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c 213 The City of Toronto Act, 1973

Ontario

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CHAPTER 213

An Act respecting the City of Toronto

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

WHEREAS The Corporation of the City of Toronto, herein^{Preamble} 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;

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

1. Subsection 1 of section 4 of *The City of Toronto Act, 1935*, being chapter 96, is amended by striking out "not exceeding in the aggregate \$100,000 in any one year" in the third and fourth lines and inserting in lieu thereof "as it may determine". ^{s. 4(1), amended}

2.—(1) The council of the Corporation may pass by-laws for the use, regulation, protection and government of Nathan Phillips Square. ^{Power to make by-laws respecting Nathan Phillips Square}

(2) A by-law passed under the authority of this section shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act* and any such by-law may impose penalties of not more than \$1,000, exclusive of costs, upon every person who contravenes the provisions of such by-law. <sup>Penalty
R.S.O. 1970, c. 284</sup>

3.—(1) Notwithstanding *The Municipal Act* and subsection to subsection 3, where a vacancy on the council of the Corporation occurs in the office of alderman, an election shall be held to fill the vacancy and the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act, 1972*. <sup>Filling vacancy in office of alderman by election
R.S.O. 1970, c. 284
1972, c. 95</sup>

(2) Subject to subsection 3, where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of alderman, the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act, 1972*. ^{Idem}

Vacancy
after
March 31st
in election
year

(3) Where a vacancy occurs on the council of the Corporation in the office of alderman after the 31st day of March of an election year the vacancy shall not be filled.

Filling
vacancy in
office of
mayor
R.S.O. 1970,
c. 284

4. Notwithstanding *The Municipal Act* and except where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of mayor, where a vacancy occurs in the office of mayor a new election shall not be held and the procedure set out in section 44 of *The Municipal Act* applies.

s. 2,
repealed

5. Section 2 of *The City of Toronto Act, 1968-69*, being chapter 167, is repealed.

By-laws
respecting
devices in
highways

6.—(1) The council of the Corporation may by by-law,

- (a) designate any highway or portion of a highway under its jurisdiction as a speed control zone;
- (b) install or authorize the installation of a device or devices in any part of the roadway in a speed control zone so as to alter its surface; and
- (c) provide for the marking of any speed control zone by a sign or signs and provide for the placing thereof.

Contents

(2) A by-law passed under this section shall contain,

- (a) a description of the device or devices authorized to be installed;
- (b) a description of the sign or signs authorized and the location thereof; and
- (c) provision for the marking of any speed control zone by a sign or signs and provision for the placing thereof.

When
effective

(3) No by-law passed under this section becomes effective until the consent of the Minister of Transportation and Communications is endorsed on the by-law.

Exemption
from
liability

(4) Notwithstanding any general or special Act, where a by-law passed under this section is in effect, no liability attaches to the Corporation by reason of the passing of the by-law or any thing done pursuant to it, provided that nothing in this section shall absolve the Corporation from liability for negligence.

Alternate
for mayor
as member
of boards,
etc.

7. Notwithstanding any general or special Act, the council of the Corporation may by by-law, passed with the written

consent of the mayor, appoint a member of the council to act as an alternate to the mayor and in his place and stead at any meeting which the mayor does not, for any reason, wish to attend of any board, commission or other body of which the mayor is a member, except the council of The Municipality of Metropolitan Toronto, the executive committee of The Municipality of Metropolitan Toronto or any board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of The Municipality of Metropolitan Toronto.

8. The Corporation may by by-law grant to the widow, until death or remarriage, and children or any of them of the late Ray Alfred Blows who was at the time of his death on September 25, 1972, in the employ of the Corporation as a labourer, pecuniary aid from the date of his death in an amount which, together with amounts received by way of pension under any by-law of the Corporation, under *The Workmen's Compensation Act*, or under the Canada Pension Plan produces a combined annual income of \$6,000.

Pecuniary aid for widow and children of deceased employee

R.S.O. 1970, c. 505

9. Clauses *a* and *d* of subsection 1 of section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, are repealed and the following substituted therefor:

s. 3 (1) (a, d), re-enacted

(a) allow the parking of motor vehicles, or any class or classes thereof, on designated public highways or parts of highways during specified hours to the owners of such vehicles pursuant to permits issued by an official named in the by-law;

By-laws respecting permit parking

(d) prohibit the parking of all motor vehicles on such designated public highways or parts of highways during such specified hours except with a permit issued pursuant to the by-law.

10.—(1) Subsection 2 of section 6 of *The City of Toronto Act, 1936*, being chapter 84, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by adding thereto the following clauses:

s. 6 (2), amended

(f) for directing and ordering any occupant of a dwelling referred to in an order served in accordance with this section to pay his rent thereafter to the inspector to be deposited with the City Treasurer in trust until the order as confirmed or modified is complied with and for providing that the said

rent so held as aforesaid may be paid to the owner entitled to receive it in the event the order is complied with, or in the alternative that such rent shall be applied by the Corporation to reduce any amount expended or to be expended by the Corporation pursuant to any power conferred by this section;

(g) for prohibiting, during any period of time when an order as confirmed or modified is in effect, any owner from increasing the rents applicable at the date of the enactment of such by-law to such dwelling and prohibiting eviction of any occupant of such dwelling unless such eviction is ordered by the inspector.

s. 6(4),
amended

(2) Subsection 4 of the said section 6, as re-enacted by the Statutes of Ontario, 1971, chapter 130, section 3, is amended by striking out "but which shall not exceed 6½ per cent per annum" in the fifth and sixth lines.

s. 6,
amended

11.--(1) Section 6 of *The City of Toronto Act, 1971*, being chapter 130, is amended by adding at the end thereof "and their spouses and children".

s. 16,
amended

(2) Section 16 of the said Act is amended by adding thereto the following subsections:

Registration
of agreement

(5) Any agreement entered into by the Corporation and the owner or owners of land pursuant to subsection 1 may be registered in the appropriate land registry office against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Agreements
relating to
certain lands

(6) The Board of Education for the City of Toronto, and Metropolitan Separate School Board, may each enter into agreements with any person relating to the development or redevelopment of any lands described in Schedule B hereto to ensure that adequate school facilities will be provided therein, and any agreement entered into by either of such Boards and the owner or owners of the land may be registered in the appropriate land registry office against the land, and each of such Boards shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Indemnifica-
tion by
Corporation

12. The Corporation shall indemnify and save harmless any member or representative of a member of The Benefit Fund Committee administering the Toronto Fire Department Superannuation and Benefit Fund and The Toronto

Civic Employees' Pension Committee from any loss, costs, damages or expenses arising out of or in any way connected with his being a member or representative of such member of either of such committees and shall defend any such member or representative of any such member in respect of the foregoing, provided that the Corporation shall not indemnify or save harmless any such member or representative of such member guilty of fraud or deliberate breach of trust.

13. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

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

