

1981

## c 19 Ministry of Municipal Affairs and Housing Act, 1981

Ontario

This Bill was passed by the Legislature after the the 31st day of December, 1980 and before the Revised Statutes of Ontario, 1980 came into force. It is shown here in the form in which it was passed, before its revision by the commissioners under the authority of section 4 of The Statutes Revision Act, 1979. It is published in its revised form as chapter 19 in the public acts section of this volume.

© Queen's Printer for Ontario, 1981

Follow this and additional works at: [http://digitalcommons.osgoode.yorku.ca/ontario\\_statutes](http://digitalcommons.osgoode.yorku.ca/ontario_statutes)

---

### Bibliographic Citation

*Ministry of Municipal Affairs and Housing Act, 1981*, SO 1981, c 19

### Repository Citation

Ontario (1981) "c 19 Ministry of Municipal Affairs and Housing Act, 1981," *Ontario: Annual Statutes*: Vol. 1981, Article 127.

Available at: [http://digitalcommons.osgoode.yorku.ca/ontario\\_statutes/vol1981/iss1/127](http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1981/iss1/127)

## BILL 67

1981

(Chapter 19)

## An Act to establish the Ministry of Municipal Affairs and Housing

**H**ER 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 *d* of section 1 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. 1970,  
c. 118
- 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.

Implement-  
ation 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.

Adminis-  
tration  
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

R.S.O. 1970,  
c. 213

(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 *b* and *c* of subsection 1.

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 1 of section 8, 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. 1970,  
c. 153

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 2 and 4 of section 5 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. 1970,  
c. 365

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 3 of section 6 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. 1970,  
cc. 317, 213

(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  
R.S.O. 1970,  
c. 317

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.

1973, c. 52,  
s. 22a(1),  
re-enacted

**14.** Subsection 1 of section 22a of *The Niagara Escarpment Planning and Development Act, 1973*, being chapter 52, as enacted by the Statutes of Ontario, 1974, chapter 52, section 3, is repealed and the following substituted therefor:

Interpre-  
tation

(1) In this section and in section 23, subsections 1, 3 to 9 and 11 and 12 of section 24 and section 25, "Minister" means the Minister of Municipal Affairs and Housing.

**15.**—(1) Clause *b* of section 1 of *The Ministry of Inter-governmental Affairs Act, 1978*, being chapter 64, is amended by striking out “or any municipality” in the seventh line. 1978, c. 64,  
s. 1 (b),  
amended

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

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

(4) Subsection 3 of the said section 5 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 4 of the said section 5 is amended by striking out “the Acts set out in the Schedule” in the second line. s. 5 (4),  
amended

(6) Sections 8 and 9 of the said Act are repealed. ss. 8, 9,  
repealed

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

**16.** *The Ministry of Housing Act, 1973*, being chapter 100, and *The Ministry of Housing Amendment Act, 1974*, being chapter 14, are 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

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

The Moosonee Development Area Board Act  
 The Municipal Act  
 The Municipal Affairs Act  
 The Municipal Arbitrations Act  
 The Municipal Conflict of Interest Act, 1972  
 The Municipal Corporations Quieting Orders Act  
 The Municipal Elderly Residents' Assistance Act, 1973  
 The Municipal Elections Act, 1977  
 The Municipal Franchises Act  
 The Municipal Subsidies Adjustment Repeal Act, 1976  
 The Municipal Tax Assistance Act  
 The Municipal Unemployment Relief Act, 1971  
 The Municipal Works Assistance Act  
 The Municipality of Metropolitan Toronto Act  
 The Municipality of Shuniah Act, 1936  
 The North Pickering Development Corporation Act, 1974  
 The Ontario Housing Corporation Act  
 The Ontario Land Corporation Act, 1974  
 The Ontario Planning and Development Act, 1973  
 The Ontario Student Housing Corporation Act, 1978  
 The Ontario Unconditional Grants Act, 1975  
 The Ontario Youth Employment Act, 1977  
 The Ottawa-Carleton Amalgamations and Elections Act, 1973  
 The Ottawa-Carleton Municipal Hydro-Electric Service Act, 1980  
 The Oxford Municipal Hydro-Electric Service Act, 1977  
 The Parkway Belt Planning and Development Act, 1973  
 The Peel Municipal Hydro-Electric Service Act, 1977  
 The Planning Act  
 The Police Village of St. George Act, 1980  
 The Provincial Parks Municipal Tax Assistance Act, 1974  
 The Public Parks Act  
 The Public Utilities Act  
 The Public Utilities Corporations Act  
 The Regional Municipality of Durham Act, 1973  
 The Regional Municipality of Haldimand-Norfolk Act, 1973  
 The Regional Municipality of Halton Act, 1973  
 The Regional Municipality of Hamilton-Wentworth Act, 1973  
 The Regional Municipality of Niagara Act  
 The Regional Municipality of Ottawa-Carleton Act  
 The Regional Municipality of Ottawa-Carleton Land Acquisition Act, 1980  
 The Regional Municipality of Peel Act, 1973  
 The Regional Municipality of Sudbury Act, 1972  
 The Regional Municipality of Waterloo Act, 1972  
 The Regional Municipality of York Act  
 The Road Access Act, 1978  
 The Shoreline Property Assistance Act, 1973  
 The Snow Roads and Fences Act  
 The Statute Labour Act  
 The Tax Sales Confirmation Act, 1974  
 The Territorial Division Act  
 The Tom Longboat Act, 1980  
 The Toronto District Heating Corporation Act, 1980  
 The Toronto Islands Act, 1980  
 The Town of Wasaga Beach Act, 1973  
 The Township of North Plantagenet Act, 1976  
 The Village of Point Edward Act, 1979  
 The Waterloo Electrical Service Areas Act, 1977  
 The Wharfs and Harbours Act  
 The York Municipal Hydro-Electric Service Act, 1978