the case may be.

Seal

10.—(1) The Lieutenant Governor in Council may authorize a seal for the Minister and prescribe its use on documents.

Idem

(2) The seal may be reproduced by engraving, lithographing, printing or any other method of mechanical reproduction and, when so produced, has the same force and effect as if manually affixed.

Advisory
committees

11. The Minister may establish advisory committees to the Minister and sub-committees thereto, appoint chairmen and members of such committees and sub-committees and fix the remuneration and expenses of the chairmen and members of committees and sub-committees and the remuneration and expenses shall be paid out of the moneys appropriated therefor by the Legislature.

References
to
Ministers
and
Ministries

12.—(1) A reference to the Minister of Intergovernmental Affairs or the Minister of Housing, as the case may be, in any Act listed in the Schedule, or in any regulation, order in council, ministerial order, act or thing made or done under any such Act, shall be deemed to be a reference to the Minister of Municipal Affairs and Housing, so long as the Minister administers such Act, and a reference therein to the Ministry of Intergovernmental Affairs or the Ministry of Housing shall be deemed to be a reference to the Ministry of Municipal Affairs and Housing.

Saving

(2) Nothing in this Act invalidates any regulation, ministerial order, act or thing made or done under any Act listed in the Schedule prior to the day this Act receives Royal Assent.

Amendments
to Schedule

13. The Lieutenant Governor in Council may, by order, amend the Schedule.

R.S.O. 1980,
c. 316,
s. 23 (1),
re-enacted

14. Subsection 23 (1) of the *Niagara Escarpment Planning and Development Act*, being chapter 316 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

Interpre-
tation

(1) In this section and in section 24, subsections 25 (1), (3) to (9) and (11) and (12) and section 26, "Minister" means the Minister of Municipal Affairs and Housing.

15.—(1) Clause 1 (b) of the *Ministry of Intergovernmental Affairs Act*, being chapter 283 of the Revised Statutes of Ontario, 1980, is amended by striking out “or any municipality” in the seventh line. R.S.O. 1980,
c. 283,
s. 1 (b),
amended

(2) Clause 1 (e) of the said Act is repealed. s. 1 (e),
repealed

(3) Subsection 5 (2) of the said Act is repealed. s. 5 (2),
repealed

(4) Subsection 5 (3) of the said Act is amended by striking out “subsections (1) and (2)” in the third and fourth lines and inserting in lieu thereof “subsection (1)”. s. 5 (3),
amended

(5) Subsection 5 (4) of the said Act is amended by striking out “the Acts set out in the Schedule” in the second line. s. 5 (4),
amended

(6) Section 8 of the said Act is repealed. s. 8,
repealed

(7) The Schedule to the said Act is repealed. Schedule,
repealed

16. The *Ministry of Housing Act*, being chapter 281 of the Revised Statutes of Ontario, 1980, is repealed. Repeals

17. This Act shall be deemed to have come into force on the 1st day of April, 1981. Commence-
ment

18. The short title of this Act is the *Ministry of Municipal Affairs and Housing Act, 1981*. Short title

SCHEDULE

Brantford-Brant Annexation Act, 1980
 City of Cornwall Annexation Act, 1974
 City of Gloucester Act, 1980
 City of Hamilton Act, 1975
 City of Hazeldean-March Act, 1978
 City of Nepean Act, 1978
 City of Port Colborne Act, 1974
 City of Sudbury Hydro-Electric Service Act, 1980
 City of Thorold Act, 1975
 City of Thunder Bay Act, 1968-69
 City of Timmins-Porcupine Act, 1972
 County of Oxford Act
 District Municipality of Muskoka Act
 District of Parry Sound Local Government Act, 1979
 Elderly Persons' Housing Aid Act
 Haliburton Act
 Housing Development Act
 Line Fences Act
 Local Improvement Act
 Moosonee Development Area Board Act
 Municipal Act
 Municipal Affairs Act
 Municipal Arbitrations Act

Municipal Conflict of Interest Act
Municipal Corporations Quieting Orders Act
Municipal Elderly Residents' Assistance Act
Municipal Elections Act
Municipal Franchises Act
Municipal Subsidies Adjustment Repeal Act, 1976
Municipal Tax Assistance Act
Municipal Unemployment Relief Act
Municipal Works Assistance Act
Municipality of Metropolitan Toronto Act
Municipality of Shuniah Act, 1936
North Pickering Development Corporation Act, 1974
Ontario Housing Corporation Act
Ontario Land Corporation Act
Ontario Planning and Development Act
Ontario Unconditional Grants Act
Ontario Youth Employment Act
Ottawa-Carleton Amalgamations and Elections Act, 1973
Parkway Belt Planning and Development Act
Planning Act
Police Village of St. George Act, 1980
Provincial Parks Municipal Tax Assistance Act
Public Parks Act
Public Utilities Act
Public Utilities Corporations Act
Regional Municipality of Durham Act
Regional Municipality of Haldimand-Norfolk Act
Regional Municipality of Halton Act
Regional Municipality of Hamilton-Wentworth Act
Regional Municipality of Niagara Act
Regional Municipality of Ottawa-Carleton Act
Regional Municipality of Ottawa-Carleton Land Acquisition Act, 1980
Regional Municipality of Peel Act
Regional Municipality of Sudbury Act
Regional Municipality of Waterloo Act
Regional Municipality of York Act
Road Access Act
Shoreline Property Assistance Act
Snow Roads and Fences Act
Statute Labour Act
Tax Sales Confirmation Act, 1974
Territorial Division Act
Tom Longboat Act, 1980
Toronto District Heating Corporation Act, 1980
Toronto Islands Act, 1980
Town of Wasaga Beach Act, 1973
Township of North Plantagenet Act, 1976
Village of Point Edward Act, 1979
Wharfs and Harbours Act