

1973

c 200 The City of Ottawa Act 1973

Ontario

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CHAPTER 200

An Act respecting the City of Ottawa

*Assented to June 22nd, 1973
Session Prorogued March 5th, 1974*

WHEREAS The Corporation of the City of Ottawa, herein Preamble
called the Corporation, hereby applies for special legisla-
tion 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 con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1.—(1) For the purposes of subsection 6 of section 250 of Deemed
service
The Municipal Act, the prior service of Peter Gavin Burns R.S.O. 1970,
c. 284
with Central Mortgage and Housing Corporation is hereby
deemed to be service with the civil service of Canada.

(2) The Trustees of The City of Ottawa Superannuation Acceptance
of transfer
of moneys
authorized
Fund are hereby authorized to accept the transfer of any
sum of money, including interest, standing to the credit of
the said Peter Gavin Burns, and to apply it for the benefit
of the said Peter Gavin Burns in accordance with the terms
of The City of Ottawa Superannuation Fund By-laws, and
to enter into an agreement with Central Mortgage and Housing
Corporation to effect such transfer,

(3) The said Peter Gavin Burns is hereby deemed to have Deemed
employee of
Corporation
been an employee of the Corporation for pension purposes
only, from the 1st day of October, 1962, and as such, not
eligible for membership in the Ontario Municipal Employees
Retirement System.

(4) Notwithstanding any provisions to the contrary in Transfer of
moneys by
OMERS
R.S.O. 1970,
c. 342
The Pension Benefits Act and the regulations made thereunder,
the Ontario Municipal Employees Retirement System shall
forthwith transfer to the Trustees of The City of Ottawa
Superannuation Fund the total amount of all employer and
employee contributions made on account of the said Peter
Gavin Burns together with interest thereon, at the same rate
as is payable on refund of contributions, for the period of
his membership in the said Ontario Municipal Employees
Retirement System.

Power to
restrain
contra-
vention may
be vested
in court

2. In addition to any of the powers conferred on the council of any municipality by *The Municipal Act* or by any general or special Act, the Corporation may, in exercising any of its powers to license or regulate, provide in any such regulation authority to a court, wherein the information is first laid, and to any court of competent jurisdiction thereafter, to issue an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

Retirement
allowances
authorized
R.S.O. 1970,
cc. 284,
118

3.—(1) Notwithstanding subsections 1 and 5 of section 239 of *The Municipal Act*, the council of the Corporation may grant an annual retirement allowance, calculated in accordance with the City of Ottawa Superannuation Fund, payable weekly, monthly or otherwise, to an employee during his life who has had continuous service for at least ten years with the Corporation or with the Corporation and any other municipality or local board as defined in *The Municipal Affairs Act* or any two or more of them and who becomes permanently partially disabled and thereby unable to perform the duties associated with his position at that time, provided that no retirement allowance, together with the amount of any pension payments payable to the employee in any year under a pension plan of the City of Ottawa, shall exceed the amount of any pension payment to which any such employee would be entitled if the employee were a member of the City of Ottawa Superannuation Fund.

Interpre-
tation

(2) "Employee" in subsection 1 means an employee as defined in paragraph 64 of section 352 of *The Municipal Act*, but does not include an employee who is a member of the City of Ottawa Superannuation Fund.

By-laws
designating
buildings of
historical or
architectural
value

4.—(1) The council of the Corporation may, with the prior approval of the Ontario Municipal Board, pass by-laws designating buildings or structures as buildings or structures of historic or architectural value or interest.

Provisions
that may be
contained in
by-laws

(2) A by-law passed under subsection 1 may,

- (a) prohibit the demolition or destruction of buildings or structures designated thereunder or prohibit or regulate the alteration, renovation or use thereof;
- (b) provide for the acquisition by purchase, lease or otherwise of any such building or structure; or
- (c) provide for the making of grants to the owner of any such building or structure for the renovation, restoration or maintenance thereof.

(3) Where a by-law prohibits the demolition, destruction, alteration, renovation or use of a building or structure, or regulates the alteration or renovation of a building or structure, unless the Corporation has, within ninety days of the passing thereof, ^{By-law to be repealed if no agreement re purchase, etc., of building or structure}

(a) entered into an agreement for the purchase of the building or structure;

(b) entered into an agreement for the payment of compensation to the owner of the building or structure; or

(c) expropriated the building or structure,

the Corporation shall forthwith repeal the by-law.

(4) A by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office, and where any by-law is not so registered, it shall be deemed to be repealed. ^{Registration of by-law}

(5) A by-law repealing a by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office. ^{Idem}

(6) Where a by-law passed under subsection 1, other than a by-law regulating the use of buildings or structures, is repealed, the Corporation is liable to the owner of any land affected by the by-law for any consequential damages. ^{Liability of Corporation}

5. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

6. This Act may be cited as *The City of Ottawa Act, 1973*. ^{Short title}

