1972

c 175 The City of Brantford Act, 1972

Ontario
CHAPTER 175

An Act respecting the City of Brantford

Assented to April 27th, 1972
Session Prorogued December 15th, 1972

WHEREAS The Corporation of the City of Brantford, 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 council of the Corporation may by by-law authorize agreements with owners or occupants of buildings or structures to be erected or used, providing for relief to the extent set out in the agreements from any provision in any other by-law of the Corporation requiring the provision of maintenance of parking facilities on land that is not part of a highway, and exempting such owners or occupants to the extent specified in the agreements from the necessity of providing or maintaining such facilities.

Agreements referred to in subsection 1 shall be subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a 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.

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, and shall provide for the payment to the Corporation of a 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.

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest 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 a reserve fund provided for in paragraph 72 of section 352 of The Municipal Act.

R.S.O. 1970, c. 470, s. 264
(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

(5) Any such agreement containing a description of the lands affected sufficient for registration, may be registered in the proper registry office or land titles 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, or upon termination of the agreement, there shall be registered in the proper registry office or land titles office against such lands, a certificate of the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

2. The lands described in the Schedule hereto are hereby vested in the Corporation, freed from all trusts, limitations, conditions, restrictions, covenants or other encumbrances affecting the lands.

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

4. This Act may be cited as The City of Brantford Act, 1972.
SCHEDULE

ALL and SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Brantford, in the County of Brant, and being composed of a part of the West Market Square in the said City, containing by admeasurement 1.56 acres more or less, and premising the bearing of Colborne Street fronting the said West Market Square to be North 84 degrees 30 minutes East and relating all bearings herein thereto, the said parcel may be more particularly described as follows:

COMMENCING at a point at the Southeast angle of the said West Market Square;

THENCE South 84 degrees 30 minutes West, 256.96 feet to a line drawn parallel to and perpendicularly distant 8 feet Easterly from the Western limit of the said West Market Square;

THENCE North 5 degrees 53 minutes West, parallel to the Western limit of the said West Market Square, 264.23 feet to the Northern limit of the said West Market Square;

THENCE North 84 degrees 30 minutes East, 256.67 feet to the Eastern limit of the said West Market Square;

THENCE South 5 degrees 56 minutes East along said Eastern limit, 264.28 feet more or less to the point of commencement.