c 96 The City of Ottawa Act, 1977

Ontario
CHAPTER 96

An Act respecting the City of Ottawa

Assented to December 1st, 1977

WHEREAS The Corporation of the City of Ottawa, hereinafter 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. -(1) In this section, "tenant" means a tenant within the meaning of The Landlord and Tenant Act.

(2) Notwithstanding any general or special Act, the council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to make payments to tenants of residential real property that is separately assessed under The Assessment Act in the City of Ottawa at a uniform amount to be determined by the council of the Corporation in like manner and upon the same terms and conditions as if such tenant were an owner of real property entitled to a uniform credit against real property taxes under The Municipal Elderly Resident's Assistance Act, 1973.

(3) No payments shall be made pursuant to subsection 2 to,

(a) tenants residing in premises owned or administered by the City of Ottawa Non-Profit Housing Corporation or by Ontario Housing Corporation or any agency of the said Corporations; or

(b) tenants who are in receipt of direct financial assistance for the payment of rent from the Government of Canada, the Province of Ontario or the City of Ottawa.

2. Notwithstanding any general or special Act, where the council of the Corporation is authorized to pass by-laws
for licensing any trade, calling, business or occupation or the person carrying on or engaged in it, the council of the Corporation or a committee thereof, to be known as the Licence Committee, subject to The Statutory Powers Procedure Act, 1971, is authorized to suspend or revoke any such licence.

### Suspension of licences

3.——(1) Notwithstanding any general or special Act, where the council of the Corporation is authorized to pass by-laws for licensing any trade, calling, business or occupation or the person carrying on or engaged in it, the council of the Corporation may by by-law authorize the Chief Licence Inspector of the Corporation to suspend any such licence for such time and subject to such conditions as the by-law may provide.

(2) No suspension of a licence by the Chief Licence Inspector is effective after the expiration of two weeks from the date of suspension or after the time of the next meeting of the Licence Committee of the council of the Corporation after the suspension, whichever occurs first.

### Interpretation

4.——(1) In this section, "property" means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, out-buildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property.

(2) An inspector appointed by the Corporation to enforce by-laws passed under the authority of section 35 of The Planning Act, section 8 of The City of Ottawa Act, 1966 or section 6 of this Act may, at all reasonable times and upon producing proper identification, enter and inspect any property.

(3) An inspector, when making an inspection permitted by subsection 2, shall not enter any room or place actually used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under section 16 of The Summary Convictions Act.

(4) In subsection 3, "occupier" means any person or persons over the age of eighteen years in possession of the property.

5.——(1) Notwithstanding the provisions of any other general or special Act, the council of the Corporation may, by by-law, where an excavation has been made in connection with the construction or proposed construction of a building or structure, and where, in the opinion of the council, the
construction work on the project has been substantially suspended or discontinued for a period of more than two and one-half years, require the owner of the land on which there is an excavation to backfill the excavation or cause the backfilling of the excavation.

(2) Section 469 of The Municipal Act applies mutatis mutandis to any by-law passed under subsection 1.

6.—(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 the 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 which is subject to the approval of the Ontario Municipal Board.

(3) The agreement made pursuant to 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 pursuant to subsection 2, shall be paid into a special account and may be invested in such securities as a trustee may invest in under The Trustees 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.
(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 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, the clerk of the Corporation shall, at the request of the owner of the land or other person entitled under such an 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.

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

(8) The provisions of Part XXI of The Municipal Act respecting penalties apply mutatis mutandis to a by-law passed under this section.

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

8. The short title of this Act is The City of Ottawa Act, 1977.