

1980

## c 126 The City of Toronto Act, 1980

Ontario

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CHAPTER 126

An Act respecting the City of Toronto

Assented to June 17th, 1980

**W**HEREAS The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may pass by-laws,

By-laws respecting payment of fees

(a) requiring the payment of fees for information relating to any land, building or structure in the City of Toronto furnished at the request of any person by such official of the Corporation as named in the by-law and prescribing the amounts thereof, which amounts shall not exceed the reasonable cost of furnishing the information; and

(b) requiring the payment of a fee for the inspection of any premises under *The Building Code Act, 1974* and regulations thereunder where compliance therewith is required by *The Liquor Licence Act, 1975* and regulations thereunder and prescribing the amount thereof, which amount shall not exceed the reasonable cost of conducting the inspection.

1974, c. 74,

1975, c. 40

(2) A by-law passed under clause *a* of subsection 1 does not apply so as to affect the rights of any person under section 216 of *The Municipal Act*.

Proviso  
R.S.O. 1970,  
c. 284

2. Subsection 2 of section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as re-enacted by the Statutes of Ontario, 1972, chapter 199, section 4, is repealed and the following substituted therefor:

1960-61,  
c. 137,  
s. 3 (2),  
re-enacted

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the same shall be sent by prepaid mail to all persons rated on the last assessment roll returned to the clerk of the Corporation, as amended by decisions

Notice

of the Assessment Review Court, and information received in writing by the clerk with respect to land abutting on the highways or parts thereof to be designated as aforesaid at the addresses respectively shown for such persons in such roll or in such roll as amended as aforesaid and the clerk of the Corporation shall determine whether the information is appropriate for the purpose, and his determination thereof and of the persons entitled to notice shall be evidenced by his certificate and when so evidenced is final and conclusive.

Proviso

(2a) Nothing in subsection 2 authorizes the clerk of the Corporation to act on the basis of information not contained in the assessment roll unless it is reasonable for him to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date.

1936, c. 84,  
s. 6 (20),  
amended

3. Subsection 20 of section 6 of *The City of Toronto Act, 1936*, being chapter 84, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6 and amended by the Statutes of Ontario, 1974, chapter 161, section 5, is further amended by inserting after "and" in the seventh line "by prepaid first class mail upon".

Interpre-  
tation

4.—(1) In this section,

(a) "front yard" means that portion of private property located between the front wall of a residential building on such private property and the abutting public highway;

(b) "front yard parking" means the parking of a private passenger motor vehicle or motorcycle in a front yard where such parking is prohibited by a by-law of the Corporation.

Front yard  
parking  
permit  
by-laws

- (2) Notwithstanding any general or special Act or any by-law of the Corporation, the council of the Corporation may pass by-laws authorizing, pursuant to permits issued, front yard parking within the municipality or any defined area or areas thereof and section 35 of *The Planning Act* does not apply to a by-law passed under this section.

R.S.O., 1970,  
c. 349

Idem

- (3) A by-law passed under this section,

(a) may provide for the issuing of a permit or permits to the owner of the private property where front yard parking is to be permitted;

(b) may establish criteria which must be complied with prior to the issuing of a permit;

- (c) may prescribe the procedures to be followed in the processing of applications for permits;
- (d) may regulate the location, type of surface, dimensions and total area of the portion of the private property where front yard parking is to be permitted;
- (e) may define the conditions which the council may impose on the issuing of a permit;
- (f) may limit the number of spaces which can be used for front yard parking on any private property;
- (g) may prescribe a procedure by which the council or a standing committee thereof can grant variances from the requirements of the by-law in respect of location, number, type of surface, dimensions or total area of any parking space used or proposed to be used for front yard parking;
- (h) may provide for the issuing of identifying markers in connection with permits and the manner by which such identifying markers are to be affixed;
- (i) may require the payment of an administrative, survey and inspection fee in connection with each permit applied for;
- (j) may provide in conjunction with front yard parking for the use of part of the untravelled portion of the public highway abutting the private property in accordance with other by-laws of the Corporation;
- (k) shall prohibit the improper use or acquisition of a permit or identifying marker issued in connection with a permit; and
- (l) may provide that any private passenger motor vehicle or motorcycle parked in the front yard pursuant to a permit shall bear a valid motor vehicle registration plate.

5.—(1) Where, under any general or special Act, a sewage service rate or water rate or rent is imposed upon the owner or occupant of lands or premises, the council of the Corporation may pass by-laws requiring the payment of fees for the issuance of sewage service rate or water rate or rent statements of account, and for prescribing the amounts of the fees.

By-laws  
respecting  
payment of  
fees for  
statement  
of account



Maximum  
amounts  
of fees

- (2) The amounts of the fees that may be prescribed under this section shall not exceed the reasonable cost of preparing and issuing the statement of account in respect of which the fees are being charged.

Proviso

- (3) Nothing in this section authorizes the Corporation to require the payment of fees in respect of its billings of sewage service rates or water rates or rents.

Interpre-  
tation

6.—(1) In this section,

- (a) "refund date" means the date or dates as determined by the council of the Corporation;
- (b) "refund factor" means all or part of the total amount of the special charge collected and unspent and not refunded pursuant to this section at the refund date divided by the total amount of the special charge collected at the refund date, as determined by the Treasurer of the Corporation.

Refund of  
unspent  
special  
charge  
R.S.O., 1970,  
c. 284

- (2) Notwithstanding section 361 of *The Municipal Act* and the levy made thereunder for any year against the persons in an improvement area liable to pay the same, upon the repeal of a by-law establishing a Board of Management for the improvement area, the Corporation may refund from time to time, all or part of the special charge so levied and collected that is unspent and not refunded pursuant to this section as determined by the Treasurer of the Corporation at a refund date, to the persons who have paid the special charge.

Refund  
amount

- (3) The amount which may be refunded under subsection 2 to any person at any refund date is determined by multiplying the amount of the special charge paid by a person less any refund made to the person pursuant to this section, by the refund factor.

Proviso

- (4) Nothing in this section shall affect the right of the Corporation to collect any special charge levied that is unpaid.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is *The City of Toronto Act, 1980*.