1976

c 105 The City of Toronto Act, 1976

Ontario

© Queen's Printer for Ontario, 1976
Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation
The City of Toronto Act, 1976, SO 1976, c 105

Repository Citation
Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1976/iss1/110

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.
An Act respecting the City of Toronto

Assented to May 13th, 1976

WHEREAS The Corporation of the City of Toronto, herein 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) The Corporation may, by by-law, provide that the whole or any part of a special assessment falling due in the year 1976 or in any year thereafter in respect of the owner’s portion of the cost of all or any works constructed under the authority of a by-law passed pursuant to the provisions of The Local Improvement Act shall be assumed by the Corporation from year to year as the same falls due and that an owner of land shall be relieved from such special assessment or such part thereof as is paid by the Corporation.

(2) Notwithstanding The Ontario Municipal Board Act, sections 63 and 64 of such Act shall not apply to a by-law passed pursuant to subsection 1.

2. Subsection 1 of section 3 of The City of Toronto Act, 1960-61, being chapter 137, as amended by the Statutes of Ontario, 1973, chapter 213, section 9, is further amended by striking out “Subject to the approval of the Department of Transport,” in the first and second lines.

3.—(1) The council of the Corporation may by by-law authorize the Commissioner of Parks and Recreation or such other official as is named in the by-law, or any person acting under his instructions, to enter, without notice to the owner or tenant or occupier thereof, on any property in or on which is located a tree that he has reason to believe is in a condition creating an immediate hazard to persons or property, for the purpose of inspecting and examining the tree.
(2) A by-law passed pursuant to subsection 1 may provide that where, upon inspection or examination, a tree located on private property appears to be in a condition creating an immediate hazard to persons or property, the Corporation shall have the right with its servants and agents and such equipment as may be deemed necessary, to enter on the property after making reasonable efforts to notify the owner or tenant or occupier of the property and remove the tree or otherwise eliminate the condition creating the hazard, without payment of compensation therefor.

(3) The Corporation and its servants and agents shall not incur any liability by reason of anything done under the authority of a by-law passed hereunder if reasonable care, skill and judgment are exercised in the doing of it.

(4) Any person, if obstructed in doing what is authorized by a by-law passed hereunder may call for the assistance of any constable and it is the duty of every constable so called upon to render such assistance.

(5) The Corporation shall have a lien for any amount expended by or on behalf of the Corporation under the authority of a by-law passed pursuant to this section together with interest at a rate to be determined by the council from time to time and the certificate of the Clerk of the Corporation as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the collector's roll to be collected in one year or to the proper collector's rolls to be collected by instalments over a period of not more than five years and the full amount or each instalment thereof may be collected as real property taxes, provided that the Corporation may provide the services at its expense with respect to properties owned by any class or classes of persons.

4.—(1) Clause e of subsection 1 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 striking out "demolish or" in the third line.

(2) Clause e of subsection 2 of the said section 6, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "or demolish the whole or any part of the dwelling" in the sixth and seventh lines.

(3) Subsection 6 of the said section 6, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6,
is amended by striking out "demolish the dwelling or to" in the first and second lines and by inserting after "modified" in the third line "or to demolish the dwelling in accordance with a by-law passed under subsection 13 or an order made under subsection 18".

(4) Subsection 10a of the said section 6, as re-enacted by s. 6 (10a), amended the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "demolish the dwelling or to" in the sixth line.

(5) Subsection 13 of the said section 6, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is repealed and the following substituted therefor:

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling which in the opinion of the council is unfit for human habitation or dangerous to the health or safety of persons and which the owner thereof has failed to repair in accordance with an order made under subsection 20, as confirmed or modified.

(6) Clause b of subsection 21 of the said section 6, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "demolition or" in the second line.

(7) Subsection 23 of the said section 6, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "or demolition" in the sixth line.

(8) Subsection 24 of the said section 6, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "the dwelling should be demolished or that" in the third line.

(9) Subsection 25 of the said section 6, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "demolish or" in the eighth and ninth lines.

(10) Subsection 27 of the said section 6, as enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by striking out "or effect the demolition" in the seventh and eighth lines.

(11) The said section 6, as amended by the Statutes of Ontario, 1941, chapter 81, section 3, 1955, chapter 117,
Demolition

(48) This section does not apply so as to prevent the demolition of any dwelling subject to the owner of the dwelling complying with the provisions of any other Act or regulations or by-laws thereunder.

Roncesvalles Business Improvement Area
R.S.O. 1970, c. 284

5. Notwithstanding section 361 of The Municipal Act and the levy made thereunder for the year 1975 against the persons in the Roncesvalles Business Improvement Area liable to pay the same, the Corporation may refund the special charge so levied and collected to the persons who have paid it and may assume at the expense of the Corporation accounts incurred by the Board of Management in the year 1975 for that Area.

By-laws to define area

6.—(1) Notwithstanding the provisions of any other Act, subject to subsection 6, where land is or is to be acquired for a public park or a public park is or is to be established or laid out, the council may pass by-laws to define one or more areas in the municipality which in its opinion derives or will derive special benefit from the acquisition, establishment or laying out, and improvement of such public park.

(2) Subject to subsections 4 and 6, where an area has been defined pursuant to this section, the council may levy the cost or part of the cost of the acquisition, establishment, laying out and improvement of land for the public park against the lands in the area payable in such number of annual instalments as the council shall prescribe, provided that council may establish a class or classes of land used for commercial, industrial, institutional or residential purposes to which the by-law passed pursuant to this subsection shall not apply.

(3) The cost chargeable against the lands within an area shall be apportioned in the same ratio as the assessment of each parcel bears to the total assessment of the parcels in the area which are subject to a levy under this section.

(4) Where the cost or part thereof is to be levied as provided herein, a by-law, passed pursuant to subsection 2 does not
come into force until it is approved, altered or amended by the Ontario Municipal Board, and the council shall give notice of its application for approval to the assessed owners of each parcel of land subject to the levy in the area in such manner as the Ontario Municipal Board may direct.

(5) The notice referred to in subsection 4 shall contain a statement of the total cost to be levied on the land in the area, the part of such cost to be apportioned to the particular parcel of land and the number of the instalments by which such cost is to be payable.

(6) The following are exempt from a levy under this section:

1. Land in respect of which a conveyance of land for park purposes or a cash payment in lieu of conveyance has been accepted by the Corporation under section 35b of The Planning Act.

2. Land within a plan of subdivision approved under The Planning Act or land within a description approved under The Condominium Act if land was conveyed to the Corporation for park purposes pursuant to a condition to the approval of the plan of subdivision or description or a payment in lieu of conveyance was accepted by the Corporation.

3. Land in respect of which a contribution was made to the Corporation for public park purposes within ten years of the levy being made to the extent of the contribution so made.

(7) Amounts collected by a levy under this section shall be used to defray the cost of the acquisition, establishment, laying out and improvement of the land referred to in subsection 2.

(8) Each and every instalment of the cost or part of the cost levied and payable under this section is a special lien on the land within the meaning of section 511 of The Municipal Act which section applies mutatis mutandis and may be collected in the same manner and with the same remedies as provided by The Municipal Act for the collection of municipal real property taxes.

(9) The council may by by-law prescribe the terms and conditions upon which persons liable to pay amounts...
levied under this section may commute for a payment in cash the amount of such liability.

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

8. This Act may be cited as The City of Toronto Act, 1976.