

1973

c 194 The City of London Act, 1973 (No. 1)

Ontario

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Bibliographic Citation

The City of London Act, 1973 (No. 1), SO 1973, c 194

Repository Citation

Ontario (1973) "c 194 The City of London Act, 1973 (No. 1)," *Ontario: Annual Statutes*: Vol. 1973, Article 196.

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CHAPTER 194

An Act respecting the City of London

*Assented to May 18th, 1973
Session Prorogued March 5th, 1974*

WHEREAS The Corporation of the City of London, herein called ^{Preamble} the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application:

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

- 1.—(1) Notwithstanding section 28 of *The Municipal Act*, the ^{Deputy Mayor} council of the City of London may by by-law establish the permanent office of deputy mayor, the holder of which ^{R.S.O. 1970, c. 284} shall be a member of council, and any such by-law shall provide for the manner of his appointment.
- (2) When the head of the council is absent from the munici- ^{Powers} pality or absent through illness or his office is vacant, the deputy mayor shall act in his place and, while so acting, shall have and may exercise all the rights, powers and authority of the head of the council as set out in section 210 of *The Municipal Act*.
- (3) The deputy mayor may be paid such annual or other ^{Remuneration} remuneration as the council may determine.
- 2.—(1) Subsection 3 of section 2 of *The City of London Act, 1951*, ^{s. 2 (3), re-enacted} being chapter 107, is repealed and the following substituted therefor:
 - (3) Appointments of commissioners shall be made effective ^{term of office} on the 1st day of January in each year, and the persons holding office on the day this subsection comes into force shall hold office in the following manner: one commissioner designated by Council shall hold office until the 31st day of December, 1974, and two commissioners designated by Council shall hold office until the 31st day of December 1973; and, commencing with the appointments effective on the 1st day of January, 1974, and on the 1st day of January, 1975, one commissioner shall be appointed in each of such years and in

each year thereafter for a term of two years, and the third commissioner shall be appointed effective on the 1st day of January, 1974, for a term of one or two years as designated by Council and on the expiration of his designated term, his appointment thereafter, if a member of Council, shall be for a one or two-year term as Council may deem expedient, and if not a member of Council, the term shall be for a two-year period. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed.

s. 2 (6a),
repealed

(2) Subsection 6a of the said section 2, as enacted by the Statutes of Ontario, 1972, chapter 181, section 1, is repealed.

Relief from
parking
requirements

3.—(1) The council of the Corporation may by by-law authorize agreements with owners or occupants of buildings or structures to be erected or used, providing for relief to the extent set out in the agreements from any provision in any other by-law of the Corporation requiring the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owners or occupants to the extent specified in the agreements from the necessity of providing or maintaining such facilities.

Agreements

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed.

Disposition
of moneys

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes, and in the same manner, as a reserve fund provided for in paragraph 72 of section 352 of *The Municipal Act* and for such street purposes as the council may determine.

R.S.O. 1970,
cc. 470, 284

Audit
of
fund

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Registration
of agreement
imposes
lien on
land

(5) Any such agreement containing a description of the lands affected sufficient for registration, may be registered

in the appropriate land registry office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien upon the lands described therein, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement, or upon termination of the agreement, there shall be registered in the appropriate land registry office against such lands, a certificate of the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

R.S.O. 1970,
c. 284

4. This Act comes into force on the day it receives Royal Assent. Commence-
ment

5. This Act may be cited as *The City of London Act, 1973*. Short title

