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c 107 The Highway Improvement Amendment Act, 1970

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CHAPTER 107

An Act to amend  
The Highway Improvement Act

Assented to November 13th, 1970  
Session Prorogued November 13th, 1970

HER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. Section 2 of The Highway Improvement Act is amended  
by adding thereto the following subsection:

(3) The Minister may authorize any department or  
agency of the Crown or any municipality, including  
a district, metropolitan or regional municipality, or  
a local board thereof or any corporation or person,  
by lease, licence or other arrangement,

(a) to use; or

(b) to construct, maintain and use buildings,  
structures or improvements in or on,

any space or area located over, across or under a  
highway under the jurisdiction of the Department  
where, in the opinion of the Minister, such con­  
struction, maintenance or use can be carried out  
without unduly interfering with the public use of the  
highway.

2. Subsection 1 of section 22 of The Highway Improvement  
Act, as re-enacted by subsection 1 of section 4 of The Highway  
Improvement Amendment Act, 1962-63 and amended by sub-  
section 1 of section 1 of The Highway Improvement Amendment  
Act, 1967, is further amended by adding “or” at the end of  
clause c and by adding thereto the following clause:

(d) that was a connecting link between parts of the  
King’s Highway or an extension of the King’s  
Highway on the date it came under the jurisdiction  
and control of a township.
3. Section 23 of *The Highway Improvement Act*, as re-enacted by section 1 of *The Highway Improvement Amendment Act, 1968*, is repealed and the following substituted therefor:

23. The Minister and any municipality, including a district, metropolitan or regional municipality, may enter into an agreement for the preparation of a report on the whole or any part of the transportation system required to meet the needs of the municipality, and the Minister may direct payment out of moneys appropriated therefor by the Legislature of a sum not exceeding 75 per cent of the cost of the report.

4. Subsection 2 of section 25 of *The Highway Improvement Act* is repealed and the following substituted therefor:

(2) A municipality shall not open, close or divert any highway or road allowance entering or touching upon or giving access to the King's Highway without the approval of the Lieutenant Governor in Council, and a by-law passed for any of such purposes does not take effect until it has been approved by the Lieutenant Governor in Council.

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

6. This Act may be cited as *The Highway Improvement Amendment Act, 1970*.