1979

c 120 The City of Cornwall Act, 1979

Ontario

© Queen's Printer for Ontario, 1979

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation
The City of Cornwall Act, 1979, SO 1979, c 120
Repository Citation
Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1979/iss1/122

This Statutes is brought to you for free and open access by the Statutes at Osgoode Digital Commons. It has been accepted for inclusion in Ontario: Annual Statutes by an authorized administrator of Osgoode Digital Commons.
CHAPTER 120

An Act respecting the City of Cornwall

Assented to November 13th, 1979

WHEREAS The Corporation of the City of Cornwall, herein called the Corporation, hereby applies for special legislation with respect to by-laws requiring cash payment to the Corporation in lieu of providing off-street vehicle accommodation as 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) The council of the Corporation may pass by-laws, (a) requiring that the owner of a building or structure shall pay an amount in lieu of providing off-street vehicle accommodation, as relief, to the extent set out in the by-law, from any provision in any other by-law of the Corporation requiring the provision or maintenance of off-street vehicle accommodation on land that is not part of a highway;

(b) providing for prescribing the amount of the payment referred to in clause a; and

(c) providing that the owner of the building or structure shall be relieved from the requirement and not be permitted to provide the off-street vehicle accommodation referred to in clause a.

(2) The payment referred to in subsection 1 shall be set out in an agreement between the Corporation and the owner of the building or structure and the agreement shall,

(a) where it provides for payment by instalments, be executed by all prior mortgagees or other encumbrancers to postpone their encumbrance in favour of the said agreement; and
(b) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof.

(3) An agreement made under subsection 2 shall provide for the payment to the Corporation of the 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.

(4) All moneys received by the Corporation under an agreement made under subsection 2 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 the reserve fund provided for in paragraph 72 of section 352 of The Municipal Act.

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

(6) Any agreement made pursuant to subsection 2 containing a description of the lands affected sufficient for registration may be registered in the proper 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, in the event of a default of payment for a period of one year from the date any payment is due, such sum 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.

(7) Upon payment in full of the moneys to be paid under an agreement registered under subsection 6, the clerk of the Corporation shall, at the request of the owner of the land or other person entitled under the agreement, provide a certificate in a form registrable in the proper land registry office on the title of the affected lands, certifying that all moneys due under the agreement have been paid.

(8) Any by-law passed under this section may define the area or areas of the City of Cornwall to which the by-law applies.

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

3. The short title of this Act is The City of Cornwall Act, 1979.