

1980

c 52 The Shoreline Property Assistance Amendment Act, 1980

Ontario

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CHAPTER 52

**An Act to amend
The Shoreline Property Assistance Act, 1973**

Assented to November 14th, 1980

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

1. Subsection 8 of section 3 of *The Shoreline Property Assistance Act, 1973*, being chapter 22, is repealed and the following substituted therefor: s. 3 (8),
re-enacted

(8) No loan for the construction of works shall exceed the amount prescribed. Limitation
on loans

- 2.—(1) Subsection 5 of section 5 of the said Act, as re-enacted by the Statutes of Ontario, 1978, chapter 10, section 1, is amended by striking out “a period of twenty years” in the first and second lines and inserting in lieu thereof “such period as is prescribed”. s. 5 (5),
amended

- (2) Subsection 8 of the said section 5 is repealed and the following substituted therefor: s. 5 (8),
re-enacted

(8) An application requesting the Treasurer of Ontario to purchase a debenture, which shall be by way of an offer to sell in the prescribed form, and a copy of the inspection and completion certificate mentioned in subsection 1 certified by the clerk with whom it was filed shall accompany the debenture delivered to the Treasurer of Ontario. Offer
to sell

3. Section 7 of the said Act is repealed and the following substituted therefor: s. 7,
re-enacted

7. The council shall lend the money so borrowed under the authority of section 2 in sums of \$100 or multiples thereof at a rate of interest equal to that set out in the debenture by which the funds are borrowed and the term of the loan shall be the same number of years as the term of the debenture. Terms on
which council
shall lend
money

s. 8
re-enacted

4. Section 8 of the said Act is repealed and the following substituted therefor:

Collection
of special
rate

8.—(1) The council shall impose by by-law in the prescribed form and, subject to section 11, shall levy and collect for the term of the loan, over and above all other rates, upon the land in respect of which the money is lent, a special equal annual rate sufficient to discharge within the term of the loan the principal and interest of the money lent, and the special rates imposed shall be deemed to be taxes, and the provisions of *The Municipal Act* as to the collection and recovery of taxes, and the proceedings that may be taken in default thereof, apply.

R.S.O. 1970,
c. 284

Registration
of by-law

(2) Where the council of a municipality passes a by-law under subsection 1 imposing special equal annual rates on land, the clerk of the municipality shall forthwith register a copy of the by-law in the proper land registry office.

s. 13,
re-enacted

5. Section 13 of the said Act is repealed and the following substituted therefor:

Loans for
building
repairs

13. Part I applies with necessary modifications to building repairs, but no loan for building repairs shall exceed the amount prescribed.

s. 14,
amended

6. Section 14 of the said Act, as amended by the Statutes of Ontario, 1978, chapter 10, section 3, is further amended by adding thereto the following clause:

(e) prescribing the term of the debentures that may be issued under this Act.

By-laws, etc.,
declared
valid
1973, c. 22

- 7.—(1) Every by-law heretofore passed or purporting to have been passed by the council of a municipality under subsection 1 of section 2 of *The Shoreline Property Assistance Act, 1973* is hereby declared to be and to have always been valid and binding in accordance with the provisions thereof and every debenture purchased by the Treasurer of Ontario, every loan made by the municipality to an owner of land and every special rate levied on the land of an owner under that Act pursuant to the said by-law is hereby declared to be and to have always been valid and binding on the corporation of the municipality that passed the by-law and on the owner and the land to whom or in respect of which the loan was made.

Certain
special
rates
invalid
1973, c. 22

- (2) Notwithstanding subsection 1, the special rates imposed under section 8 or 13 of *The Shoreline Property Assistance Act, 1973* on the lands described in the schedule hereto are hereby declared to be and to have always been invalid and do not

constitute a charge or lien on the lands and that the moneys borrowed by the owner thereof under the provisions of the said Act are hereby deemed not to be or to have been a debt upon which special rates may have been or may be imposed, assessed or levied against such lands or any interest therein.

- (3) Notwithstanding subsection 2, The Corporation of the Township of Malden is not relieved from its obligation to repay to the Treasurer of Ontario all moneys borrowed from the Treasurer under *The Shoreline Property Assistance Act, 1973* in respect of the lands described in the Schedule hereto, together with interest thereon, in accordance with the debenture issued by the township for the borrowing of those moneys.

Township
of Malden

1973, c. 22

8. The said Act is amended by adding thereto the following Schedule:

Schedule
enacted

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Malden, in the County of Essex and the Province of Ontario, more particularly described as follows:

FIRSTLY, all of Lots 6 and 7 according to a plan registered in the Land Registry Office for the Registry Division of Essex (No. 12) as No. 1163.

SECONDLY, all of Lot 7 according to a plan registered in the Land Registry Office for the Registry Division of Essex (No. 12) as No. 1502.

THIRDLY, all of Lot 14 according to a plan registered in the Land Registry Office for the Registry Division of Essex (No. 12) as No. 1193.

FOURTHLY, all of Lot 20 according to a plan registered in the Land Registry Office for the Registry Division of Essex (No. 12) as No. 1035.

9. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.
10. The short title of this Act is *The Shoreline Property Assistance Amendment Act, 1980*.

Commence-
ment

Short title

