

1970

# c 107 The Highway Improvement Amendment Act, 1970

Ontario

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## CHAPTER 107

## An Act to amend The Highway Improvement Act

*Assented to November 13th, 1970  
Session Prorogued November 13th, 1970*

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

1. Section 2 of *The Highway Improvement Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 171, s. 2,  
amended

(3) The Minister may authorize any department or agency of the Crown or any municipality, including a district, metropolitan or regional municipality, or a local board thereof or any corporation or person, by lease, licence or other arrangement, Use of space  
and areas  
over or  
under  
highway

(a) to use; or

(b) to construct, maintain and use buildings, structures or improvements in or on,

any space or area located over, across or under a highway under the jurisdiction of the Department where, in the opinion of the Minister, such construction, maintenance or use can be carried out without unduly interfering with the public use of the highway.

2. Subsection 1 of section 22 of *The Highway Improvement Act*, as re-enacted by subsection 1 of section 4 of *The Highway Improvement Amendment Act, 1962-63* and amended by subsection 1 of section 1 of *The Highway Improvement Amendment Act, 1967*, is further amended by adding "or" at the end of clause *c* and by adding thereto the following clause: R.S.O. 1960,  
c. 171, s. 22,  
subs. 1  
(1962-63,  
c. 55, s. 4,  
subs. 1),  
amended

(d) that was a connecting link between parts of the King's Highway or an extension of the King's Highway on the date it came under the jurisdiction and control of a township.

R.S.O. 1960,  
c. 171, s. 23  
(1968, c. 49,  
s. 1).  
re-enacted

**3.** Section 23 of *The Highway Improvement Act*, as re-enacted by section 1 of *The Highway Improvement Amendment Act, 1968*, is repealed and the following substituted therefor:

Trans-  
portation  
needs study  
report

23. The Minister and any municipality, including a district, metropolitan or regional municipality, may enter into an agreement for the preparation of a report on the whole or any part of the transportation system required to meet the needs of the municipality, and the Minister may direct payment out of moneys appropriated therefor by the Legislature of a sum not exceeding 75 per cent of the cost of the report.

R.S.O. 1960,  
c. 171, s. 25,  
subs. 2,  
re-enacted

**4.** Subsection 2 of section 25 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Consent to  
closing of  
highway  
connecting  
with King's  
Highway

(2) A municipality shall not open, close or divert any highway or road allowance entering or touching upon or giving access to the King's Highway without the approval of the Lieutenant Governor in Council, and a by-law passed for any of such purposes does not take effect until it has been approved by the Lieutenant Governor in Council.

Commence-  
ment

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

Short title

**6.** This Act may be cited as *The Highway Improvement Amendment Act, 1970*.