1975

c 117 The City of Toronto Act, 1975 (No. 2)

Ontario
CHAPTER 117

An Act respecting the City of Toronto

Assented to May 16th, 1975

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. Notwithstanding any general or special Act, or any agreements validated by any Act or entered into under the authority of any Act, the Corporation shall not be under any obligation to make any payment towards the maintenance and upkeep of the Art Gallery of Ontario.

2. The council of the Corporation may by by-law provide at its expense for the clearing away and removing of snow and ice from those portions of walkways between the public sidewalks on highways and the lowest step of the principal place of entrance of buildings owned or occupied by any class or classes of persons.

3.—(1) The council of the Corporation may by by-law require the owners of buildings connected to the sewage works of the Corporation by means of common drain connections to repair such connections where they are for any reason blocked.

(2) This section does not apply where all of the buildings connected to the sewage works of the Corporation by means of a common drain connection are in common ownership.

(3) If owners of buildings affected by a by-law passed under this section fail to repair as required by the by-law within ten days after the Corporation has sent notice to them by registered mail to their respective last known addresses requiring the repair to be made, the Corporation...
has the right to make the repair at the expense of the owners, and for this purpose in addition to all its other remedies,

(a) the Corporation and anyone acting on its behalf shall have the right with its servants and agents from time to time to enter in and upon the property of all or any of the owners; and

(b) the Corporation or anyone acting on its behalf shall not be liable to compensate the owners, occupants or any other person by reason of anything done in good faith by or on behalf of the Corporation under the provisions of this section.

4. Where the Corporation or anyone acting on its behalf seeking to exercise a right of entry under subsection 3 is prevented from doing so, and where a provincial judge is satisfied, upon an ex parte application, that there is reasonable ground for believing it is necessary to enter the property for the carrying out of the provisions of this section, the provincial judge may issue an order authorizing such person to enter thereon and thereupon and to make the repair, but every such entry and all such repairs shall be carried out between sunrise and sunset unless the provincial judge authorizes that person, by order, to so act at another time.

5. A by-law under this section may provide for a basis of apportionment among the owners affected by the by-law of the cost of repair of the common drain connections made by the Corporation.

6. The notices sent under subsection 3 shall advise the owners that if they fail to make the repair as required, the Corporation has the right to make it at their expense, and for the purpose may enter in and upon the property of any or all of the owners.

7. A by-law passed under this section may provide for the making of loans by the Corporation to an owner or owners to whom a notice has been sent under subsection 3 to pay for the whole or any proportionate amount of the cost of making the repair required by the by-law, which loans may be made on such terms and conditions as the council of the Corporation may prescribe.

8. The amount of any loan made under a by-law passed under this section, together with interest at a rate to be determined by the council of the Corporation, may be added by the clerk of the Corporation to the collector's
roll and collected in like manner as municipal real property taxes over a period fixed by council, not exceeding five years, and such amount and interest shall, until payment thereof, be a lien or charge upon the land in respect of which the loan is made.

(9) A certificate signed by the clerk of the Corporation setting out the amount loaned to any owner assessed under a by-law passed under this section, including the rate of interest thereon together with a description of the land in respect of which the loan has been made sufficient for registration, shall be registered in the proper land registry office against the land, and, upon repayment in full to the Corporation of the amount loaned and interest thereon, a certificate signed by the clerk of the Corporation showing such repayment shall be similarly registered, and thereupon the lien or charge upon the land in respect of which the loan was made is discharged.

4.—(1) In this section, Interpretation

(a) "housing accommodation" means housing accommodation as defined in The Ontario Human Rights Code; R.S.O. 1970, c. 318

(b) "policy statement" means a statement establishing criteria for the sharing of housing accommodation by adults and children.

(2) The council of the Corporation may by by-law adopt a policy statement.

(3) Where a policy statement has been adopted under subsection 2, the council of the Corporation may pass by-laws prohibiting any person, directly or indirectly, alone or with another, by himself or by the interposition of another, from discriminating against any person with respect to any term or condition of the occupancy of housing accommodation because such person has children who would be sharing the housing accommodation with him where occupancy of such housing accommodation by adults and children is deemed appropriate thereto by the policy statement referred to in subsection 2.

(4) A by-law passed under this section shall be enforceable in the same manner as a by-law 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 any provisions of any by-law passed pursuant to this section.
(5) A policy statement referred to in this section shall be deemed not to be a policy statement within the meaning of section 16 of The Housing Development Act.

(6) Nothing herein contained shall affect the powers of the Corporation to enact by-laws relating to standards of maintenance and occupancy under The City of Toronto Act, 1936.

5.—(1) In this section, “assisted housing program” means a program designed to provide housing accommodation, by sale or lease, at a price or rental below the current market price or rental in the area in which the accommodation is located.

(2) In any by-law passed under section 35 of The Planning Act, the council of the Corporation may prescribe one or more residential densities of development applicable to any land in respect of which the owner agrees with the Corporation, as set out in subsection 3, to provide for the purpose of any assisted housing program, such proportion as the by-law may specify of the units to be built on such land and another residential density of development applicable to land in respect of which the owner does not so agree.

(3) The Corporation may require an owner to enter into one or more agreements respecting the provision of units referred to in subsection 2.

(4) Any agreement entered into under subsection 3 may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of The Registry Act and The Land Titles Act, any and all subsequent owners of the land.

6.—(1) In this section, “housing development” means any project or undertaking designed to provide housing accommodation in the municipality and includes, without limiting the generality of the foregoing, any public space or recreational, institutional, commercial or industrial facilities or buildings as, in the opinion of the council of the Corporation, may be reasonably necessary.

(2) Notwithstanding any general or special Act, for the purposes of a housing development, where the council of the Corporation has adopted a policy statement approved by the Minister of Housing under section 16 of The Housing Development Act containing provisions relating to the provi-
sion of housing developments as contemplated by this section, and where the Minister of Housing advises the Corporation he is satisfied that the policy statement so adopted conforms with the policy statement related to housing adopted by the council of The Municipality of Metropolitan Toronto under section 198a of The Municipality of Metropolitan Toronto Act, the Corporation may,

(a) acquire land with or without buildings;
(b) hold any land with or without buildings heretofore or hereafter acquired;
(c) survey, clear, grade, subdivide, service or otherwise prepare such land;
(d) rehabilitate, convert, repair or otherwise improve any building on such land;
(e) construct any building on such land;
(f) manage, maintain or operate any such building;
(g) sell, lease or otherwise dispose of for nominal consideration or otherwise any such land or building;
(h) enter into partnership or into any arrangement for the sharing of profits, union of interests, joint adventure, reciprocal concession or other similar arrangement with any person or body corporate or governmental authority having the power to undertake such housing development, upon such terms and conditions as may be agreed.

(3) Notwithstanding clauses a and b of subsection 2, no land heretofore or hereafter acquired pursuant to the exercise of the powers of expropriation conferred by any Act may be used for the purposes of a housing development under this section in respect of which the Corporation has entered into a partnership or any other arrangement authorized by clause h of the said subsection.

7. -(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1975.

8. This Act may be cited as The City of Toronto Act, 1975. (No. 2).